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# **A WORLD-SYSTEMS PERSPECTIVE OF THE WTO DOHA DEVELOPMENT ROUND**

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## SUMMARY

The following study is an historical analysis of the WTO Doha Round negotiations using a world-systems perspective. The thesis tries to answer the following research question: why is the Doha Development Round not producing the desired and expected results? To answer this question, this study has used primary material from the WTO online archives, especially from the biennial sessions of the Ministerial Conference, in order to assess WTO member states' positions on the topics discussed, as well as the points of divergence among developed and developing states. After having traced the history of the negotiations by going through their stages, as outlined by the sessions of the Ministerial Conference, this study interprets the history of the negotiations using world-systems theory. In the end, the thesis presents its findings concerning the impasse of the Doha Development Round from a world-systems perspective.

## **ABBREVIATIONS**

ACP	African, Caribbean and Pacific (Group of States)
ASEAN	Association of Southeast Asian Nations
CAP	Common Agricultural Policy
DDA/ DDR	Doha Development Round/ Doha Development Agenda
DESA	United Nations Department of Economic and Social Affairs
DSU	Dispute Settlement Understanding
ECIPE	European Centre for International Political Economy
EU	European Union
GATT	General Agreement on Tariffs and Trade
GNI/ GNP	Gross National Income/ Gross National Product
ILO	International Labour Organisation
ICTSD	International Centre for Trade and Sustainable Development
IMF	International Monetary Fund
LDCs	Least-Developed Countries
MEAs	Multilateral Environmental Treaties
NAMA	Non-Agricultural Market Access
SDT	Special and Differential Treatment
TRIPS	Agreement on Trade-Related Aspects of Intellectual Property Rights
UN	United Nations
WTO	World Trade Organisation

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# 1. INTRODUCTION

The purpose of this research is to study the progress of the latest round of negotiations in the context of the World Trade Organisation, the so-called Doha Development Round, which began in 2001 and whose outcome remains uncertain, at least at the time of writing these lines (August 2013). This study will try to answer the question on why the Doha Development Round has not yielded any positive results almost 12 years after its launch, using a world-systems perspective. This introductory part will provide a short background on the WTO and the Doha Round, a description of the research question and the material and method used. In the next chapter, we will shortly describe the basic elements of world-systems theory. The third chapter will include the history of the Doha negotiations based on material from the WTO archives and in the fourth chapter this material will be analysed using a world-systems perspective. Finally, in the conclusion this study will summarise its findings.

## A. THE WORLD TRADE ORGANISATION

The World Trade Organisation is an intergovernmental organisation whose mandate is “to provide the common institutional framework for the conduct of trade relations among its Members”<sup>1</sup>. The WTO was established with the Marrakesh Agreement in 1995. However, in order to better understand this powerful international organisation, we need to start from further back in history.

The international trading system is an offspring of the Second World War. In the wake of the War’s devastating effects, the international community sought to avoid repeating the mistakes that were committed during the Interwar period. Extensive trade barriers and overall restrictive trade policies, which aggravated Interwar economic recession, were to be avoided at all cost<sup>2</sup>. After the establishment of the International Monetary Fund and the World Bank in 1944, a similar institutional framework for the regulation of international

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<sup>1</sup> *Marrakesh Agreement Establishing the World Trade Organization*, signed April 15, 1994, 1867 U.N.T.S., 1994, p. 154, art. II, par. 1.

<sup>2</sup> B. Hoekman & M. Kostecki, *The political economy of the world trading system: WTO and beyond*, Oxford: Oxford University Press, 2001, p. 24.

trade was to be created. The Havana Charter, which contained an institutional chapter establishing the International Trade Organisation, was adopted in 1947 by the UN Conference on Trade and Employment, but, having met with rejection by the US Congress, never entered into force<sup>3</sup>. This would have been the end of the stillborn ITO if it weren't for the trade negotiations, aiming at tariff reductions, that were being undertaken by several countries at the exact same time, and which led to the signing and the entry into force of the General Agreement on Tariffs and Trade in 1947 and 1948 respectively<sup>4</sup>.

The GATT, which did not contain any institutional provisions, was to be applied by its signatories on a provisional basis, pending the establishment of the ITO. The latter never came into existence, and the GATT remained an intergovernmental treaty, functioning as a permanent *de facto* organisation, based on the Contracting Parties' decision-making powers<sup>5</sup>. Needless to say, the GATT's rather unique institutional status (or rather, non-status) created several more peculiarities, as it continued to expand both its Contracting Parties and its mandate during the eight subsequent Rounds of Negotiations, peculiarities that have to a great extent shaped some of the most essential institutional characteristics of the WTO.

First of all, as an informal forum, the GATT operated on the basis of consensus: decision is made when "no delegation physically present [during decision-making] has a fundamental objection to an issue"<sup>6</sup>. And, second, for this precise reason, it was exclusively member-driven. These two main characteristics of the GATT system have been passed on to the WTO and continue to form the cornerstones of its operation<sup>7</sup>. In that sense, the WTO is a rather unusual international organisation, insofar as it solely consists of plenary bodies, where all member states have equal voting rights, and where decision by unanimity or consensus applies for all the major issues.

However, the GATT system turned out to have some important disadvantages as well. It was composed by a series of fragmented legal obligations and trade concessions, side agreements among subsets of the Contracting Parties, innumerable supplementary

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<sup>3</sup> F. Stoll Schorkopf, & A. Steinmann, *Max Planck commentaries on world trade law-WTO: World economic order, World trade law*, Leiden: Martinus Nijhoff Publishers, 2006, p. 12.

<sup>4</sup> M. Footer, *Legal aspects of international organization, Volume 46: Institutional and normative analysis of the World Trade Organization*, Leiden: Martinus Nijhoff Publishers, 2006, p. 15.

<sup>5</sup> *Ibid.*

<sup>6</sup> B. Hoekman & M. Kostecki, *The political economy of the world trading system*, p. 57.

<sup>7</sup> *Ibid.*, p. 41.

provisions and modifications, special arrangements, interpretations, waivers, etc<sup>8</sup>. In other words, the GATT regime did not contain a single, uniform set of rules that applied to every Contracting Party; instead, Contracting Parties could pick and choose the trade rules they considered more appealing. To the aforementioned confusion must be added the perplexity caused by the dispute settlement mechanism. Complaints were handled by a panel consisting of three persons and tasked with coming up with a proposal for a decision, which would then have to be adopted by the Contracting Parties with the procedure of positive consensus: all Contracting Parties, including the losing party, had to agree to endorse the report<sup>9</sup>.

These disadvantages the WTO agreement sought to correct. The WTO agreement is a 'single undertaking': all member states are bound by the same rules. At the same time, the dispute settlement mechanism operates under the same basic principles as in the GATT system, but for one major difference: panel reports are now adopted by negative consensus, meaning that all member states must oppose the report in order to block its adoption<sup>10</sup>. These two WTO novelties make for a much stricter regime and are especially important for the developing member states, which can no longer opt out of trade rules and the implementation of dispute settlement decisions.

The most important organ of the WTO is the Ministerial Conference, which is composed of representatives at the ministerial level of all members and has the competence to decide on all matters that fall under the WTO mandate. Directly underneath the Ministerial Conference in the WTO institutional structure lies the General Council, which is composed of representatives at the ambassadorial level of all members and is responsible for the 'day to day' functioning of the WTO. The General Council is also the Dispute Settlement Body, meaning the organ that has the competence to administer the WTO dispute settlement, as well as the Trade Policy Review Body, in charge of the trade policy review mechanism<sup>11</sup>. Assisting the General Council and at a level below it are three specialised councils, the Council for Trade in Goods, the Council for Trade in Services and the Council for TRIPS. In addition to those three councils, the WTO structure contains a number of committees and working groups, each of which focus on specific trade policy areas. One of these, whose

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<sup>8</sup> *Ibid.*, p. 38-39.

