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**PROGRESS REPORT ON THE IMPLEMENTATION OF
AGREED CONCLUSIONS AND RECOMMENDATIONS
OF THE COMMISSION, INCLUDING
POST-DOHA FOLLOW-UP**

Note by the UNCTAD secretariat

Executive summary

In accordance with paragraph 10 of the guidelines for the functioning of the UNCTAD intergovernmental machinery, adopted by the Trade and Development Board in carrying out the Mid-Term Review at its nineteenth special session (held in Bangkok from 29 April to 2 May 2002), the UNCTAD secretariat presents herewith a progress report on the implementation of agreed conclusions and recommendations addressed to the secretariat at the eight session of the Commission (held from 9 to 13 February 2004). The text in italics reproduces the agreed recommendations and conclusions of the Commission.

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I. MARKET ACCESS, MARKET ENTRY AND COMPETITIVENESS

UNCTAD should continue its development-oriented policy analysis, confidence and consensus building, exchange of experience and information, and capacity development activities focusing, inter alia, on market entry and market access conditions facing developing country exports, including commodities.¹ In doing so, UNCTAD should take into account, whenever appropriate, work and expertise already available. It should examine tariff and non-tariff barriers, including technical barriers and other market entry conditions, such as behind-the-border measures, that are obstacles to international trade, with special attention to those affecting developing country exports. UNCTAD should also continue its work, whenever appropriate with other international agencies, on factors shaping the competitiveness of developing countries, including international market structures and anti-competitive practices.

1. *Action:* In the context of UNCTAD XI and the Rio Trade Week preparatory to the conference,² the secretariat convened an expert-level forum on *export competitiveness of developing countries* and provided a background paper on “Export performance and its determinants: Supply and demand constraints”.³ Key aspects of policy relevant in export competitiveness considered were the following: how to increase supply capacity, how to obtain greater diversification through value added, and market access/market entry conditions. These were influenced by both internal and external factors, whose relative significance varies among countries and sectors. The forum underlined the importance of creating a good investment climate and attracting development-oriented FDI; building supply capacity and competitiveness through sound and supportive macro, sectoral and enterprise-level policies; merging public and private objectives within a general development-deepening oriented framework by increasing genuine collaboration between stakeholders; and effectively managing integration with the global economy. An important lesson distilled from successful experiences is that developing countries themselves need to make the appropriate strategic policy choices, based on a realistic assessment of the actual and potential comparative advantage of each country, not only in each sector but also in the entire value chain. Also, WTO negotiations provided an important opportunity to address a number of key market access issues relevant for developing countries’ participation in dynamic and new sectors.

2. The UNCTAD XI interactive thematic session on “*policy options and strategies to support developing countries’ competitiveness in the most dynamic sectors of international trade*” deliberated on how to better capture the development gains from trade through strengthening the competitive production and export supply capacity of developing countries, improving market access and entry conditions in the main markets of developing countries, and enhancing the participation of developing countries in dynamic and new sectors of world trade. A common view emerged that market access and entry are necessary conditions for developing countries to reap gains from trade. Ensuring such gains, however, also depends on a range of external and domestic factors that affect the participation of developing countries, especially in dynamic and new sectors. The secretariat provided a background note⁴ for the discussions.

¹ Actions taken relating to commodities are discussed in section II of the report.

² Rio de Janeiro, 7–12 June 2004. For details see “Report on the Rio Trade Week Preparatory to UNCTAD XI” (TD/L.395).

³ UNCTAD/ITCD/TAB/27.

⁴ TD/396.

3. The secretariat continues to develop software and databases that provide information on trade control measures affecting the market access and entry of developing country exports in particular, and to develop capacities to undertake analysis of the impacts of trade negotiations, including on competitiveness. The *Agricultural Trade Policy Simulation Model* (ATPSM) (see box 1) was provided with further funding, by the UK Department for International Development (DFID), for further improvement, including model development and dissemination. For example, WTO agricultural negotiations have recently focused on a blended formula that is much more difficult to model than the previous linear approaches. UNCTAD is undertaking improvements to the interface to enable these complex scenarios to be analysed. Also, a wider range of research questions and tariff reduction formulas can be analysed. UNCTAD has been invited to demonstrate the model and model results at various regional meetings in Addis Ababa, Jakarta, Nairobi, Santiago, Lima and Bogotá in addition to Geneva. UNCTAD has also used the model for its analysis. Several papers illustrating applications of the model have been distributed to developing countries.

4. Applications using ATPSM have been published in various UN publications and others.⁵ Papers using the model have been presented at the European Trade Study Group meeting in Nottingham, the German Economic Association meeting, an ECA conference in Tunis, the International Food and Agricultural Trade Policy Council meeting in Johannesburg, the International Lawyers and Economists Against Poverty workshop in Nairobi, the SATRN workshop on issues in international trade in Pretoria, the FAO and the Economic Research Service at the United States Department of Agriculture. Researchers in many countries have used the model, including in Austria, Argentina, Australia, Botswana, Canada, Germany, Turkey and Zambia. Training seminars were given for all UN regional commissions, and for country experts from Bangladesh, Ethiopia and Sudan. Such seminars were also held at the Trinity College Dublin, Seminar for African Anglophone Diplomats in Cairo, UNCTAD Paragraph 166 training course for African trade experts and at a European Commission training seminar for developing countries in Maastricht.

5. The secretariat continues to develop and disseminate the *Trade Analysis and Information System* (TRAINS) (see box 1). The widespread use of TRAINS, particularly in the publications of such organizations as the OECD, the World Bank and the IMF, as well as UNCTAD itself, attests to the recognition of its usefulness. In addition, the database serves as the primary source of data for other databases such as the Agricultural Market Access Database (AMAD), which in turn is often referenced as an information source in many publications on trade in agriculture. That a number of universities and private organizations have made voluntary contributions to the TRAINS trust fund is a good indication of the value of the system. Requests for the TRAINS have also come from government ministries and international organizations engaged in trade negotiations under WTO as well as the Free Trade Area of the Americas (FTAA). Among the regional secretariats actively collaborating with UNCTAD is the Latin American Integration Association, the South Asian Association for Regional Cooperation, the Permanent Secretariat of the General Treaty on Central American Economic Integration, the Central African Economic and Monetary Community and the South African Development Community (SADC).

