

Agricultural negotiations for MC12: A factsheet for developing countries

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The negotiations on agriculture leading up to the WTO's 12th Ministerial Conference (MC12) due to be held at the end of November 2021 span several issues. These include many outstanding issues of significant interest to developing countries¹ as well as some newer issues being proposed largely by developed countries. The following sections summarise the discussion so far on some of the major issues² and attempt to highlight a few considerations for developing countries.

A. A permanent solution on public stockholding for food security purposes (PSH)

This is a proposal originally tabled by the G33 grouping before the Bali Ministerial Conference of 2013, and since then has been largely supported by a majority of developing countries. The proposal calls for allowing unlimited domestic subsidies on price support given to farmers under public stockholding programmes in developing countries and least-developed countries (LDCs). Currently the WTO Agreement on Agriculture (AoA) limits it to a *de minimis* allowance of 10% of the value of production for developing countries. The primary rationale for the proposal was the necessity to support production and farmers' livelihoods especially for supporting public food programmes. But this is also justified as the "external reference price" used to calculate the subsidies was pegged at 1986-88 levels, making it out of touch with current realities and also unable to factor in the inflation of the intervening period.

The Bali Peace Clause (WTO document WT/MIN(13)/38 – WT/L/913) agreed in 2013 and further clarified in a WTO General Council Decision (WT/L/939) of 2014 decided that WTO Members will not be sued even if they exceed the *de minimis* limits and the Final Bound Aggregate Measurement of Support (FBAMS) limits where applicable under certain conditions. These conditions limited the coverage only to existing programmes and traditional staples, and set rather onerous notification (paragraph 3) and anti-circumvention or safeguard (paragraph 4) requirements.³ The Bali Decision also mandated a permanent solution (PS) on

¹ Reference to "developing countries" may be taken to refer to both developing and least-developed countries unless otherwise specified.

² This brief does not include the issues of cotton and export competition.

³ The safeguard clause (paragraph 4, WT/MIN(13)/38 – WT/L/913) of the Bali Decision says: "Any developing Member seeking coverage of programmes under paragraph 2 shall ensure that stocks procured under such programmes do not distort trade or adversely affect the food security of other Members."

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this issue by the 2017 WTO Ministerial. This deadline has however not been met and developing-country demands have faced continued opposition from major developed countries and Members of the Cairns Group of agricultural exporting countries.

1. Current status: Proposals for MC12 have been tabled by the African Group (JOB/AG/204) and the G33 (JOB/AG/214) that suggest all programmes and all products be covered under the permanent solution. Further, the African Group suggested the notification requirement be the same as for Amber Box subsidies while the G33 suggested a specific but less onerous notification form compared with the Bali Peace Clause. Finally, the African Group suggested the safeguard clause be applied with reference to specific provisions of the Agreement on Subsidies and Countervailing Measures so as to narrow down the expansive nature of the clause. The G33's revised proposal dated 16 September 2021 suggests that Members using the Peace Clause "shall endeavour not to export" from procured stocks and that too, only if requested by an LDC or a net food-importing developing country (NFIDC). The G33 also suggests allowing exports for humanitarian aid purposes out of such stocks.

The Chair of the WTO agriculture negotiations, Ambassador Gloria Abraham Peralta from Costa Rica, tabled a text on 29 July 2021 (JOB/AG/215) which included two ideas. The first is a very watered down version of a Peace Clause that still limits the coverage to traditional crops and allows new programmes in developing countries only if the procurement is less than 15% of production. The text also retains onerous notification conditions and makes the safeguard condition from the Bali Peace Clause more stringent by adding an export criterion. A second option suggests deferring any decision subject to a work programme after MC12. The text also fails to include key elements from the proposals from either the African Group or the G33. A "Third Way" has been proposed on 6 October that suggests technical discussions on various aspects of the Bali Peace Clause as a way forward.

2. What is expected for MC12: The Chair's text met with much opposition from developing countries while most developed countries including the US, the EU, Japan, Canada and Australia have continued with their broad opposition to a permanent solution by MC12. A report by the Chair (JOB/AG/222) dated 1 November 2021 however mentions key elements from developing countries. According to the latest information, an interim solution for a limited period may be gaining ground in Green Room discussions as an outcome for MC12,⁴ though the consulted developing countries seem to have rejected the options so far.⁵ The interim solution may be available to all developing countries for all new programmes or only to new users for all programmes. Even a permanent solution may be on the cards but with stringent conditionalities.