<sup>9</sup> F. Stoll Schorkopf, & A. Steinmann, *Max Planck commentaries on world trade law-WTO*, p. 71.

<sup>10</sup> B. Hoekman & M. Kostecki, *The political economy of the world trading system*, p. 41.

<sup>11</sup> P. Van den Bossche, *The Law and Policy of the World Trade Organization: Text, Cases and Materials*, Cambridge: Cambridge University Press, 2008, p. 120-122.

name we shall encounter later on, is the Trade Negotiations Committee, which was created by the Ministerial Conference and whose task is to oversee the negotiations taking place in the context of the Doha Round; the Trade negotiations Committee reports to the General Council<sup>12</sup>.

Decision-making in the WTO generally takes place by consensus: unless a member state explicitly disagrees, a decision is taken. That means that no actual voting takes place and that every member has veto power. "Decision-making by consensus in practice involves a degree of deference to economic power. It is only when important national, economic or other interests are at stake that a WTO member would consider blocking the consensus," in the words of P. Van den Bossche<sup>13</sup>.

Trade liberalisation in the framework of the WTO proceeds with Rounds of Negotiations, in which already existing agreements are renegotiated and new agreements created. The goal of each Round is to lower tariffs and reduce other barriers to international trade. Eight such Rounds have been held so far, many of them "complex and ambitious" and all successful<sup>14</sup>.

After the Uruguay Round, which led to the creation of the WTO and the entry into force of various trade agreements on goods, services and intellectual property there followed the Singapore Ministerial Conference in 1996 and the failed Ministerial Meeting of Seattle in 1999 before the Doha Round was initiated in 2001. According to the Doha Ministerial Declaration, the focus of the Doha Round would be on "developing countries' needs and interests"<sup>15</sup>. The Work Programme that was agreed on at the Doha Ministerial Conference was very extensive, covering almost every conceivable trade-related topic: from agriculture and services to competition, development and the environment<sup>16</sup>. Little, if any, progress has been made ever since, the main underlying reason being the inability of developed and developing states to reach an agreement on the proposed issues. The general impression on the Doha Round, nearly 12 years after its official launch and with very little to show for it, is that it is dead.

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<sup>12</sup> *Ibid.*, p. 124-127.

<sup>13</sup> *Ibid.*, p. 139.

<sup>14</sup> M. Matsushita, T. J. Schoenbaum & P. C. Mavroidis, *The World Trade Organization: Law, Practice, and Policy*, Oxford: Oxford University Press, 2006, p. 5.

<sup>15</sup> WTO, Ministerial Conference, Doha, 9-14 November 2001, *Ministerial Declaration, adopted on 14 November 2001*, WT/MIN(01)/DEC/1, p. 1.

<sup>16</sup> *Ibid.*

Nevertheless, the WTO and the member states themselves seem unwilling to give up, and negotiations are on-going to this day<sup>17</sup>.

## **B. RESEARCH QUESTION**

The WTO is, to this day, as evidenced in the aforementioned recount of its history and mandate, the only international trade policy forum, as well as one of the most important international organisations. Nevertheless, the first ever Round of Negotiations undertaken after its official establishment has apparently reached a stalemate and trade regulation has proven unable to move forward for nearly 20 years. The importance of the Doha Round is not exclusively the creation of new international trade agreements and the progress of international trade rules. The WTO is the first rules-based trade system, composed of 159 members, in other words the vast majority of states. The Doha Round being the first round of agreements to take place in the context of the WTO, with its current structure and principles of functioning, its failure will be a serious blow to the WTO as a credible trade policy organisation and as a forum for trade negotiations.

That the Doha Development Round is at an impasse, at least up to this point, is a rather obvious fact that no one would dare contest. That this deadlock is mostly due to the inability of developed and developing states to reach an agreement is also a well-established fact. With that in mind, the main research question this study would like to pose, namely, why the Doha Round is failing, is one that has been asked before. The WTO being an all-important international organisation, it is natural that seas of ink have been spilled on virtually all aspects of the current round of negotiations. So why add one more study to the heavy bulk of research already undertaken on this very topic?

The vast majority of analyses on the Doha Round and, in fact, on the WTO in general, have either law or economics as their focal point. The former deal with the proposed rules and their impact on the global trading regime, whereas the latter focus on the potential gains and costs of the success or the failure of the Doha Round<sup>18</sup>. There have also been several studies from an international relations point of view, which mostly focus on the power

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<sup>17</sup> WTO, *The Doha Round*, available online at: [http://www.wto.org/english/tratop\\_e/dda\\_e/dda\\_e.htm](http://www.wto.org/english/tratop_e/dda_e/dda_e.htm) (last accessed 4 August 2013).

<sup>18</sup> See for example: T. W. Hertel & L. A. Winters (eds.), *Poverty & the WTO: Impact of the Doha Development Agenda*, Herndon, Virginia: World Bank Publications, 2005.

balance between member states during the negotiations<sup>19</sup>. However, it is very seldom, or never according to this study's research, that one sees a historical account of the Doha Round that is not connected to either law or economics, for the very simple reason that it is indeed mostly within these disciplines that the greatest amount of research on world trade is undertaken. At the same time, while, as already mentioned, the fact that it is the disagreement between developed and developing states that stalls or halts the progress of the Doha Round is well-known and well-established in the literature on WTO, no connection has ever been made between this developed vs. developing country clash and Immanuel Wallerstein's world-systems theory.

The goal of this study is, therefore, to reiterate the question: why is the Doha Development Round failing? To put it differently: why is not succeeding? And by succeeding this study means of course producing new trade regulation, in the form of multilateral trade agreements, as it was designed to. This question will be further divided into two sub-questions, in order to facilitate research and the structure of this study (the questions are in reality interconnected):

1. What are the stages of this failure? In other words, at which point in the history of the Doha Round negotiations can we trace the beginning of the failure?
2. How can we connect the negotiations with their subsequent successes (if any) and failures with Wallerstein's concept of core-periphery-semiperiphery countries in the world-system? What are the interactions between those groups of states in the context of the Doha Round? Are they fulfilling the roles the theory assigns to them and is that the reason why the Doha Round is not progressing?

### **C. MATERIAL AND METHOD**

Concerning the current trade negotiations and developing countries' attitudes towards the Doha Round, this research will rely mostly on the documents' section of the official WTO website ([docs.wto.org](http://docs.wto.org)). The WTO archives contain a very extensive collection of every type of document related to every aspect of the WTO workings, including the current round of

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<sup>19</sup> See for example: F. Jawara & A. Kwa, *Behind the Scenes at the WTO: The Real World of International Trade Negotiations- The Lessons of Cancún*, London; New York: Zed Books, 2004.

negotiations. Naturally, the extent of information available at the WTO website is vast; therefore a note on the selection of material for this study is in order at this point.

A round of negotiations in the context of the WTO proceeds in two separate, but parallel, trajectories. The mandate for the negotiations, in other words the very broad outline of what the member states would like to discuss, is decided by the Ministerial Conference, summoned roughly every couple of years. Within the confines of this pre-decided mandate, the big bulk of the draft regulations are then prepared by the Trade Negotiation Committee, which is, in its turn, divided into several negotiating groups, by topic<sup>20</sup>. In the context of this study, however, the topic-specific negotiations taking place within the negotiating groups will not be dealt with, not only because they are mostly devoted to the detailed drafting of legal rules, in themselves outside the purview of this research, but also because the different member states' positions are much clearer in the context of the main negotiating forum, which is the Ministerial Conference. Therefore, this research will use the sessions of the Ministerial Conference both as benchmarks, in order to delineate the stages of the Doha Development Round, and as the main source of material, in order to discern the causes of disagreement amongst WTO member states on the issues discussed at the Doha Round. This study will begin its research from the session of the Ministerial Conference that preceded the one in Doha, meaning the Third Session, held in Seattle in 1999. The reason is twofold: first, it was in this session that the new round was programmed to be launched, and, second, the Ministerial collapsed due to the intense disagreement between developed and developing member states. After Seattle, the sessions of the Ministerial Conference on which this study will focus are: the Fourth Session, in Doha, in 2001, the Fifth Session, in Cancún, in 2003 and the Sixth Session, in Hong Kong, in 2005. There have been two more sessions after 2005, in 2009 and 2011 in Geneva. The latter will only be mentioned in brief in the last part, because their main topic was not the Doha Round, which had already reached an impasse in 2008.