Box 1. UNCTAD tools for trade negotiations: ATPSM and TRAINS

ATPSM was initially developed in response to the need for developing countries to be able to undertake analysis of agricultural impacts of any negotiated outcomes from the Uruguay Round. Given the
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⁵ For example in the CREDIT Research Paper series.

emphasis placed on developing countries in the Doha Work Programme, the importance of such analysis has increased. ATPSM is now available from UNCTAD's website with the possibility of downloading the model with full description. In 2004 there were 816 downloads. More than 400 CD versions have been distributed since its release.

TRAINS is an information system intended to increase transparency in international trading conditions. It is intended more specifically to provide a comprehensive information system for use by policy makers and economic operators engaged in exporting. It is also a powerful tool that can be used in trade negotiations (e.g. to monitor an integration process) and for general research on international trade. One component of the system relates to the Generalized System of Preferences in that it includes information on tariffs, preferential margins, rules of origin and other regulations affecting the export interests of developing countries vis-à-vis the preference-giving countries. A subsystem (TRAINS for the Americas) has been developed in collaboration with the Inter-American Development Bank for extension of the database with information on bilateral preferential trade agreements, as well as extended coverage of the non-tariff measures. For dissemination purposes, UNCTAD has invited member States and subregional institutions to designate TRAINS focal points, which in addition to being supplied with updated information on trade control measures, serve as a channel through which UNCTAD obtains recent information on countries or regions, particularly computerized information on tariffs and trade, as well as documentation on para-tariff and non-tariff measures.

6. A new project, with UK DFID financing, was launched on “*Supporting Developing Countries' Assessment of the Non-Agricultural Market Access Negotiations*”. It aims to help, through research and technical assistance, WTO trade negotiators, policy makers, the business community, local universities, research institutions, and civil society in the beneficiary countries to better assess the possible implications of the non-agricultural market access (NAMA) negotiations under the WTO. UNCTAD has also been carrying out extensive analysis of the WTO non-agricultural market access negotiations, and has prepared a number of papers and presentations for conferences and briefings in Geneva and capitals.⁶

7. In respect of *competition and consumer policy issues* that affect the competitiveness of developing countries, the secretariat has continued to provide capacity-building and technical assistance on competition law and policy to developing countries and countries in transition. Technical assistance included the preparation, adoption, revision or implementation of national competition and consumer protection policies and legislation. This assistance was provided to Angola, Bhutan, Bolivia, Brazil, Cambodia, Costa Rica, Egypt, El Salvador, Guatemala, Honduras, Kenya, the Lao People's Democratic Republic, Lesotho, Malawi, Nicaragua, Peru, the Republic of Korea, South Africa, the United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe. Several countries⁷ benefit from the Technical Assistance Programme on Competition and Consumer Protection Policies for Latin America, supported by SECO (Switzerland).

8. At the regional and subregional levels, as well as assisting in the drafting of competition legislation for member States of the Common Market for Eastern and Southern Africa (COMESA) and in the implementation of the recently adopted legislation of the West African Economic and Monetary Union, UNCTAD prepared a draft agreement on regional competition policy⁸ for member States of the South African Customs Union (SACU). At the request of seven African countries,⁹ the secretariat held in Zambia a seminar for judges and public prosecutors on the enforcement of competition law, as well as a training course on investigation and evidence-gathering for competition cases. In cooperation with the World

⁶ Some of which are available on the UNCTAD website.

⁷ Nicaragua, Costa Rica, El Salvador, Peru and Bolivia.

⁸ Articles 40 and 41.

⁹ Kenya, Malawi, Namibia, South Africa, United Republic of Tanzania, Zambia and Zimbabwe.

Bank and the EC, UNCTAD organized a regional Conference on Competition, Competitiveness and Development in the United Republic of Tanzania.

9. Preparatory to UNCTAD XI, the secretariat held in Brazil an interregional seminar on the Role of Competition Policies in the Promotion of Competitiveness and Development. Subsequently, the sixth session of the Intergovernmental Group of Experts on Competition Law and Policy was held¹⁰ and discussed the strengths and weaknesses of peer review related to competition policy; cooperation and dispute mediation mechanisms in regional integration agreements related to competition law and policy; evidence-gathering and cooperation issues in hard-core cartel investigations; and advocacy in promoting awareness of competition policy in developing countries. It also reviewed UNCTAD's capacity-building and technical assistance on competition law and policy. In addition, it recommended activities to be undertaken by UNCTAD within the framework of preparation of the Fifth UN Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.

10. *Environmental requirements*, both governmental regulations and private standards, are becoming increasingly frequent, stringent and complex in major markets. A large percentage of developing country exports are affected by these requirements, with which they must comply in order to maintain market share. Though not intended as such, these requirements can in reality act as technical barriers to trade, with a considerable impact on developing country market access, market entry and competitiveness. Through its project on "Building Capacity for Improved Policy Making and Negotiations on Key Trade and Environment Issues", funded by DFID, UNCTAD has carried out considerable analysis of trends and impacts of environmental requirements in three sectors of interest to developing countries: leather and leather products; electrical and electronics equipment; and horticulture.

11. UNCTAD launched the Consultative Task Force (CTF) on Environmental Requirements and Market Access for Developing Countries, with initial funding support from the Dutch Ministry for Development Cooperation. It aims to assist developing countries in analysing key trends in environmental requirements in export markets and to exchange national experiences on proactive approaches to meeting those requirements. The terms of reference of the CTF were discussed at a pre-UNCTAD XI workshop on Environmental Requirements and Market Access for Developing Countries.¹¹ Its first substantive meeting¹² focused on the electrical and electronics equipment and horticulture sectors.¹³

II. COMMODITIES

UNCTAD should continue and enhance its work with regard to international commodity markets and policies and measures at the macro, meso and micro levels in order to improve the contribution of the commodity sector to development, focusing in particular on (i) the relationship between poverty reduction and commodity production and trade; (ii) enhancing the competitiveness of the commodity sector in developing countries; (iii) the strategic positioning of developing country producers in value chains; (iv) achieving diversification of the commodity sector in developing countries towards activities

¹⁰ Geneva, 8–10 November 2004.

¹¹ Rio Trade Week, Rio de Janeiro, 7–8 June 2004.