3. Issues of concern from a developing-country perspective: The PS is an unmet mandate from 2013. The COVID-19 pandemic has made it even more urgent to seal this outcome as many developing countries and LDCs have been extensively using public stockholding programmes for supporting farmers' livelihoods and food security of vulnerable populations. An OECD paper⁶ (2021) points out that while OECD countries have used agricultural subsidies to deal with the impact of the pandemic, developing countries have used subsidies much less. This is likely due to both financial and policy space constraints as most developing countries cannot give subsidies beyond 10% of the value of production.

Therefore, it is important that an outcome is agreed by MC12 but is not constrained by too many onerous conditionalities, including on the share of production that must be procured in order to qualify for the permanent peace clause. In particular, the notification provision should be simple enough to be used by developing countries and LDCs which have weaker monitoring mechanisms. In addition, an overly broad and stringent safeguard provision will make the Peace Clause unusable, which is precisely the objective of the developed countries. The provisions must instead have the right balance between safeguards and ensuring that developing countries are able to actually use the instrument and meet their needs.

⁴ <https://twn.my/title2/wto.info/2021/ti211106.htm>

⁵ <https://twn.my/title2/wto.info/2021/ti211113.htm>

⁶ <https://www.oecd-ilibrary.org/sites/05bd280b-en/index.html?itemId=/content/component/05bd280b-en>

4. Approaches for developing countries to consider: Developing countries and LDCs should jointly push to get an outcome by MC12, and not agree to other proposals on agriculture such as on transparency or export restrictions moving forward *before* the permanent solution is granted. There should also be a focus on changing the reference price to reflect the current global situation, which would provide additional flexibility to user countries.

5. Points of caution: The PS should not be compromised against outcomes from any other negotiation, such as on the TRIPS waiver, the Joint Statement Initiatives, fisheries subsidies or other proposals under the agriculture negotiations such as on export restrictions, market access, domestic support provisions (that challenge even development subsidies under Article 6.2 of the AoA), and transparency and notification requirements. Developing countries should not pay again for the permanent solution as they have already paid in 2013 with the Trade Facilitation Agreement. They should not accept onerous conditionalities regarding product coverage, notification and safeguards.

B. A Special Safeguard Mechanism (SSM)

Developing countries and LDCs have long asked for an SSM, a safeguard instrument that would allow them to raise import tariffs when faced with an import surge, manifest either in a steep increase in import volumes or in a decline in prices. The AoA currently allows only 39 countries, 17 of them developed and only 22 developing countries, to use a Special Safeguard or SSG (Article 5, AoA) that is a similar mechanism with very few conditions.

The SSM has mandate from the General Council Decision of August 2004 (WT/L/579, Paragraph 42, Annex A), which is reaffirmed by the Nairobi Ministerial Decision (WT/MIN(15)/43 – WT/L/978). However, the SSM has been continuously opposed by developed countries including on the extent to which tariffs can be raised, and attempts have also been made to link the SSM to further market access concessions by developing countries. In 2008, there was a major disagreement on whether the raised tariff could exceed the Uruguay Round bound tariff levels. Studies⁷ show that developing countries have been facing major cases of import surges and that already existing market access commitments are significant drivers of such surges.⁸ The G33 has tabled specific proposals in 2015 and 2017 which have found support among other developing and LDC Members.

1. Current status: In the runup to MC12, the African Group has tabled a proposal (JOB/AG/205) on the SSM in July that combines elements from the almost agreed Chair's text of 2008 and the SSG as outlined in Article 5 of the AoA. This proposal found support from most developing countries. However, the Chair's text of 29 July 2021 (JOB/AG/215) relegated the SSM to a series of technical discussions based on the SSG to be pursued after MC12. But due to a major pushback from the African Group and the G33, the Chair's report released on 1 November 2021 (JOB/AG/222) refers to a proposed interim solution for 6-9 years submitted by the African Group which suggests a trial period for the SSM which can also facilitate data gathering on the use of the mechanism. However, the Chair's proposed text on the SSM from JOB/AG/215 that suggests a post-MC12 work programme is also retained as an option. Several developed-country Members have again attempted to link even an interim SSM to additional market access commitments.

2. What is expected for MC12: There is some hope that an interim SSM may be pushed through at MC12 though in reality this will require massive political heavy lifting on the part of developing countries and LDCs. Clearly the US and other developed countries are trying to link this with market access in agriculture. However, this is an issue of great importance for developing countries and can counter the deep inequity in the AoA given the ability of 39 countries to use the SSG.