Several of the issues discussed at the Ministerial Conferences, are pre-discussed at the General Council, with the purpose of preparing the ground for the broadest possible agreement. Moreover, keeping in mind that the sessions of the Ministerial Conference are held every two years, whereas the General Council meets, as a rule, every two months<sup>21</sup>,

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<sup>20</sup> WTO, *How the negotiations are organized*, available online at: [http://www.wto.org/english/tratop\\_e/dda\\_e/work\\_organ\\_e.htm](http://www.wto.org/english/tratop_e/dda_e/work_organ_e.htm) (accessed 4 August 2013).

<sup>21</sup> P. Van den Bossche, *The Law and Policy of the World Trade Organization*, p. 120, 122.

using only material from the Ministerial Conference would inevitably lead to some gaps. In those two years that separate the one Ministerial from the next, the progress of the Doha Round could not be mapped, and the developments that might be responsible for the topics that are discussed in the conference or the positions that different states uphold, would remain unknown. Therefore, although material from the General Council or any other bodies of the WTO will not generally be used during this study, an exception will be made for documents that deal with preparations to the Ministerial Conferences. In that sense, parts from some minutes of meetings of the General Council and the Trade Negotiations Committee, as well as some general Council Decisions will be included, insofar as they are directly related to the Ministerial Conference following or preceding them or to the progress of the Doha Round. This is especially important for the years after 2005, because after the 2005 Ministerial Conference, four years elapsed till its next session, the main topic of which was not the Doha Development Round.

During the sessions of the Ministerial Conference, member states, and sometimes groups of states with similar interests, like the Group of 77 developing countries, the G20 coalition of developing states, or the African Group, issue statements, declarations or communications, which sum up the position of that state/ group of states in relation to the topics that arise out of the negotiations. These statements will be used as primary sources in this study, as documents that reveal the thorny issues during the negotiations. At the same time, the statements made by the officials of the WTO, such as the Director General and the Chairperson of the session, are also invaluable sources, as they provide both a summary of the topics of the agenda and a means by which to make out the overall atmosphere of the session. Finally, the sessions of the Ministerial Conference are concluded with a Ministerial Declaration, an official joint text that sums up the progress made during the session in question. It is the Ministerial Declarations that demonstrate, at the end of the day, whether any substantial progress was made during the session, on which topics and what content the negotiations had; in other words the Ministerial Declarations demonstrate which and how many of the demands of the member states were agreed on, and what form and content this agreement had. The Ministerial Declarations will therefore also be considered as useful material for this research.

At this point, this study must turn to the question of the nature and the reliability of these texts as sources of historical study. What are these documents that we find at the online document database of the WTO? How credible are they in narrating the story of the Doha Development Round? As the documents database of the WTO is maintained by an international organisation, these documents are what we would call official. Hence, there can be no question as to their validity, or as to them being falsified. The Ministerial Declarations, General Council Decisions and generally all texts that are agreed on by consensus, the main 'voting' procedure for decision-making at the WTO, must be accepted as official accounts of the points on which agreement has been reached. But what about the statements made by individual states or groups of countries? They are most certainly not free of bias, each statement or communication reflecting the position of the state or group of states that has issued it. They alone cannot tell the truth about the trajectory of the Doha Round. What is a legitimate concern and a reasonable demand for the US might not be, and most probably is not, considered as such by India, and vice versa. Nevertheless, the purpose of this study is to discern the WTO member states' positions on the topics of the DDA, to attempt to write a history of developed and developing states' disagreements regarding the Doha Round, not the history of the Doha Round *tout court*. In that sense, the inherent bias that these statements contain is what is most useful for this study. The material is, therefore, a reliable source in the context of this paper.

However, in relation to the sessions of the Ministerial Conference, one must take note of the fact that not all meaningful negotiations take place in public, with all member-state delegations present at all times. A great deal of the negotiating work, especially in times of crisis, takes place behind closed doors, in the so called "green room"<sup>22</sup>. This study has, naturally, no access to records of such 'secret' discussions and an assessment of their influence on the outcome of the negotiations, as great as that influence may be, lies outside the scope of this paper. Therefore, the primary material for this research will be confined to documents of public record, which are, in the end, the official positions of the WTO member states and indicators of the points of dispute. The focus while reading statements or communications from states is precisely on the exact position of the state (or group of states)

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<sup>22</sup> K. Jones, 'Green room politics and the WTO's crisis of representation', 9 *Progress in Development Studies*, 2009, p. 350.

in question in relation to the negotiations mandate. That includes discerning the topic(s) that they lay the biggest weight on and their reaction to other states' positions.

Concerning the use of theory in this study, this will be mostly as means by which to interpret the material. This study has chosen therefore to present the findings of the archival research first, independently of their interpretation, and then interpret them with a world-systems perspective. While world-systems theory was conceived as a useful tool for depicting the progress, or lack thereof, of the Doha Development Round, from the very conception of the topic for this study and for the formation of its main research question, it is the material that calls for a world-systems interpretation and not vice versa. It is therefore for reasons of objectivity and impartiality towards the material that this study has chosen to present it separately and then interpret it using the basic concepts and premises of world-systems theory.

To sum up, the primary method used for this study will be archival research, archives being the aforementioned public documents found at the WTO electronic archive. Secondary sources, such as scholarly works analysing the progress of the negotiations and the issues at stake, will be also used throughout this study.

## **2. WORLD-SYSTEMS THEORY**

### **A. THE ROOTS**

To explain a theory, one needs to first trace its roots. In the case of Immanuel Wallerstein's world-systems theory, these roots lie in post-1945 neoliberal modernisation theories, which proposed a linear path of development, composed of clear-cut stages: the precise stages of development of Western states<sup>23</sup>. Viewed from this perspective, the world was divided into developed and underdeveloped states, the former providing the model and the latter encouraged to follow the well-established path that would lead them to economic growth

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<sup>23</sup> I. Wallerstein, *World-Systems Analysis: An introduction*, Durham; London: Duke University Press, 2004, p. 10.

and political and social modernisation<sup>24</sup>. The first criticisms against modernisation theory, coming from the dependency theorists, who sought to explain why the development of certain Latin American did not proceed as predicted, formed the basic ideas that would later become the nucleus of Wallerstein's world-system theory.