¹² Geneva, 5–6 November 2004.

¹³ For more information, see the UNCTAD secretariat note on "Trade, environment and development" (TD/B/COM.1/70) and the UNCTAD trade and environment website (www.unctad.org/trade_env).

generating higher development gains; (v) financing and risk management mechanisms for commodity sector development; and (vi) further work on concentration of commodity distribution chains and their impact on developing countries' commodity sectors. UNCTAD should continue to play an important role in building effective partnerships among relevant stakeholders aiming at viable solutions to commodity problems.

12. *Action*: In the context of UNCTAD XI, commodity events were held and documents prepared (see box 2). Regarding *enhancing the competitiveness of the commodity sector in developing countries*, assistance and policy support were provided to commodity-exporting developing countries through different external activities and meetings. These include the 10th annual meeting of the Advisory Group on Trade Finance and Export Development in Africa,¹⁴ the ACP Workshop on Sugar Reform,¹⁵ the meeting on the Role of Commodities in Sustainable Development¹⁶ and the 6th Eurasian Forum of the Metallurgical and Mining Industry.¹⁷

Box 2. UNCTAD XI-related commodity events and documents

- An Interactive Panel on Commodities, Poverty Alleviation and Sustainable Development, organized in cooperation with the Common Fund for Commodities. It examined issues regarding *poverty reduction and commodities*.
- A Side-Event on Tropical Timber Trade and Development Dialogue, organized in cooperation with the International Tropical Timber Organization.
- A Conference on Managing Risks and Seizing Opportunities for Local Companies in the Oil and Gas Sector was held during the Rio Trade Week.¹⁸ Various articles were published, and arrangements were put in place to organize further conferences on the issue in Brazil and Nigeria in the course of 2005.
- An 80-page booklet on “Corporate responsibility for development: The extractive industries angle” was published.
- The *Commodity Atlas* (UNCTAD/DITC/COM/2004/1) publication, prepared in cooperation with the Common Fund for Commodities (CFC), was launched. It presents basic facts on commodity production and trade in a form that is easily accessible for Governments, industry, the media, civil society and the public at large. The *Atlas* aims to complement the detailed statistical information produced by UNCTAD and the CFC and to serve as a useful analytical tool.

13. In the area of *information*, work was continued on improving market transparency and knowledge management. The electronic portal Infocomm, a central element of UNCTAD's market transparency work in commodities,¹⁹ has reached a level of over 4,000,000 hits a month. A pilot phase started on cocoa sector information in Cameroon. It is intended to collect data in the field and to allow identified entities, especially the National Cocoa and Coffee Board, to manage this information and use Infocomm as a tool to publish it nationally or internationally.

14. *A Handbook of World Mineral Trade Statistics, 1996-2001* was published.²⁰ It provides up-to-date and consistent data at the world, regional and country levels on international trade of major non-fuel minerals and metals, from primary to semi-processed forms. It has been

¹⁴ Abidjan, August 2004.

¹⁵ September 2004.

¹⁶ Washington, DC, October 2004.

¹⁷ London, October 2004.

¹⁸ The full proceedings, including all presentations, are available on UNCTAD's website.

¹⁹ Collection, management and publication of information are the three pillars needed to improve market transparency.

²⁰ UNCTAD/DITC/COM/2004/2.

recognized by the industry as the first comprehensive publication which provides both quantities and values for these products. Its specialized coverage of world trade of minerals and metals allows for the timely publication of the most recent data available. A special effort has been made to present reliable data for this range of commodities, which has traditionally suffered from statistical inadequacies and lack of worldwide coverage.

15. UNCTAD continues to produce two annual reports on iron ore, *The Iron Ore Market 2003-2005*,²¹ and *Iron Ore Statistics*.²² While the first one is recognized as containing the most up-to-date and comprehensive information on the iron ore market, including data and reviews on iron ore production, trade, freight rates and prices, as well as an outlook for the 18 months ahead, the second one includes detailed tables on production, exports by country of destination/origin and consumption of iron ore.

16. The secretariat prepared the UN Secretary-General's report to the 59th session of the UN General Assembly on *world commodity trends and prospects*.²³ It also published an analytical study on the effects of the "Everything but Arms" initiative on the sugar industries of LDCs.²⁴

17. UNCTAD continues to serve as a *forum for negotiating and renegotiating intergovernmental commodity agreements*. In July, the first part of the United Nations Conference for the Negotiation of a Successor Agreement to the International Tropical Timber Agreement, 1994 took place. The second part of the Conference is scheduled for February 2005. The United Nations Conference on Olive Oil is planned for April 2005.

18. In respect of the *strategic positioning of developing country producers in value chains*, the secretariat's work on the *African energy sector* was intensified with a view to helping African countries derive greater benefits from their oil sectors or make their dependence on oil imports more affordable and easier to manage. The African Oil & Gas Trade and Finance Conferences, which have become Africa's largest and highest-level annual energy event, held the 8th session in Marrakesh with more than 650 participants.²⁵ Advisory materials on how countries can manage oil-price-related budgetary risks, and how they can increase their local shares in the value-added of the oil and gas sector were developed. UNCTAD intensified its work on oil field services in Africa in the context of increasing the value added to commodity production. This was given major visibility in the Rio Trade Week Conference on "Managing Risks and Seizing Opportunities for Local Companies in the Oil and Gas Sector".

19. UNCTAD's work *in respect of achieving diversification of the commodity sector in developing countries towards activities generating higher development gains* aims at promoting the horizontal, vertical and geographical diversification of commodity production and trade structures, and strengthening positive linkages. The secretariat carried out activities under the United Nations Development Account Project on Capacity Building for Diversification and Commodity-based Development. A regional workshop on the "Development of Senile Coconut Palm Wood into High Quality, Value-Added Export Products from Selected Pacific Island Countries" was held.²⁶ A large number of reports have

²¹ UNCTAD/DITC/COM/2004/3.

²² UNCTAD/DITC/COM/2004.

²³ A/59/304.

²⁴ UNCTAD/DITC/COM/2004/6.

²⁵ A CD-ROM of the full proceedings was published, and is available.

²⁶ Fiji, September 2004.

been prepared and are available at UNCTAD's commodities website.²⁷ The results form a basis for continued technical assistance on diversification, focusing on national-level issues.