⁷ FAO (2005): "A special safeguard mechanism for developing countries", Trade Policy Technical Notes on Issues Related to WTO Negotiations on Agriculture, No. 9, FAO, Rome. Das, Abhijit et al. (2020): "Special Safeguard Mechanism for Agriculture: Implications for Developing Members at the WTO", Working Paper No. CWS/WP/200/59, Centre for WTO Studies, August, available at <https://wtocentre.iift.ac.in/workingpaper/WorkingPaper59.pdf>

⁸ FAO (2011): "Agricultural Import Surges in Developing Countries: Analytical Framework and Insights from Case Studies", available at <http://www.fao.org/3/i1952e/i1952e.pdf>

3. *Issues of concern from a developing-country perspective:* The SSM should have volume and price triggers that are easy to use and can be invoked in the early period of an import surge, coupled with strong enough remedies. Most important, the remedy in terms of the increased import duty must be able to breach the Uruguay Round bound duties in order to counter the surge. A study of eight countries by Das et al. (2020) points out that in many cases of import surge, there was very little policy flexibility to raise applied tariffs within the scope of the existing bound rates so as to adequately counter the impact. The SSM must also be able to address impacts of preferential trade arrangements and include all trade, and avoid cross-checking and pro-rating as these would make the SSM unnecessarily difficult to use.

4. *Approaches for developing countries to consider:* Developing countries and LDCs must push for an interim solution as well as a work programme for a permanent SSM after MC12, with a specific deadline not later than the next Ministerial.

5. *Points of caution:* Even an interim solution may be linked with market access concessions, especially in the light of the transparency conditions on applied MFN tariffs being proposed in the Chair's text (see Section E below). As in the case of the permanent solution on PSH programmes, there is the risk of being forced to agree on other agriculture and non-agriculture-related issues such as elaborated under Section A.5 above.

C. Domestic support

This issue spans all agricultural subsidies that are covered under the AoA, including the so-called total trade-distorting domestic support (TDDS) under Article 6 of the AoA comprising the Amber Box and the Blue Box (Article 6.5) subsidies. In addition, there are the Annex 2 or Green Box subsidies. The Amber Box is subject to *de minimis* limits plus some extra FBAMS entitlements that only 32 Members, including most developed and a few developing countries, enjoy. The Blue Box can be given without limit as it is supposed to limit production. Article 6 includes special and differential treatment (S&D) in the form of higher *de minimis* limits and an unlimited "Development Box" (Article 6.2) with specific types of subsidies for developing countries and LDCs. The Green Box subsidies can also be given without limit. Developing countries have historically challenged the failure of developed countries to cut their Amber Box subsidies as well as the dubious "shift" of trade-distorting subsidies to the Green Box. They have pointed to the need for disciplines and transparency on the use of both these boxes.

1. *Current status:* The Cairns Group has tabled proposals on domestic support (JOB/AG/177) to limit the entire TDDS (Article 6, AoA) to 50% of existing entitlements. While this may address extra FBAMS entitlements (above *de minimis* levels) of some developed countries, it will also automatically include disciplines on the *de minimis* as well as on the Development Box. Further, cuts will not be linked to the moving and current levels of production in agriculture. In addition, implementation of notification obligations under Article 18 of the AoA is suggested with regard to domestic support.

Reportedly, the African Group (JOB/AG/203) and India (JOB/AG/216) tabled proposals that contain several formulae to discipline the extra FBAMS entitlements enjoyed by some, mostly developed countries, on the ground that these confer an unfair advantage on the user countries and make the AoA extremely inequitable. Further, they argue these allow severe concentration of the subsidies in a few products which the *de minimis* does not allow others.

Interestingly, the Chair's July text (JOB/AG/215) draws heavily from the Cairns Group proposal while ignoring the African Group proposal submitted in early July. The Chair's report of 1 November (JOB/AG/222) mentioned the resistance by Members to a fixed numerical target and the need to focus first on the cuts to FBAMS entitlements above the *de minimis*, as well as exemption for the Development Box and LDCs and NFDCs. The report mentioned an African Group view that proposes, among other things, a temporary standstill on current AMS. However, according to reports, the current discussion still failed to incorporate the India and African Group proposals on FBAMS, and continues to push on transparency and notification norms on domestic support. In recent Green Room discussions, the Chair again submitted a proposal to cut

TDDS (Article 6) by a certain proportion by a certain year while harping that all segments of Article 6 should be included in disciplines even if they are treated differently.⁹

Unfortunately, in spite of several developing countries arguing that developed countries such as the US and the EU have shifted their trade-distorting support to the Green Box, that many developed countries have made extensive use of the Green Box in a trade-distorting manner¹⁰ and that paragraphs 5-13 of Annex 2 are in essence direct transfers and trade-distorting in nature, no proposal to discipline the Green Box has been submitted.