According to the *dependistas*, modernisation theories fail to accurately portray the complexity of the social and historical conditions of the so-called underdeveloped, or traditional, states, which they simplistically perceived to be a bundle of identical states, whose economies had an overly large primary sector, great income inequality, little to none diversification in their production systems and an external market much bigger than the internal one<sup>25</sup>. This rather ahistorical explanation of economic, as well as socio-political, 'backwardness' and this simplistic model of economic growth that progresses in defined stages presupposes that underdeveloped economies have been isolated from the capitalist market economy, that isolation being one of the reasons for their predicaments<sup>26</sup>. However, according to dependency theory, it is not in the absence of connection with the advanced Western economies that one must seek the explanation for the lack of growth, but on the ties that those underdeveloped countries have traditionally had with the developed ones<sup>27</sup>. These have always been ties of domination and dependence, as the vast majority of the underdeveloped economies were until recently colonies of the great Western powers. Instead of focusing on these countries' lack of integration in the capitalist economy, which is a false proposition, the *dependistas* suggest to focus on the position these countries had in the capitalist economy. Some dependency theorists call these recently decolonised underdeveloped countries peripheral economies, the central economies being the advanced Western economies<sup>28</sup>, others call them satellites, the metropolis being the Western states that colonised them<sup>29</sup>, while others divide the world into Centre and Periphery nations<sup>30</sup>. Underdeveloped states have therefore always been an integral part of the capitalist economy, which they have helped develop and in which they have fulfilled specific functions, by virtue

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<sup>24</sup> J. Nederveen Pieterse, *Development Theory: Deconstructions/ Reconstructions*, Los Angeles; London: SAGE, 2010, p. 6-7.

<sup>25</sup> F. H. Cardoso & E. Faletto, *Dependencia y Desarrollo en América Latina: Ensayo de Interpretación Sociológica*, Buenos Aires: Siglo XXI Editores Argentina, 2003, p. 23.

<sup>26</sup> A. G. Frank, 'Le développement du sous-développement', 6:16/17 *Cahiers Vilfredo Pareto*, 1968, p. 74.

<sup>27</sup> *Ibid.*

<sup>28</sup> F. H. Cardoso & E. Faletto, *Dependencia y Desarrollo en América Latina*, p. 24.

<sup>29</sup> A. G. Frank, 'Le développement du sous-développement', p. 70.

<sup>30</sup> J. Galtung, 'A Structural Theory of Imperialism', 8:2 *Journal of Peace Research*, 1971, p. 83.

of their status as satellites<sup>31</sup>. The idea that their economies will develop in the same way as those of the Western states, that were never satellites, is thus rejected by dependency theory, and the same applies for the development of their government structures, as those states' socio-political behaviour was modified in tandem with their economic structures<sup>32</sup>.

Dependence theory and Third World area studies providing the first major inspiration for world-systems theory, the other was the *Annales* school of historiography. From the *Annales* group Wallerstein borrowed the concept of 'total historiography', thus making world-systems theory into a unidisciplinary analysis that combines history, economics, social and political science<sup>33</sup>. From Fernand Braudel in particular, world-systems theory borrows the concept of the *longue durée* and the emphasis on the issue of the unit of analysis<sup>34</sup>.

## B. THE BASIC PROPOSITIONS OF WORLD-SYSTEMS THEORY

Before embarking on the task of analysing world-system theory's principles, a few clarifications on the scope of this short analysis are in order. Wallerstein's world-systems theory is too vast and has been subject to too many revisions, either by himself or by other world-system theorists, to grapple with all of them in the course of this study. We shall therefore only concern ourselves with the parts of the theory that are relevant to the proposed goal of this research. Wallerstein has devoted several books and numerous articles to the historical analysis of the emergence of the capitalist world-economy, tracing its path from the 15<sup>th</sup> century onwards, and it is in fact this component of world-systems theory that has attracted the most attention, the biggest criticism as to its historical accuracy<sup>35</sup>, as well as the most friendly fire by other world-system theorists<sup>36</sup>. Given the obvious space limitations a Master's thesis entails, and the fact that this thesis' main research question lies in the present, and not in the past, these points will not be dealt with in this study. This study will also not

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<sup>31</sup> A. G. Frank, 'Le développement du sous-développement', p. 79.

<sup>32</sup> F. H. Cardoso & E. Faletto, *Dependencia y Desarrollo en América Latina*, p. 30.

<sup>33</sup> I. Wallerstein, *World-Systems Analysis*, p. 19.

<sup>34</sup> *Ibid.*

<sup>35</sup> See: A. R. Zolberg, 'Origins of the Modern World System: A Missing Link', *33:2 World Politics*, 1981, p. 253-281, T. Skocpol, 'Wallerstein's World Capitalist System: A Theoretical and Historical Critique', *82:5 American Journal of Sociology*, 1977, p. 1075-1090, P. Gourevitch, 'The International System and Regime Formation: A Critical Review of Anderson and Wallerstein', *10:3 Comparative Politics*, 1978, p. 421-427 and G. Modelski, 'The Long Cycle of Global Politics and the Nation-State', *20:2 Comparative Studies in Society and History*, 1978, p. 214-235.

<sup>36</sup> See: A. G. Frank & B. Gills (eds.), *The World System: Five Hundred Years or Five Thousand?*, London; New York: Routledge, 1993.

go into the part of world-systems theory that describes the waves of expansion and contraction of the capitalist world-economy according to the so-called Kondratieff cycles<sup>37</sup>; once again, the reason is their limited relevance or usefulness to the goal of this study.

As this study focuses on the interplay between core, peripheral and semiperipheral states in the context of the Doha Round negotiations, this short analysis will therefore mostly focus on parts of the theory that deal with the functioning of the capitalist world-economy, with the characteristics of each category of states and with the relationship between them. With regards to the various strands of world-systems theory that have emerged and that depart on certain points from the theory initially published in 1974, this short analysis, and this study in general, will rely mostly on the theory proposed by Wallerstein himself. To be sure, there have been several eminent world-systems theorists besides Wallerstein, such as Christopher Chase-Dunn, Andre Gunder Frank, Samir Amin and Giovanni Arrighi, all of which started writing at roughly the same time period, during the 1960s and 1970s, while each one of them with his own way of presenting and explaining the theory<sup>38</sup>. However, it was Wallerstein himself who first systematised world-systems theory<sup>39</sup> and its basic propositions are the same in the writings of all world-systems theorists<sup>40</sup>. This study will use other writings than those of Wallerstein himself, of course, in cases when we judge that they elucidate Wallerstein's points in a clearer manner. Concerning the revisions that Wallerstein has made to several parts of the theory in the nearly forty years since its first publication, this short analysis will attempt a synthesis and a summary, which will include both elements from the initial version of the theory and elements that Wallerstein added or modified in the course of the years.

World-systems theory being, much like dependence theory, initially conceived as a critique on theories of stages of development, Wallerstein starts by refusing that there is such a thing as national development, but by accepting that there is such a thing as stages, the stages being segments of the long historical time (Braudel's *longue durée*)<sup>41</sup>. The unit of comparison is not, however, the individual state, but the social system, the defining

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<sup>37</sup> I. Wallerstein, *World-Systems Analysis*, p. 30-31.

<sup>38</sup> C. Chase-Dunn & K. S. Lawrence, 'Alive and well: A response to Sanderson', *51:6 International Journal of Comparative Sociology*, 2010, p. 471.

<sup>39</sup> *Ibid.*

<sup>40</sup> S. K. Sanderson, 'Alive and well...or just alive? Rejoinder to Chase-Dunn and Lawrence', *52:5 International Journal of Comparative Sociology*, 2011, p. 431.

<sup>41</sup> I. Wallerstein, 'The Rise and Future Demise of the World Capitalist System: Concepts for Comparative Analysis', *16:4 Comparative Studies in Society and History*, 1974, p. 390.

characteristics of which are a not a common political structure, much less a common culture, but a single division of labour, which necessarily presupposes an exchange of goods, capital and labour<sup>42</sup>. There exist two types of social systems, one with a common political system, named world-empire, and one without a common political system, called world-economy<sup>43</sup>. The current world-system is the capitalist world-economy that came into existence during the “long 16<sup>th</sup> century”, from 1450-1640<sup>44</sup>. The main feature of a capitalist world-economy is the fact that it gives priority to the ‘endless accumulation of capital’<sup>45</sup>, the result of which is the constant expansion of production<sup>46</sup>. On this point, world-systems theory departs from classic Marxist theory, according to which it is wage-labour and wage-labour only that can constitute the defining characteristic of capitalist production, thus excluding any areas of the world in which forms of slave or forced labour are the norm. Wallerstein argues that by shifting focus to the world-economy as the unit of analysis, as opposed to the state, it becomes clear that where there is “production for profit in a market”, there is capitalism<sup>47</sup>. In that sense, there can be, and has been since the 16<sup>th</sup> century, only one mode of production, from England to Mexico, and that is the capitalist mode of production<sup>48</sup>.