20. One key area of work is capacity building and policy networking for sustainable resource-based development carried out under the United Nations Development Account Project. The project's objective is to enhance the capacity of developing countries, especially those dependent on non-renewable or depletable natural resources, to devise and sustain a balanced and viable development path over the longer term, with an emphasis on the application of integrated economic, environmental and social policies to the natural resource sector. This will be achieved by building and strengthening a broad-based, policy-oriented network of academic and development expertise.

21. A web-based system for promoting best practice and related policies was developed and launched with the cooperation of the International Council on Mining and Metals, UNEP and DFID. Plans for an African Mining Network that will allow exchanges of experiences on mining and sustainable development between Governments, companies, NGOs and research institutions were finalized and the first element of the Network, a website, will enter into operation in early 2005. A similar network is operating in Latin America. A workshop for local authorities in mining areas was organized jointly by UNCTAD and ECLAC in Lima in February. In April, a similar workshop was organized in Central Kalimantan, Indonesia. Five training modules on managing mineral wealth were published in cooperation with ECA and will be used in future training activities. A set of five training modules in Spanish, published and distributed by ECLAC and aimed at the local authorities in Latin America, addresses the sustainable development of mining areas in that region.

22. In respect of *financing and risk management mechanisms* for commodity sector development through capacity- and institution-building, the work in this area aims to reduce transaction costs, to reduce exposure to volatile commodity prices, and to empower commodity producers and processors to enter into new activities through greater access to information and finance. In addition, upon request, the secretariat continued assisting the deliberations in the WTO on finding an effective and sustainable mechanism for implementing the Marrakesh Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries.

23. Work continued on developing advisory and training materials on innovative financing techniques. Training was given to groups of African bankers on two occasions. Advice was provided on the creation of a new collateral management company in an Asian country; this company (majority-owned by local banks, with an international technical operator) became operational towards the end of the year.

24. A report on financing commodity-based trade and development in agriculture²⁸ was prepared in September 2004. It discusses the issues involved agricultural finance, the new approaches developed in recent years, and possible ways forward in bringing agricultural finance back to the centre of rural development and poverty alleviation strategies, with special attention to the potential role of local banks. It served as a background paper for the Expert Meeting on Financing Commodity-Based Trade and Development: Innovative Financing

²⁷ www.unctad.org/commodities.

²⁸ TD/B/COM.1/EM.24/2.

Mechanisms (preceded by a one-day conference on the same issue).²⁹ The meeting discussed several pivotal issues for financing the agricultural sector. Participants underlined the importance of the meeting, as agricultural finance appears to be now the "forgotten half of rural finance", largely because of widespread scepticism about the ability of financiers to design sustainable credit schemes. The meeting discussed several such schemes which had proved their value in different countries, and discussed how these successful approaches could be replicated in other countries. It adopted a report³⁰ with a chairperson's summary covering the essential elements of the discussion and the ensuing recommendations.

25. In the *energy area*, in-depth advice and training was provided to one of Asia's major natural gas companies on how to improve its financial management by incorporating risk analysis and management in its strategy, and how, in terms of internal organization, such a new strategy can be implemented.

26. With respect to *commodity exchanges*, UNCTAD's longstanding work in India continued to show new results, with one exchange (which started trading in December 2003) reaching a peak daily turnover of more than US\$ 800 million. UNCTAD's catalytic and advisory role is now bringing the introduction of a similar commodity exchange in Africa under the aegis of the African Union nearer to realization.

27. In respect of further work on *concentration of commodity distribution chains* and their impact on developing countries' commodity sectors, UNCTAD provided policy support to developing countries and countries in transition in their commodity-related activities in the WTO or in the process of their accession to the WTO.

28. In respect of building *effective partnerships among relevant stakeholders aiming at viable solutions to commodity problems*, UNCTAD XI launched the International Task Force on Commodities. The core objective of the Task Force will be to facilitate the development, through a multi-stakeholder approach, of innovative strategies and modalities for the sustainable development of commodity sectors in developing countries.

III. FOLLOW-UP TO THE DOHA WORK PROGRAMME AND WTO ACCESSION

UNCTAD's work should support development-oriented follow-up to the Doha Work Programme; and promote implementation of the Millennium Declaration. UNCTAD should also continue its technical assistance to developing countries on their accession to the World Trade Organization.

29. *Action:* The preparatory process for UNCTAD XI and the conference itself provided an important occasion for UNCTAD's work in support of development-oriented follow-up to the Doha Work Programme. This is captured in the São Paulo Consensus³¹ theme on "assuring development gains from the international trading system and trade negotiations". It is specifically acknowledged that "All countries have a shared interest in the success of the Doha Work Programme, which aims both at further increasing trading opportunities and reducing barriers to trade amongst nations and at making the trading system more development-friendly. This would contribute to the objective of upholding and safeguarding

²⁹ Geneva, November 2004.

³⁰ TD/B/COM.1/EM.24/3.

³¹ See part II of the Report of the United Nations Conference on Trade and Development on its eleventh session (TD/412).

an open, equitable, rule-based, predictable and non-discriminatory multilateral trading system.”³² The secretariat provided substantive support to the preparatory process for UNCTAD XI, serviced the interactive thematic session of the conference on “Assuring Development Gains from the International Trading System and Trade Negotiations”, and provided the background note for the event.³³

30. Since 2002, the Trade and Development Board has conducted an annual review of development issues in the post-Doha work programme of particular concern to developing countries. At its 51st session³⁴ the Trade and Development Board conducted such a review, based on the secretariat’s note on “Review of developments in the post-Doha Work Programme of particular concern to developing countries: A post-UNCTAD XI perspective”.³⁵ The note provided a comprehensive account of development-related issues arising in Doha trade negotiations following UNCTAD XI and adoption by the WTO of the 1 August 2004 Decision containing the July Package. A conference room paper entitled “Assuring development gains from the international trading system and trade negotiations: Implications of ATC termination on 31 December 2004”,³⁶ prepared by the secretariat, was also provided. The Trade and Development Board’s deliberations, of which an overview is provided in the President’s summary,³⁷ highlighted the constructive, comprehensive and unique contribution of UNCTAD’s consensus-building, analytical and technical cooperation activities to multilateral trade negotiations, as well as its work on the larger universe of the international trading system.