2. What is expected for MC12: There has been continued push from the Chair for disciplines on Article 6 but given the major differences among Members, a landing zone is uncertain. If developing countries continue to resist, commitments on cuts to Article 6 subsidies may not be forthcoming and an outcome may focus mainly on transparency. However, this can also be costly for developing countries.

3. Issues of concern from a developing-country perspective: The Cairns Group configuration in the Chair's text poses major challenges for developing countries especially during the pandemic as it can take away the much-needed policy flexibility to use the *de minimis* and the Development Box.¹¹ While the Chair's text does mention S&D for developing countries and LDCs, the very approach remains problematic for them. Further, the idea of a fixed entitlement for all Article 6 subsidies based on current entitlements rather than a moving entitlement linked to value of production, will punish developing countries whose agriculture sector is growing. At the same time, the failure to impose adequate disciplines on FBAMS entitlements will increase the inequity in global agricultural trade.

4. Approaches for developing countries to consider: Rather than targeting all of Article 6, specific focus should be maintained on elements such as the FBAMS entitlements above *de minimis* that have significant ability to distort trade through sheer large volumes and the ability to be concentrated in a few products such as dairy, which amplifies the trade-distorting impact.

5. Points of caution: Article 6.2 or the Development Box and Article 6.4 on *de minimis* cannot be subject to an overall fixed limit of TDDS as these are critical policy instruments to address farmers' livelihoods and continuity of agricultural production in developing and least-developed countries. It is also important to remember that both elements involve S&D which must not be compromised as these were essential elements not only of the Doha Round but of GATT itself.

D. Export restrictions

Several developed countries have, for some time, been proposing disciplines on export restrictions. However, developing countries have questioned both the objective and the rationale behind such demands. It has been pointed out by several analysts that these proposals are aimed at securing agricultural raw material from developing countries. Developing countries have argued they need export restrictions to maintain domestic supplies including to cater to food security needs. A more recent track has suggested that food purchases meant for humanitarian food aid, in particular, through the World Food Programme (WFP), should be exempted from export restrictions. During the COVID-19 pandemic, there has been a call by several developed countries including the US and the G20 for limiting export restrictions on food and agricultural products. However, there has not been any explicit mention of LDCs or very needy countries that exports must cater to.

⁹ <https://twn.my/title2/wto.info/2021/ti211113.htm>

¹⁰ Banga, Rashmi (2016): "Impact of Green Box Subsidies on Agricultural Productivity, Production and International Trade", International Trade Working Paper, No. 2016/13, Commonwealth Secretariat. Sengupta, Ranja (2021): "WTO Green Box subsidies: Recent trends and lessons going forward", Briefing Paper, Third World Network, July 2021.

¹¹ For a detailed analysis of the Chair's 29 July 2021 text on domestic support, see Sharma, S.K., Das, A., Neogi, S., Lahiri, T. and Mathur, P. (2021): "Agricultural Domestic Support Negotiations at the 12th Ministerial Conference: Diluting the Development Agenda", Working Paper No. CWS/WP/65, Centre for WTO Studies, Delhi.

1. Current status: Exemptions for exports meant for the WFP have been proposed in the Chair’s July text (JOB/AG/215), along with several transparency and other provisions related to export restrictions on food products. Several developing countries have expressed a concern that the WFP does not really face actual export restrictions and that this is perhaps being used as a cover to push disciplines and higher notification norms for agricultural exports in general. The compiled text from 3 November 2021 (RD/AG/89) clearly reflects the opposition by developing countries to higher transparency requirements on export restrictions and their suggestions to defer actions to after MC12. The report also indicates a call by developing-country Members to include “exempt WFP food purchases for humanitarian reasons from export restrictions as a stand-alone Decision”. According to sources, a separate draft decision (circulated 22 October) was circulated on the WFP issue alone, while another non-paper included a draft decision that continues to push the transparency and other norms proposed under the Chair’s July text.