The capitalist world-economy comprises many institutions, the most important of which is the market, “a virtual institution across space” where firms buy and sell goods<sup>49</sup>. The market, notwithstanding all assurances to the contrary, does not really operate freely, but with various interferences from the various stakeholders, who seek to maximise their profits. The reason is that with a completely free market, profit maximisation is rendered exceptionally difficult, whereas with a partially free one, it is quite feasible. Perfect monopolies being rather hard to achieve, the firms try to establish quasi-monopolies with the help of their home states’ machineries, using legal means, such as patents, and other protectionist measures, such as state restrictions on imports and exports, subsidies and many more trade distortions<sup>50</sup>.

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<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*

<sup>44</sup> I. Wallerstein, ‘Three Paths of National Development in Sixteenth-Century Europe’, in: I. Wallerstein, *The Capitalist World-Economy: Essays*, Cambridge: Cambridge University Press, 1979.

<sup>45</sup> I. Wallerstein, *World-Systems Analysis*, p. 24. Emphasis in the original.

<sup>46</sup> I. Wallerstein, ‘The Rise and Future Demise...’, p. 398.

<sup>47</sup> *Ibid.*, p. 399.

<sup>48</sup> *Ibid.*, p. 394.

<sup>49</sup> I. Wallerstein, *World-Systems Analysis*, p. 25-26.

<sup>50</sup> *Ibid.*

As mentioned above, the capitalist world-economy operates on the basis of a single division of labour, which means that “the various geographical areas which compose it are specialised in specific productive tasks” and that the various parts of the whole are connected with each other by virtue of the flow of material goods<sup>51</sup>. Capitalist production is thus divided into production of core-like and peripheral products. Core-like products are those that yield the biggest profit and, as profit is directly related to the degree of monopolisation, core-like production processes are those controlled by quasi-monopolies, whereas peripheral processes are those that are “truly competitive”<sup>52</sup>. Consequently, core-like production is capital-intensive and uses advanced technology and highly-skilled paid labour, whereas periphery-like production is labour-intensive and uses low wage unskilled labour<sup>53</sup>. The division of core-like and peripheral-like production processes corresponds to a division of core and peripheral countries, as core-like processes tend to concentrate in strong states, in other words states capable of creating quasi-monopolies, whereas peripheral-like processes tend to concentrate in weak states that cannot significantly affect the terms of trade<sup>54</sup>.

The core-periphery theoretical construct represents, therefore, a geographical and occupational division of labour, which “came into existence by extra-economic plunder, conquest and colonialism”<sup>55</sup>, creating, in the peripheral countries, special sectors of the economy exclusively focused on exports of agricultural products or raw materials<sup>56</sup>. Therefore, when capital flows from the core to the periphery, it is not for lack of similar investment opportunities in the core, but because the production of the same products in the core would be much more expensive than it is in the periphery<sup>57</sup>. As a result of this unequal exchange, surplus value flows from the producers of peripheral-like products to the producers of core-like products<sup>58</sup>. As such, it cannot be conceived as an anomaly, or as

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<sup>51</sup> T. K. Hopkins & I. Wallerstein, ‘Patterns of Development of the Modern World-Economy’, *1:2 Review (Fernand Braudel Center)*, 1977, p. 127.

<sup>52</sup> I. Wallerstein, *World-Systems Analysis*, p. 25-26.

<sup>53</sup> C. Chase-Dunn, *Global Formation: Structures of the World-Economy*, Lanham, Maryland: Rowman & Littlefield Publishers Inc, 1998, p. 39.

<sup>54</sup> I. Wallerstein, *World-Systems Analysis*, p. 28.

<sup>55</sup> C. Chase-Dunn, *Global Formation*, p. 39.

<sup>56</sup> S. Amin, ‘Le modèle théorique d’accumulation et de développement dans le monde contemporain: La problématique de transition’, *13:52 Tiers-Monde*, 1972, p. 708-709.

<sup>57</sup> *Ibid.*

<sup>58</sup> I. Wallerstein, *World-Systems Analysis*, p. 28.

something that will soon belong in the past, but it is an essential feature of the capitalist world-economy<sup>59</sup>. In this respect, world-systems theory clearly echoes dependence theory.

As opposed to the *dependistas*, however, Wallerstein's theory does not accept the existence of a bipolar interstate system, one solely composed of core and periphery. Between the core and periphery lies the semiperiphery, whose role is of the utmost importance for the survival of the capitalist world-economy<sup>60</sup>. The main reason why the semiperiphery's existence is essential is political: a system composed of one high-status, high-income sector and one low-status, low-income sector would be inevitably a heavily polarised system. In such a bipolar system, it would not take long before the low-status, low-income sector united forces in order to tear the system apart<sup>61</sup>. As there are no semiperipheral production processes, the semiperiphery stands in between the core and periphery in terms both of the products it exports and the wage levels and profit margins it can accomplish<sup>62</sup>: in other words it is "both exploited and exploiter"<sup>63</sup>.

The role of each group of states is defined by their position in the capitalist world-economy. Core states' major concern is to protect the quasi-monopolies of the core-like processes, whereas peripheral states are limited to the role of assenter and observer. Semiperipheral states, on the other hand, occupying the most precarious position in the system have to make sure they don't fall into the periphery or try to ascend to the core<sup>64</sup>. In their effort to rise above their position in the capitalist world-economy, semiperipheral states tend to compete with each other, as the ones among them who are "better off" refuse to collaborate with the rest; the reason is that it is not possible for all semiperipheral states to rise simultaneously, therefore the ones who have a better chance might side with the core states for political reasons<sup>65</sup>. Accordingly, peripheral states tend to be "set against the semiperipheral ones"<sup>66</sup>.

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<sup>59</sup> *Ibid.*, p. 42.

<sup>60</sup> I. Wallerstein, 'Dependence in an Interdependent World: The Limited Possibilities of Transformation within the Capitalist World-Economy', in: I. Wallerstein, *The Capitalist World-Economy*, p. 69-71.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*

<sup>63</sup> I. Wallerstein, 'The Rise and Future Demise...', p. 405.

<sup>64</sup> I. Wallerstein, *World-Systems Analysis*, p. 29.

<sup>65</sup> I. Wallerstein, 'Semiperipheral Countries in the Contemporary World Crisis', in: I. Wallerstein, *The Capitalist World-Economy*, p. 106, 117.

<sup>66</sup> *Ibid.*, p. 117.

At this point we must point to certain inconsistencies which this study remarked in connection with the concept of core and periphery. In the initial articulation of his theory, Wallerstein speaks only of core and peripheral states, core states being the states of northwest Europe that, almost coincidentally, developed strong state mechanisms, thus making them capable of enforcing their will on states with weak state mechanisms, those that world-systems theory calls peripheral<sup>67</sup>. In later writings, Wallerstein speaks both of core and peripheral countries/ areas and of core and peripheral processes somewhat interchangeably, while at the same time clarifying that, given the fact that core-periphery is a relational concept, it is the core and periphery relation that is most significant, and that the units created by the relation “may also serve as an ordered classificatory scheme for distribution among or “over” the units, groups, etc. (here, world-regions, states, countries, colonies, etc.)”<sup>68</sup>. In later writings Wallerstein seems to focus on core-like and peripheral-like processes, explaining that, as core and peripheral processes tend to group themselves in specific states, one may also speak of core and peripheral states<sup>69</sup>.