31. The secretariat prepared the Report of the UN Secretary-General on “International trade and development”³⁸ to the UN General Assembly’s 59th session, containing an analysis of the July Package of the WTO and the development implications. It also provided analytical and policy-oriented contributions on the international trading system and trade negotiations for various reports on follow-up to the Millennium Declaration and outcomes of major global conferences, and to the World Economic and Social Survey. It participated in, and reported on, the meetings of WTO bodies and provided contributions when requested. These included the General Council, the Goods Council and its subsidiary bodies, the Services Council, the TRIPS Council, the Committee on Trade and Environment (both regular and special sessions), the Committee on Trade and Development, the Sub-Committee on LDCs, the Committee on Regional Trade Agreements, the Textile Monitoring Body, WTO-accession related meetings, and the Trade Policy Review Body.

32. With the financial support of donors, the secretariat implemented a number of technical assistance projects for developing countries, especially LDCs, and countries with economies in transition. These projects cover trade negotiations, particularly under the Doha Work Programme; commercial diplomacy; services negotiations; dispute settlement; African-focused support through JITAP (see box 3) and other projects; GSP and other trade laws; assistance to ACP States and regional organizations; and country-specific programmes (Bangladesh, Democratic Republic of the Congo, India, Viet Nam).

³² São Paulo Consensus, paragraph 64.

³³ TD/397.

³⁴ 8 October 2004.

³⁵ TD/B/51/4.

³⁶ TD/B/51/CRP.1.

³⁷ TD/B/51/L.8.

³⁸ A/59/305.

Box 3. JITAP trade negotiations and institutional capacity-building activities

- ✓ An UNCTAD XI special event on JITAP best practices in capacity building.
- ✓ Support to national meetings of inter-institutional committees in assessing the implications of the WTO July Package and preparing for the detailed negotiations. Meetings were convened in Uganda (August), Benin (September), Mauritania (October), Kenya and the United Republic of Tanzania (October).
- ✓ A high-level workshop for JITAP beneficiary countries and African subregional groupings on multilateral trading system capacity building and regional integration in Africa was held in Geneva (May). It created an opportunity to exchange experiences on challenges and opportunities for actions between JITAP and regional economic communities in trade-related capacity building.
- ✓ A trade negotiation simulation-training workshop, based on GATS, was organized for eight English-speaking JITAP countries in Uganda (November) with some 30 participants.
- ✓ Participated with WTO and ITC in the setting up and/or strengthening of reference centres in Kenya for academia, business and officials.
- ✓ Developed and completed a toolkit on “Institutional capacity building: Trade negotiations, implementation and policies” for use by countries in building and strengthening multi-stakeholder consultations to manage multilateral and other trade negotiations. The toolkit was disseminated to JITAP countries at two subregional seminars — in Lusaka, Zambia (April) for English-speaking countries and in Dakar, Senegal (May) for French-speaking countries.
- ✓ Development of a commodities diversification guide.

33. The list of technical assistance activities implemented in 2004³⁹ reveals a wide variety of formats, countries and regions, topics and levels of training or capacity building, according to the demands and the various extrabudgetary resources available for the technical assistance activities. For example, extensive support was provided to Bangladesh in building national institutional capacity in training national trade officials from the newly established WTO focal point in the Ministry of Commerce. This included national workshops and training on multilateral trade negotiations focusing on the Doha round; trade negotiations and trade policy formulation; dispute settlement; rules of origin; non-agricultural market access; and ITC/UNCTAD trade tools and databases. The Democratic Republic of the Congo was supported in reviewing the trade policies and legislation that would need to be adapted in order to respond to the WTO Agreements. Trade negotiators, policy makers and other stakeholders in India received focused support under the India/DFID/UNCTAD project in understanding the development dimension of key trade issues, particularly as they related to the WTO negotiations. Support was also provided in strengthening India's human and institutional capacities for analysis of globalization-related issues. Technical assistance to countries acceding to the WTO was strengthened in response to requests from them (see box 4). Support was provided to Viet Nam for post-accession needs and the specific needs of training institutions.

Box 4. UNCTAD assistance to developing countries, especially LDCs, and countries with economies in transition in the process of acceding to the WTO

UNCTAD has continued to provide assistance on accession to 16 acceding countries, including all acceding LDCs. Ten of them, which are LDCs, are provided with technical assistance under the UNCTAD Trust Fund for accession, supported by the United Kingdom and Norway. Algeria received similar technical assistance utilizing UNDP funds. The technical assistance provided included advisory missions, training of officials in WTO-related issues, procurement of IT equipment and provision of consultants in specific areas to assist the negotiating team. Technical advisory missions were sent to Sudan, Cape Verde, Ethiopia, Yemen, the Lao People's Democratic Republic and Azerbaijan in preparation for the first working party on accession, provided policy advice and trained and prepared the members of the negotiating team on both substance and procedures, and carried out simulation exercises of the meeting of the working party on accession. Technical missions were sent to those countries to undertake the initial steps needed to launch the sectoral studies to be undertaken, with a view to the preparation of the initial offers on goods and services. Intensive training

³⁹ These are shown on UNCTAD's trade negotiation and commercial diplomacy website (www.unctad.org/commddip) and trade, environment and development website (www.unctad.org/trade_env).

sessions were organized in Geneva and in the capitals for members of the negotiating team on how to manage the working party on accession. UNCTAD participated in a joint UNCTAD/WTO workshop on accession organized in Yemen, involving the private sector and civil society. Accession to the WTO was the focus of a paragraph 166 training course organized in Prague in July 2004, and attended by participants from acceding countries in Europe.

34. The secretariat also organized, participated in, and prepared background material and presentations for a number of events on multilateral and regional trade negotiations in Latin American and the Caribbean, including in the context of regional events such as those organized by the Caribbean Regional Negotiating Machinery.