2. What is expected for MC12: Developing countries have expressed opposition to inclusion of provisions related to food exports in general. Provisions related to WFP exemptions may however be seen as low-hanging fruit that most Members agree to.

3. Issues of concern from a developing-country perspective: This issue is being silently and continuously pushed in order to ensure the supply of agricultural raw materials and food from developing countries. But such supplies may be needed for their domestic food security and as agricultural raw material for the food-processing and other industries (such as wood and leather). Further, any concession in agriculture may be used to justify such rules in the case of industrial raw materials as well. Loss of policy space to use export restrictions may also result in a concentration of products in a few countries which can afford to pay more, as we have witnessed in the case of medical products. The COVID-19 pandemic has been used to further push this agenda without any clear evidence of a higher use of export restrictions on agricultural trade during the pandemic. It is a point to note that the GATT rules allow for quotas, import or export licences or other measures as well as temporary export prohibitions or restrictions to prevent or relieve critical shortages of foodstuffs or other products essential to the exporting Member (Article XI:2(a)).¹²

4. Approaches for developing countries to consider: Developing countries should not agree to any commitments on export restrictions nor higher transparency and notification requirements thereon, notwithstanding any agreement on the WFP issue. However, exceptions for LDCs or NFIDCs may be considered.

5. Points of caution: Even if not agreed in the agricultural track, this issue may be brought in through other channels, including the current Walker process on a pandemic response package that may include disciplines on export restrictions. This will be against the interest of developing countries.

E. Market access

One of the pillars of the AoA addresses the issue of market access that includes the binding of import duties and cutting bound rates on agricultural products. But this pillar has seen little progress due to the sensitivity for developing countries and LDCs. Tariff cuts have mainly been of interest to developed countries which seek increasing access into developing-country markets, an initiative that has seen a spurt in recent times. Developed countries also attempted to link the SSM to further market access concessions (see Section B). At the same time, they resisted talks on exempting “sensitive products” for developing countries from duty cuts, as well as issues related to tariff escalation, tariff simplification and tariff peaks.

1. Current status: In a surprise move, the Chair’s July text (JOB/AG/215) included a section on market access that proposed increased transparency norms on the application of MFN applied duties on imports. The text also proposed that Members agree to follow at least one of four “best practices” outlined, many of which turn out to be extremely problematic from a policy perspective. During the pandemic, there have been

¹² Sengupta, Ranja (2020): “Covid-19: Trade policy choices for developing countries during and after the pandemic”, TWN Briefing Paper, June, available at https://twn.my/title2/briefing_papers/twn/ranja1.pdf

several proposals to lower import tariffs on food and health products as a trade policy solution, and the current Chair's text seems to have carried such proposals by developed countries onto the MC12 agenda. As corroborated by the Chair's 1 November report, developing countries in general, and the African Group in particular, have opposed the Chair's proposals as these require higher logistical resources and may even require domestic legislative changes. They suggested post-MC12 work on the principles and modalities of the market access pillar. However, a draft decision dated 25 October on transparency and best practices, as well as a discussion on a post-MC12 work plan, still seems to be on the table.

In a move apparently to make the market access pillar less controversial, a very recent proposal by the Chair has brought in new text on comprehensive negotiations on agricultural market access to cut bound tariffs, while moving the thorny issue of transparency on applied tariffs to the transparency pillar which may see less political resistance.¹³

2. *What is expected for MC12:* This area may see a major push in the name of COVID-19 measures that will apply to both agricultural and industrial products and will require strong and concerted efforts on the part of developing countries to resist it. Transparency commitments on applied tariffs will now be pushed as a transparency track which may be more likely to go through as compared with the market access pillar.

3. *Issues of concern from a developing-country perspective:* While it is being pitched as a mere transparency norm, such disciplines, if agreed, will be a constraint on policy space to use applied tariffs quickly and effectively. This is on top of the additional compliance costs and legislative changes for developing countries. It is also to be noted that the WTO disciplines generally apply to bound rates. Applied tariffs, applied on an MFN basis (equally to all Members), are the policy domain of individual Member States.

4. *Approaches for developing countries to consider:* Market access commitments on applied tariffs, even with regard to transparency alone, should be resisted as this is not necessary for addressing the pandemic. Countries have been unilaterally lowering applied duties if they need to facilitate imports and there has not been any evidence of exports being blocked from entering any country through higher import tariffs.