There are two possible explanations which this study can find for this inconsistency. First possibility: it is not an inconsistency *per se*. In the earlier writings Wallerstein speaks of the creation of the modern world-economy, in other words of the years 1450-1640, whereas in the later writings Wallerstein increasingly speaks of the 20<sup>th</sup> century. Given the fact that he explains clearly that it was not until the 20<sup>th</sup> century that the capitalist world-economy came to encompass the whole actual world and that before then the bigger part of the globe was in fact external to the division of labour<sup>70</sup>, it makes much more sense that he talks of core and peripheral areas in his early work. The capitalist world-economy originated in Europe, and its geographical limits in the sixteenth-century were northwest Europe, Eastern Europe and Latin America. At the time northwest Europe was the core of the capitalist world-economy, the home of “a complex variety of economic activities”, such as mass-market industries, international and local commerce and advanced agriculture. The peripheral areas, Eastern Europe and South America were monocultural with coerced labour and the semiperiphery,

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<sup>67</sup> I. Wallerstein, ‘The Rise and Future Demise...’, p. 401.

<sup>68</sup> T. K. Hopkins & I. Wallerstein, ‘Patterns of Development...’ p. 116.

<sup>69</sup> I. Wallerstein, *World-Systems Analysis*, p. 93.

<sup>70</sup> I. Wallerstein, ‘The Rise and Future Demise...’, p. 401.

southern Europe was, as it always is, a middle ground<sup>71</sup>. It was only later, as the capitalist world-economy expanded, and so did the division of labour, that the areas that were external to it were integrated and consequently in their turn 'peripheralised'<sup>72</sup>. In other words, in the beginning there were specific core and peripheral areas, but as the core and the periphery are relational concepts and are "constantly *relocating*"<sup>73</sup>, it is more accurate to speak of core-like and peripheral-like activities in the present stage of the world-system. Second possibility: this might in fact be a revision that Wallerstein has made in the initial core-periphery concept. In the present study core states are those in which core-like production processes concentrate and peripheral states are those where peripheral-like processes do.

### C. WORLD-SYSTEMS THEORY CRITICISM

World-systems theory has been subject to various criticisms. It is not within the scope of this study to analyse all of them in depth, but we will attempt a synopsis of the critiques we find most fundamental and most relevant to the goal of the present study. In essence, the majority of attacks against world-systems theory focus on with the unit of analysis and the predominance of economic considerations, such as the market and exchange, and the marginal role the state, politics or the society play in world-systems theory.

As regards the unit of analysis, according to the critics of the world-systems perspective, the latter favours the whole in relation to the parts, therefore leaving no room for any sort of autonomy to the parts, the system being the only real actor in the theory and the only one capable of social change<sup>74</sup>. The system seems to have a consciousness of its own, to such a degree that it allots tasks<sup>75</sup>, such that the core 'needs' a periphery and the system as a whole 'needs' a semiperiphery<sup>76</sup>. The only possible change is a change of positions within the system itself, the theory hence allowing for no "dynamics and action"<sup>77</sup>. What follows from focusing on the world-system as a whole is an emphasis on external factors, such as the

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<sup>71</sup> I. Wallerstein, 'Three Paths of National Development in Sixteenth-Century Europe', in: I. Wallerstein, *The Capitalist World-Economy*, p. 38.

<sup>72</sup> T. K. Hopkins & I. Wallerstein, 'The World-System: Is There a Crisis?', in: T. K. Hopkins & I. Wallerstein (eds.), *The Age of Transition: Trajectory of the World-System 1945-2025*, London; New Jersey: Zed Books, 1998, p. 4.

<sup>73</sup> T. K. Hopkins & I. Wallerstein, 'Patterns of Development...', p. 116.

<sup>74</sup> J. Nederveen Pieterse, 'A Critique of World System Theory', *3:3 International Sociology*, 1988, p. 256

<sup>75</sup> P. Worsley, 'One World or Three? A Critique of the World-System Theory of Immanuel Wallerstein', *17 Socialist Register*, 1980, p. 301.

<sup>76</sup> S. K. Sanderson, 'World-Systems Analysis...', p. 186.

<sup>77</sup> J. Nederveen Pieterse, 'A Critique...', p. 261.

unequal exchange, and a systematic neglect of internal characteristics of societies, such as their political system, class structure, geography and their history prior to their integration in the world-economy<sup>78</sup>.

The second set of critique concerns, as mentioned above, the so-called economism of the world-systems perspective. This leads to a reductionist conceptualisation of the state as a vehicle for the pursuit of the economic interests of its dominant groups and of politics as a “vulgar expression of market-class interests”<sup>79</sup>, as states are described as protectors of quasi-monopolies, their role being none other than to intervene in the market<sup>80</sup>. Moreover, it leads to the discrediting of the whole system of modern states, as the theory seems to suggest that “economic processes alone determined the genesis of the modern world system and governed its operations after it came into being”<sup>81</sup>. World-system’s theory’s economic determinism is not criticised solely by scholars who lean on the state-centric side of the spectrum, but also by Marxist scholars. The overemphasis on trade and the unequal exchange between the core and the periphery as the defining characteristic of capitalism fails to take into account “historically specific class structures of production and surplus extraction, themselves the product of determination beyond the market”<sup>82</sup>.

Several of these statements are not so far off the mark; they do not, however, in any way discredit world-systems theory as a whole and they are in fact conscious choices and not errors. As far as the unit of analysis is concerned, this is one of the major novelties of the whole theory, and cannot be light-heartedly dispensed with. It was in opposition to the idea that national societies can be studied in isolation that world-systems theory came to be, giving inter-societal processes a prominent place, but not claiming that global processes are the only thing that matters<sup>83</sup>. Yes, according to world-systems theory, so long as the world-capitalist economy is in existence, all parts of the world-system are parts of it. In a world that we have recently come to think of as ‘globalised’ and truly interconnected, world-systems perspective systematises a truly global analysis, and this is its strength, not its weakness.

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<sup>78</sup> S. K. Sanderson, ‘World-Systems Analysis...’, p. 187.

<sup>79</sup> T. Skocpol, ‘Wallerstein’s World Capitalist System...’, p. 1080.

<sup>80</sup> J. Nederveen Pieterse, ‘A Critique...’, p. 261.

<sup>81</sup> A. R. Zolberg, ‘Origins of the Modern World System...’ p. 258.

<sup>82</sup> R. Brenner, ‘The Origins of Capitalist Development: A Critique of Neo-Smithian Marxism’, *I/104 New Left Review*, 1977, p. 91.

<sup>83</sup> C. Chase-Dunn & K. S. Lawrence, ‘Alive and well: A response to Sanderson’, *51:6 International Journal of Comparative Sociology*, 2010, p. 473.

However, this study will concede to the point that the focus on the system as the unit of analysis and the subsequent proposition that any kind of transition has to be a transition from the capitalist world-economy to a different system altogether, which has to be a process affected on a global scale<sup>84</sup>, is indeed rather limiting. This insistence on the impossibility of two systems existing side by side in the course of a transitional period renders any future transition to a different system very difficult and therefore almost improbable, just as it renders the explanation of the transition from feudalism to capitalism problematic<sup>85</sup>.

However, the claim that the system is the only actor in the theory and that there is no room for state autonomy or politics and no chance of any dynamics is fallacious. The very acceptance of the fact that states can change positions in the capitalist world-economy is a demonstration of state autonomy. Wallerstein writes of three ways in which states can assume a better place in the world-system: “seizing the chance”, “promotion by invitation” and “self-reliance”, enumerating examples of countries that used these strategies<sup>86</sup>. While it is true that Wallerstein does not expressly mention it, the idea that a state can move in the core-periphery-semiperiphery axis by using either of these three strategies implies that a choice has been made by the state, and one can only assume, firstly, that this choice is an exercise of state autonomy and, secondly, that this choice is based on political decisions taken by the local society. That it might be the dominant groups within each state that define its political course in the international arena is not hard to imagine, nor is it that contemptible.