35. The secretariat carried out some 120 advisory and technical missions to developing countries, in particular LDCs and African countries, and their regional organizations on the Doha Work Programme, ACP–EU trade negotiations, and regional trade negotiations. About 100 training courses, seminars and workshops on multilateral and regional trade negotiations, accession to the WTO, commercial diplomacy, trade and environment, and GSP and other trade preferences were organized, with the total participation of some 2,000 representatives from Governments, business and civil society. Under paragraph 166 of the Bangkok Plan of Action, one training course was organized for the African region,⁴⁰ focusing on WTO negotiations, particularly on agriculture. A similar course was held for Eastern European countries and countries with economies in transition,⁴¹ with a focus on WTO accession and the interface between regional integration agreements and multilateral trade agreements.

36. Three commercial diplomacy training modules have been developed or updated on respectively sanitary and phytosanitary measures, anti-dumping, and trade in textiles and clothing in the post-ATC environment. Training modules and materials on GSP utilization, and rules of origin requirements were also prepared. Other training materials such as powerpoint presentations, background papers and distance-learning materials have been developed and provided to participants during the training sessions.

37. The secretariat has recently developed a pilot strategy integrating new distance-learning techniques in its regular training courses, as this has become an important element in the global capacity-building environment, and it has been used as a complementary tool in the delivery of seminars. It has incorporated the distance-learning dimension in the training of trade negotiators and the support to the institutional capacity of developing countries in the area of trade negotiations. As a result, a regional course was developed for three Asian countries⁴² and four African countries⁴³ for trade officials involved in the WTO negotiations on trade in services. The distance-learning phase was complemented by a face-to-face seminar where the participants exchanged experiences.

38. The dispute settlement programme held several workshops and prepared several courses. Workshops were conducted on the following: Introduction to WTO Dispute Settlement, Guatemala;⁴⁴ WTO Dispute Settlement on Commercial Defence Measures, São Paulo;⁴⁵ and

⁴⁰ Mauritius, January/February 2004.

⁴¹ Prague, July 2004.

⁴² Viet Nam, Lao People's Democratic Republic and Cambodia.

⁴³ Benin, Guinea, Mali and Togo.

⁴⁴ 18–20 February 2004, for 22 participants from Latin American countries.

⁴⁵ 21–23 June 2004, for 33 “real” participants and 75 virtual participants (by webcast) from Argentina, other Brazilian locations, Jordan and Pakistan.

Introduction to WTO Dispute Settlement, Managua.⁴⁶ Some 40 course modules have been finalized on General Dispute Settlement Topics, Settlement of International Investment Disputes and ICSID, Settlement of International Trade Law Disputes and WTO, Settlement of International Intellectual Property Disputes and WIPO, International Commercial Arbitration, and Regional Approaches. Some 36 modules of the course have been placed on the project website,⁴⁷ from where they can be downloaded free of charge by visitors to the UNCTAD website.

39. Two publications were published. One was entitled *Turning Losses Into Gains: Small Island Developing States and Multilateral Trade Liberalization in Agriculture* (July 2003).⁴⁸ The second publication was entitled *Trade Negotiations Issues in the Cotonou Agreement: Agriculture and Economic Partnership Agreement* (January 2004).⁴⁹ Several technical studies on international trade and trade negotiations were prepared and several more are in preparation, including national studies on textiles and clothing in Burkina Faso and services assessment in Kenya and the United Republic of Tanzania.

40. In respect of trade and environment, the UNCTAD *Trade and Environment Review 2003* was published. The first issue focused on two negotiating issues in the WTO Doha agenda, namely the relationship between WTO rules and specific trade obligations set out in multilateral environmental agreements, and the reduction or elimination of tariff and non-tariff barriers to environmental goods and services.⁵⁰ UNCTAD has also carried out considerable work on the three other environment-related issues prioritized in the Doha Work Programme,⁵¹ including:

- Six workshops and training seminars on environmental requirements and market access for developing countries were held in Asia.
- Regarding the relevant provisions of the TRIPS Agreement, a UNCTAD–Commonwealth Secretariat Workshop on Elements of National *Sui Generis* Systems for the Preservation, Protection and Promotion of Traditional Knowledge, Innovations and Practices and Options for an International Framework was held in February. A book entitled *Protecting and Promoting Traditional Knowledge: Systems, National Experiences and International Dimensions* was published.⁵²
- Regarding labelling requirements, considerable work has been carried out on promoting exports of organic agricultural products. This includes the continued work of the UNCTAD/FAO/IFOAM International Task Force on Harmonization and Equivalence in Organic Agriculture and technical cooperation projects.⁵³

⁴⁶ 11–13 August 2004, for some 50 participants from the Central American region.

⁴⁷ <http://www.unctad.org/dispute>.

⁴⁸ It analyses how "small island ness" influences SIDS' capacity to benefit from multilateral agricultural liberalization, and identifies a set of policy options that would enable SIDS to benefit from the ongoing agricultural liberalization.

⁴⁹ It provides analyses, based on regional experiences, of alternative trading arrangements foreseen under the Cotonou Agreement, in particular economic partnership agreements, and focuses on the issue of agriculture trade liberalization under the ACP–EU negotiations, taking into account its relation to multilateral trade negotiations.

⁵⁰ Paragraph 31 of the Doha Ministerial Declaration.

⁵¹ Paragraph 32 of the Doha Ministerial Declaration.

⁵² UNCTAD/DITC/TED/10.

⁵³ Detailed information on all of the above is available at www.unctad.org/trade_env.

41. The secretariat provides support to the Doha negotiations on liberalization of trade in environmental goods and services (EGS).⁵⁴ It participated, at the request of the WTO membership, as an observer and reported on its work to the special sessions of the Committee on Trade and Environment (CTESS), held in April and October. At the invitation of the WTO Secretariat, UNCTAD moderated a Workshop on Environmental Goods, held back to back with the October session of the CTESS. UNCTAD's note for the October session generated considerable interest and support from WTO Members and prompted requests for assistance in the preparation of negotiating proposals, particularly in modelling positive lists of environmental goods, identifying tariff and non-tariff barriers affecting trade in these goods and selecting appropriate negotiating modalities. UNCTAD's involvement in the negotiations on EGS has benefited from, and contributed to policy analysis,⁵⁵ and a series of technical cooperation activities, in particular studies and policy dialogues in Central America under the DFID-funded project *Building Capacity for Improved Policy Making and Negotiations on Key Trade and Environment Issues*.