5. *Points of caution:* This issue may be linked to and extracted as a concession against (even interim) solutions on PSH and SSM which are of interest to developing countries and LDCs.

F. Transparency

These issues came into agriculture around the time of the Buenos Aires Ministerial of 2017, mainly as a follow-up to the US push for higher transparency and notification standards across the various WTO agreements. Many other countries, including the EU, Russia, Cairns Group Members such as Australia, New Zealand and Canada, have since then repeatedly advocated for higher transparency requirements. However, this has faced broad opposition from developing countries and LDCs on grounds of higher comparative compliance costs and legislative procedures.

1. *Current status:* The Cairns Group tabled a proposal with suggestions on higher transparency and notification standards on domestic support. The Chair's text (JOB/AG/215) of 29 July suggested "Members commit to enhancing transparency to improve monitoring *in all areas of agriculture*" (emphasis added). The document also suggested Members agree to establish a work programme to implement all revisions and additions to document G/AG/2 that Members agreed to explore in other Ministerial Decisions, to be adopted as part of the outcome on agriculture at MC12. As reported under Section E, transparency commitments related to applied tariffs have now been shifted to the transparency pillar by the Chair in recent consultations with a limited number of countries.

¹³ <https://twn.my/title2/wto.info/2021/ti211113.htm>

2. **What is expected for MC12:** Higher transparency will be the subject of a considerable push not only as a standalone but also as a cross-cutting issue across the different tracks of the negotiations on agriculture. Some developed countries propose this as one of the immediate and first deliverables from MC12. The recent move to bring in transparency in applied tariffs from the market access discussions to the transparency discussions signals a concerted effort by developed countries to get substantive commitments on transparency.

3. **Issues of concern from a developing-country perspective:** First, such norms may intrude into domestic policy spaces of Member States, for example, by necessitating legislative changes. Second, meeting such transparency standards will require higher financial and human resources from developing countries. Given the comparative increases in costs of compliance, any agreement will increase the inequity between developed and developing countries in the implementation of the AoA. Moreover, with the onset of the pandemic, it is worth questioning whether valuable resources should be deployed to meeting higher transparency and notification norms for the WTO as compared with providing for healthcare, food and economic recovery. Third, such transparency and notification requirements, especially on applied tariffs and following “best practices”, may significantly constrain the policy flexibility of developing countries to use tariffs, subsidies and other tools quickly and effectively.

4. **Approaches for developing countries to consider:** There are key areas such as the SSG (Article 5, AoA) and the Green Box where beneficiaries have minimum notification requirements. Developing countries should not take on higher obligations in current outcomes on domestic support, PSH or the SSM.

5. **Points of caution:** Any agreement on transparency can have a ripple effect across other agreements and ongoing negotiations at the WTO. Further, there may be pressure to turn even a soft agreement on “best endeavour” into hard commitments in the near future.

G. Conclusion

In the agricultural negotiations leading up to MC12, developing countries have faced a dual challenge. On the one hand, proposals of interest to them, such as a permanent solution on PSH, the SSM and disciplines on FBAMS, have been systematically and glaringly sidelined. On the other hand, proposals that directly conflict with their interests, such as on domestic support disciplines on Development Box and *de minimis*, export restrictions, market access, as well as transparency and notification requirements which will impose a higher compliance burden on developing countries and LDCs, have been continuously promoted by the Chair of the negotiations. There is now a serious concern that these latter issues will be pushed through at the MC12 while outcomes, if any, on PSH and SSM will be riddled with conditions.

PSH and SSM are closely linked to S&D in agriculture, and the resistance by developed countries to these issues implies an attempt to also dilute S&D. There is also the concern that key outcomes important for developing countries are being linked or will be linked with concessions in other areas of agriculture, as well as with non-agricultural issues such as the TRIPS waiver, the Joint Statement Initiatives on e-commerce, investment facilitation, domestic regulation in services and so on.

Finally, the process of negotiations has already gone into a Green Room format,¹⁴ with the Chair involving only a few countries in the discussions, leaving a vast majority of developing and least-developed countries out of the process. These negotiations are reportedly moving very fast, with new texts coming out which are shared only among a few countries. This is the time developing countries and LDCs need to come together to protect their joint interests in agriculture and make their voices heard in a decisive and strategic manner.

¹⁴ <https://twn.my/title2/wto.info/2021/ti211106.htm>