With regards to the absence of any class considerations in world-systems analysis, this study does not agree with this proposition. This argument seems once again to revolve around the issue of the unit of analysis: to study “historically specific class structures”, one of course would need to study a specific state’s or region’s class structures, thus shifting focus from the world-system to one of its parts. That might in fact be more useful in some cases, and world-systems theory does not reject it<sup>87</sup>; it is mostly an issue of methodology for each specific study<sup>88</sup>. It was, however, the fact that some phenomena and some states’ development cannot be understood by referring to past class structures and their effect on the present. This can in fact be said to be the case with the majority of former colonies: an

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<sup>84</sup> J. Nederveen Pieterse, ‘A Critique...’, p. 255.

<sup>85</sup> *Ibid.*

<sup>86</sup> I. Wallerstein, ‘Dependence in an Interdependent World...’, p. 76.

<sup>87</sup> C. Chase-Dunn & K. S. Lawrence, ‘Alive and well...’, p. 473.

<sup>88</sup> C. Chase-Dunn, *Global Formation*, p. 313.

analysis of the class stratification of their indigenous or traditional societies without an understanding of their colonial relationship with the European core would not further knowledge on the present status of their development or underdevelopment<sup>89</sup>. Another facet of this critique is its disagreement with the definition of capitalism by world-systems theory, misreading world-systems theory definition of capitalism and considering it a revision of key Marxian concepts, when in fact it is nothing of the sort. World-systems theory still defines capitalism as “a system in which the surplus value of the proletariat is appropriated by the bourgeois”, but it also allows, via the theoretical constructs of core and periphery, for exploitation of the proletariat by a bourgeoisie located in another county<sup>90</sup>. What is more, the concept of core and periphery is actually very helpful in examining class relations, by introducing the thesis that these take on different forms depending on whether they are located in core, peripheral or semiperipheral areas. This might be a practical matter, for example in core areas one can find a much wider range of syndical interest groups due to the greater range of economic activities and their longer history<sup>91</sup>, or because the very accumulation of surplus value by the periphery is indirectly distributed to the workers of the core, thus attenuating class conflict in the core<sup>92</sup>.

Another criticism against world-systems perspective is that it is teleological and politically biased in its teleology. In other words, capitalism is not the end stage, and its demise will bring forth a socialist world government<sup>93</sup>. To this critique can be added the very obvious shortcomings that history has proved exist in socialist states: economic unsustainability and political oppression<sup>94</sup>. Desiring the creation of socialist states in the model of USSR or China is not a position that can be attributed to world-systems theorists, insofar as Wallerstein did not consider state ownership is state-reliance as socialism<sup>95</sup> and in fact considered all socialist states to be a part of the capitalist world-economy, in other worlds capitalist<sup>96</sup>. Furthermore, he explicitly writes that the characteristics of a socialist world government will be production

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<sup>89</sup> A. Bergesen, ‘The Critique of World-System Theory: Class Relations or Division of Labor?’, 2 *Sociological Theory*, 1984, p. 367.

<sup>90</sup> I. Wallerstein, ‘Class Conflict in the Capitalist World-Economy’, in: I. Wallerstein, *The Capitalist World-Economy*, p. 293.

<sup>91</sup> I. Wallerstein, ‘The Rise and Future Demise...’, p. 405-406.

<sup>92</sup> C. Chase-Dunn, *Global Formation*, p. 26.

<sup>93</sup> S. K. Sanderson, ‘World-Systems Analysis...’, p. 202-203.

<sup>94</sup> *Ibid.*

<sup>95</sup> I. Wallerstein, ‘Dependence in an Interdependent World...’, p. 91.

<sup>96</sup> I. Wallerstein, ‘The Rise and Future Demise...’, p. 413-414.

for use and not for profit in a single division of labour<sup>97</sup>. First of all, the idea that world-systems theory presupposes the end of capitalism and the rise of socialism does not in itself detract from its value as an analytical device, just as the same idea does not invalidate Marxism. One can choose to embrace this hope or find it utterly ridiculous, without the theory itself suffering from either choice. World-systems theory, as a theory which focuses on global inequalities will, naturally, seek to make propositions as to how to end these inequalities, and there is nothing contradictory in that fact.

## D. WORLD-SYSTEMS THEORY AND THE WORLD TRADE

### ORGANISATION

How relevant is world-systems theory, a theory from the 1970s, today? Can current events be studied using world-systems analysis? And how can we match the analysis of WTO negotiations with a world-systems perspective?

To answer the first question, on the relevance of world-systems theory for today's world, we need to examine whether the conditions that gave birth to the theory still exist. The world is obviously not the same place in 2013 as it was in 1974. But how much has the concept of development changed? Is modernisation dead? Indeed it is not. It lives and breathes through the so-called Washington consensus, according to which development equals economic growth and economic growth can be best achieved by, essentially, trade and financial liberalisation and deregulation<sup>98</sup>. Naturally, in view of the widespread criticism following the IMF and the World Bank in most, if not all, of their programmes concerning precisely the strict adherence to the Washington Consensus, the official view on development has now been modified to include social development and economic growth, social development being generally focused on poverty alleviation<sup>99</sup>. According to the UN institutions, the Washington Consensus has been replaced by the Post-Washington Consensus<sup>100</sup>, a set of policies inspired by the work of Joseph Stiglitz<sup>101</sup>, which in essence amount to the same thing,

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<sup>97</sup> I. Wallerstein, 'Dependence in an Interdependent World...', p. 91.

<sup>98</sup> J. Nederveen Pieterse, *Development Theory...*, p. 197.

<sup>99</sup> *Ibid.*, p. 125.

<sup>100</sup> WHO, *Trade, Foreign Policy, Diplomacy and Health: The Washington Consensus*, available online at: <http://www.who.int/trade/glossary/story094/en/> (accessed 4 August 2013).

<sup>101</sup> Z. Öniş & F. Şenses, 'Rethinking the Emerging Post-Washington Consensus', 36:2 *Development and Change*, 2005, p. 274.

according to this study's interpretation, further backed by the fact that such a proponent of neoliberalism as Francis Fukuyama<sup>102</sup> finds the shift welcome<sup>103</sup>. The Post-Washington Consensus replaces trade liberalisation with 'WTO agreements' (the two terms are actually synonymous, as the main purpose of the WTO is trade liberalisation), openness to Foreign Direct Investment with 'social safety nets' (meaning that there will be openness to FDI but social safety, whatever that is, will also be in the agenda), privatisation with 'flexible labour markets', and so on and so forth<sup>104</sup>. In other words, it is indeed much less narrowly oriented than the Washington Consensus, but it is not a different path altogether, merely a bifurcation of the same path. Another step in the direction of social development are the UN Millennium Development Goals<sup>105</sup>, but once again these attempts, while putting individuals and their conditions of living in the picture, do not challenge the main propositions of classic development thinking<sup>106</sup>.

One of those propositions and a big part of development thinking, as mentioned above, is that free trade is beneficial for development<sup>107</sup>. International trade is therefore still largely considered an equal exchange, with everyone having the same opportunity to reap its benefits. This very idea that world-systems theory sought to demolish in the 1970s is still present today<sup>108</sup>, and that is what makes world-systems perspective as current as ever. The issue becomes even more prominent when one puts WTO in the picture, an international organisation whose mandate includes the elimination of trade distortions and protectionist policies. At the same time, it often becomes clear that, while the purpose of the WTO is "the substantial reduction of tariffs and other barriers to trade and... the elimination of discriminatory treatment in international trade relations"<sup>109</sup>, member states will go a long way to protect their quasi-monopolies. It would not be an exaggeration to state that the WTO

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<sup>102</sup> Gaye, Adama, A. Gaye, 'Neo-liberalism is still the best development model - Francis Fukuyama', *353 African Business*, 2009, p. 28-29.