IV. TRADE IN SERVICES

UNCTAD should continue its policy-oriented analysis, consensus building and capacity-building activities on services to contribute to assuring development gains to developing countries accruing from international trade and trade negotiations in the following areas:

(i) Assessment of trade in services; (ii) Sector-specific studies in areas and sectors of interest to developing countries, with particular emphasis on infrastructure and essential services; (iii) Identifying opportunities for developing countries in new and dynamic services sectors and through outsourcing; (iv) Analysis of approaches to further commitments in GATS Mode 4; (v) Identifying opportunities and issues for beneficial integration of developing countries into regional trade arrangements; (vi) Assisting developing countries in multilateral trade negotiations in implementing GATS, particularly Articles IV and XIX; (vii) Enhancing analytical work on cross-cutting issues of special interest to developing countries, such as domestic regulations, and GATS rules; and (viii) Analysis of economic implications of security measures on trade in services.

42. *Action:* Through its intergovernmental, analytical work and trade-related capacity-building activities in the services, UNCTAD aims at identifying opportunities for developing countries in new and dynamic services sectors and modes of supply, and at assisting and promoting their beneficial integration into the multilateral trading system through the implementation of GATS, in particular Articles IV and XIX. Aspects of such services sectors were taken up during the interactive thematic session of UNCTAD XI on "Policy Options and Strategies to Support Developing Countries' Competitiveness in the Most Dynamic Sectors of International Trade", and in the related background note by UNCTAD secretariat.⁵⁶

43. In the context of the ongoing work in the area of the assessment of trade in services, an International Forum on Assessment of Trade in Services and Development Gains was held as parallel event of UNCTAD XI.⁵⁷ In the discussions, national and international experts, and

⁵⁴ Paragraph 31(iii) of the Doha Ministerial Declaration.

⁵⁵ The first issue of the UNCTAD *Trade and Environment Review*, with its two articles on environmental goods and services, represents the most recent example of analytical work by UNCTAD.

⁵⁶ TD/396.

⁵⁷ 17 June 2004.

government officials from developing countries stressed the need for better understanding of policies that would maximize economic and social dividends flowing from the development of the services economy. As one of the outcomes of the forum, a set of development benchmarks for assessing trade in services to better target and help capture progress in addressing development needs was proposed. The secretariat prepared a note on “Trade in services and development gains”⁵⁸ for the forum. National studies were also prepared and presented.

44. UNCTAD, the World Bank and DFID have launched a new partnership between themselves on impact assessment. The main objective of this assessment initiative will be to fill the knowledge gap and enable developing countries to better identify their national interest in proceeding with reform and liberalization, and ascertain how the growing services sector could help in the implementation of the MDGs, especially poverty alleviation. In addition, sector-specific pilot studies aimed at providing insight into the issues relevant for the impact assessment of trade in services have begun in some Andean countries jointly with the World Bank and DFID.

45. As an outcome of regional/national consultations, a number of sector-specific studies have been launched in the course of the year, including in the area of tourism (Brazil, Kenya, Indonesia), professional services (Colombia, Indonesia), construction (Brazil, Indonesia), distribution services (Lithuania), and telecommunication and financial services (Kenya).

46. The secretariat completed a study on “Assuring development gains from the international trading system and trade negotiations: International trade in oil and gas services”.⁵⁹ Considering the potential for economic growth and development that the services segment of the energy industry has, developing countries, and especially energy-producing and energy-exporting ones, need a strategy to promote their domestic capacity in this field, including in the ongoing GATS negotiations. In addition, specific assistance on energy services issues has been provided to energy-endowed countries.

47. Analytical work has been undertaken in the area of emergency safeguard measures and subsidies in order to identify areas and issues of possible interest to developing countries and for making progress in the ongoing GATS rule-making work.

48. UNCTAD made a substantive contribution to the ongoing international debate on GATS negotiations in the area of Mode 4. In addition, it is involved in collaborative work among Geneva-based international organizations which are members of the informal Geneva Migration Group. Some specific approaches to further commitments on GATS Mode 4 have been reflected in the secretariat’s note on “Trade and development aspects of professional services and regulatory frameworks”.⁶⁰ This note also addresses cross-cutting issues of special interest to developing countries, for example domestic regulations. Adequate domestic regulatory frameworks and active public policies, including trade policy, can contribute to achieving development objectives. Regional initiatives and development-friendly rules and disciplines in the multilateral trading system on the recognition of qualifications and commercially meaningful commitments on the temporary mobility of professionals could significantly contribute to increasing the participation of developing countries in international trade in professional services and implementation of GATS Article IV.

⁵⁸ UNCTAD/DITC/TNCD/MISC/2004/1.

⁵⁹ UNCTAD/DITC/TNCD/20004/4.

⁶⁰ TD/B/COM.1/EM.25/2.

49. The secretariat has responded, including in the provision of technical papers, to the requests by COMESA, SADC, SACU and other regional organizations for assistance in their efforts at the liberalization of trade in services in the context of economic integration and multilateral trade negotiations. An analytical study was prepared by the UNCTAD secretariat addressing issues of economic integration in services.⁶¹

50. UNCTAD continued to provide assistance to developing countries, regional groupings and other groups of countries sharing common interests and concerns in the ongoing GATS negotiations, and to acceding countries. The recipient countries have commended this work. Capacity-building work was carried out also in a large number of developing countries in response to specific requests for assistance, especially in the context of the request and offer stage of negotiations. Developing countries that have presented requests and initial offers have benefited from UNCTAD assistance.

V. PREFERENCES, SOUTH–SOUTH TRADE AND REGIONAL AND GLOBAL TRADE AGREEMENTS

UNCTAD should deepen its work on preferences, South–South trade (including the Global System of Trade Preferences among Developing Countries – GSTP), and the interface between regional and global trade agreements and processes and their trade and development implications and impact.

51. *Action:* UNCTAD strengthened its work on trade preferences, South–South trade and the interface between regional trade agreements and the multilateral trading system. It assisted developing countries and/or their regional groupings in order to: (i) increase utilization of the trading opportunities and preferences under existing preferential arrangements, such as the GSP, the Cotonou trade regime and other bilateral arrangements, through increased understanding and familiarization of government officials and the business community; (ii) enhance the understanding of preferential and non-preferential rules of origin and formulate and negotiate rules of origin matching their industrial and development needs; and (iii) formulate trade strategies in responding to the evolving international trading system.

52. Advisory missions and workshops on GSP, rules of origin and other trade laws were carried out in Beijing, Hanoi, Bangkok, Mexico City and Buenos Aires. This assistance was mainly directed at providing government officials with the expertise necessary to resolve difficulties encountered in GSP utilization and rules-of-origin requirements. The secretariat organized and participated in several regional workshops, such as (i) The brainstorming on Asian countries' trade interests and capacity-building needs in the framework of the Cancún Ministerial and beyond (Bangkok) and (ii) the Symposium on Relations between Negotiators in FTAA and WTO (São Paulo). Publications were prepared or initiated on the GSP schemes of the United States,⁶² Estonia⁶³ and Turkey,⁶⁴ the African Growth and Opportunity Act⁶⁵ and trade preferences for LDCs.⁶⁶

⁶¹ UNCTAD/ITCD/TAB/28.

⁶² UNCTAD/ITCD/TSB/Misc.58/Rev.1.

⁶³ TD/B/GSP/ESTONIA/1.

⁶⁴ TD/B/GSP/TURKEY/1.

⁶⁵ UNCTAD/ITCD/TSB/2003/1.

⁶⁶ UNCTAD/ITCD /TSB/2003/8.

53. The secretariat has assisted SADC in the negotiations on the establishment of a free trade area in goods since 1997, and is providing similar assistance in developing an agreement on trade in services.⁶⁷ It is assisting SACU in its efforts to develop a "Common global trade and development strategy for SACU," and in assessing the impacts of services agreements with other trading partners. It is also assisting COMESA in assessing the implications of services trade with the EU under the Cotonou Agreement.

54. During the Rio Trade Week, UNCTAD organized a "Forum on Multilateralism and Regionalism: The New Interface" and provided a background note on "Multilateralism and regionalism: The new interface". The forum, *inter alia*, suggested that it is crucial to ensure that regional trade agreements are more conducive to strengthening the multilateral trading system by minimizing their possible negative effects, while allowing developing countries to maximize their trade gains in the different layers of integration. It also suggested that UNCTAD can help developing countries deal with the interface between multilateralism and regionalism by: (a) facilitating exchange of experiences, best practices and lessons learned among regional trade agreements; (b) promoting networking and information sharing among regional trade agreements; (c) facilitating consensus building and international cooperation in addressing the development dimension of regional trade agreements and the interface with the multilateral trading system; (d) undertaking development impact assessment of regional trade agreements; and (e) reinvigorating and enhancing the GSTP.

55. Regarding the GSTP, on the occasion of UNCTAD XI, developing countries agreed on the launching on a new, third round of negotiations. UNCTAD is providing technical backstopping support on the negotiations to the GSTP Committee of Participants.

56. At UNCTAD XI, several Heads of State and Government examined the phenomenon of *new trade geography*, which provides new opportunities for South–South trade, on the basis of a background note provided by the secretariat.⁶⁸ They drew attention, *inter alia*, to the following: (a) the new trade geography not only brings commercial gains, but also enhances solidarity and equity among countries; (b) there is increased potential for beneficial cooperation among developing countries, based on fair rules and solidarity, including special treatment for the weaker among them; and (c) increased South–South trade is a complement to, rather than a substitute for, North–South trade.

57. A follow-up discussion was undertaken at the high-level segment of the Trade and Development Board at its 51st session on "Follow-up to UNCTAD XI: New developments in international economic relations," on the basis of the secretariat's background notes.⁶⁹ The President of the Trade and Development Board's summary⁷⁰ of the deliberations indicated that the trend towards a new trade geography was a welcome phenomenon and ushered in a sense of optimism as regards the performance of developing countries in world trade, but it was necessary to exercise due caution since many developing countries, particularly African, LDCs and small economies, appeared not to contribute significantly to this positive trend and some even were losing market share.

⁶⁷ This assistance was specifically requested by SADC Trade Ministers, and has been delivered through the participation of UNCTAD experts in the negotiating process (together with the SADC secretariat) and through preparation of papers and other analytical work on, among other areas, rules of origin, dismantling of tariffs and offers evaluation, and trade in services.

⁶⁸ TD/404.

⁶⁹ TD/404 and TD/B/51/6.

⁷⁰ TD/B/51/1.7.

58. The secretariat assisted the Group of 77 and China in substantively servicing a High-level Forum on Trade and Investment.⁷¹ The forum examined initiatives to expand South–South trade and investment as a contribution to the South Summit in 2005, to which UNCTAD will provide substantive support.

VI. COOPERATION WITH OTHER ORGANIZATIONS

59. *Action:* UNCTAD’s research, consensus-building, and capacity-building and technical assistance activities, as and where appropriate, are carried out in cooperation with other organizations such as the WTO, ITC, UNDP, UNEP, UN regional commissions, DESA, the Common Fund for Commodities, the African Union, the ACP Secretariat, the World Bank, the Commonwealth Secretariat, regional integration secretariats and commodity organizations. UNCTAD has also established closer contacts with civil society, the academic community and the private sector. These include the Third World Network, the South Centre, Oxfam, CUTS, the Foundation for International Environmental Law and Development, the International Institute for Sustainable Development, the International Social and Environmental Accreditation and Labelling Alliance, the Quaker United Nations Office, the Southern African Trade Research Network and the African Economic Research Consortium, LATN and the Middle East ERF. UNCTAD’s capacity-building programmes benefit from financial support from donor countries and institutions. In most national activities, there is close cooperation with local institutions and organizations. Such cooperation between UNCTAD, developing countries, other institutions and donors has proved to be very effective in exchanging knowledge and expertise and developing networks in delivering trade and trade-related capacity-building assistance, undertaking research and policy analyses and facilitating intergovernmental deliberations.

60. UNCTAD convenes the Working Group on Trade of the Executive Committee of the Economic and Social Affairs (EC-ESA), which involves UNCTAD, UN regional commissions and UNEP. Meetings of the Working Group serve to enhance cooperation among the key UN economic agencies with a view to bringing about greater synergy in the provision of trade and trade-related support. The Group met and discussed, *inter alia*, preparations for UNCTAD XI and the UN-system wide preparations of the programme budget for the biennium 2006–2007.

⁷¹ Doha, Qatar, 5–6 December 2004.