<sup>103</sup> N. Birdsall & F. Fukuyama, 'The Post-Washington Consensus: Development After the Crisis', *90:2 Foreign Affairs*, 2011, p. 45-53.

<sup>104</sup> A. Saad-Filho, *Growth, Poverty and Inequality: From Washington Consensus to Inclusive Growth*, DESA Working Paper No. 100, 2010, ST/ESA/2010/DWP/100, available online at: [http://www.un.org/esa/desa/papers/2010/wp100\\_2010.pdf](http://www.un.org/esa/desa/papers/2010/wp100_2010.pdf) (accessed 4 August 2013), p. 7.

<sup>105</sup> UN, *Millennium Development Goals*, available online at: <http://www.un.org/millenniumgoals/> (accessed 4 August 2013).

<sup>106</sup> J. Nederveen Pieterse, *Development Theory*, p. 125.

<sup>107</sup> I. Lesay, 'How 'Post' is the Post-Washington Consensus?', *29:2 Journal of Third World Studies*, 2012, p. 186.

<sup>108</sup> C. Chase-Dunn, *Global Formation*, p. 17.

<sup>109</sup> *Marrakesh Agreement Establishing the World Trade Organization*, signed April 15, 1994, 1867 U.N.T.S., 1994, p. 154, preamble.

is an international forum in which states literally represent the interests of their biggest firms. In view of the subject matter of the WTO, i.e. trade regulation, those most affected by trade distorting measures that violate WTO agreements are, naturally not the states themselves, but the importers or exporters of goods or services, who exert pressure on their governments to pursue the matter via the negotiation route and to bring disputes that will help their standing in a foreign or in the domestic market<sup>110</sup>. A recent example is a WTO dispute between the United States and the European Union, two WTO member states, which was, in public international law terms, a dispute before an international organisation on matters of international trade law and, in essence, a dispute between two companies dealing with trade in large civil aircraft, Airbus and Boeing<sup>111</sup>. Naturally, the bigger the firm and the stronger the state, the easier it is to mobilise and bear the costs of a WTO dispute, a lengthy and costly procedure<sup>112</sup>.

This brings us to the role of developing and least-developed states in the WTO. Despite the fact that they now form the majority of WTO membership, they continue to face important challenges. Many of them, especially LDCs, cannot afford to have a permanent delegation in Geneva for the WTO, nor can they afford to employ the specialised personnel that is now absolutely necessary in order to keep up with dispute settlement<sup>113</sup>. As a result of this, developing and least-developed members of the WTO are less likely to bring disputes to the WTO dispute settlement system, while they are more likely to be subject to a complaint<sup>114</sup>. This lack of resources is also detrimental to developing states' participation in the negotiating process, whose degree of complexity is increasing and certainly trying to a small country without specialised personnel<sup>115</sup>.

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<sup>110</sup> WTO, *Dispute Settlement System Training Module: Chapter 1, Introduction to the WTO dispute settlement system*, available online at: [http://www.wto.org/english/tratop\\_e/dispu\\_e/disp\\_settlement\\_cbt\\_e/c1s4p1\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/disp_settlement_cbt_e/c1s4p1_e.htm) (accessed 4 August 2013).

<sup>111</sup> WTO, Dispute Settlement, Dispute DS316: EC and certain member States- Large Civil Aircraft, available online at: [http://www.wto.org/english/tratop\\_e/dispu\\_e/cases\\_e/ds316\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds316_e.htm) (accessed 4 August 2013).

<sup>112</sup> C. Davis & Y. Shirato, 'Firms, Governments, and WTO Adjudication: Japan's Selection of WTO Disputes', 59:2 *World Politics*, 2007, p. 281.

<sup>113</sup> M. L. Busch & E. Reinhardt, 'Testing International Trade Law: Empirical Studies of GATT/WTO Dispute Settlement', in: D. M. Kennedy & J. D. Southwick (eds.), *The Political Economy of International Trade Law: Essays in Honor of Robert Hudec*, New York; Cambridge: Cambridge University Press, 2002, p. 466-467.

<sup>114</sup> *Ibid.*

<sup>115</sup> S. Lester, B. Mercurio, A. Davies, & K. Leitner, *World Trade Law: Text, Materials and Commentary*, Oxford: Hart Publishing, 2008, p. 785.

Free trade is therefore still considered a staple of state development, still considered absolutely free and beneficial for every state participating in it, but it is still not as free for everyone. The WTO system itself is, in the words of Robert Hudec, “more responsive to the interests of the strong than to the interests of the weak”<sup>116</sup>. And this is why a world-systems perspective is still useful today and most useful for the analysis of the Doha Round negotiations. On the one hand, the theory itself assigns great importance to international trade, fully rejecting the idea that it can ever be “free”, as quasi-monopolies persist and are instrumental in dividing countries into core, periphery and semiperiphery. This strong antithesis between the basic premise of the theory and the basic stated purpose of operation of the World Trade Organisation is in itself a very interesting issue to examine. At the same time, the core-periphery-semiperiphery classification is a very useful construct for the analysis of developed and developing states’ positions in and attitudes towards the WTO. Finally, on the precise topic of the Doha Development Round, the standstill of which is essentially due to the fundamental disagreement between developed and developing states on the content of the negotiated trade regulations, world-systems analysis offers us a tool by which to systematise and better conceptualise this disagreement.

What do member states want when they negotiate the next steps of trade liberalisation in the context of the Doha Round? Is what they want decided by the position they occupy in the world-system? Are core states protecting their quasi-monopolies and denying semiperipheral and peripheral states the chance to ever develop into *loci* of core-like production processes of their own? Are developing states in the Doha Development Round attempting to strip core states off their quasi-monopolies, thus provoking this strong reaction from the developed states in discussions on agriculture and market access? What is the negotiating power of each group of states in the formal decision-making mechanisms of the WTO? The notion of semiperiphery, in particular, is an ideal tool for theorising on the increasing influence of strong developing states in world trade negotiations. How are the semiperiphery’s attempts to push its way into the core affecting current trade negotiations?

All these questions can best be answered by using a world-systems perspective, rather than any other theory of international relations. A liberalist perspective would mean that the WTO, as any international organisation, is a *forum* in which states cooperate peacefully, in a

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<sup>116</sup> R. Hudec as quoted in: M. L. Busch & E. Reinhardt, ‘Testing International Trade Law...’, p. 465.

harmony of interest<sup>117</sup>. Thus a liberalist perspective would have virtually no tools for explaining the obvious disharmony of interests and lack of cooperation that is permeating the Doha negotiations. A realist perspective would be more useful, as it would accept that WTO member states act in pursuit of their national interest<sup>118</sup>, but it would still not be fully able to account for the importance of the difference of structural positions for the progress and the outcome of the Doha Round.

After having established the relativity and usefulness of the world-systems perspective on the examination of the Doha Development Round, let us now turn to some practical considerations. How to distinguish which country belongs to which group of states? In truth, there is no method that can absolutely guarantee safe results on which country should be listed as what. Wallerstein's writings on this topic provide very little guidance. To characterise core countries as those in which core-like activities are grouped, peripheral countries as those in which peripheral-like countries take place and semiperipheral countries as those which contain an even mix of the two, while a very good theoretical concept that describes the characteristics of each, is a rather impractical way to classify actual states. Even more so if one keeps in mind that the core-periphery-semiperiphery axis is a relational concept, which means that activities can shift from one end to the next.

However, it is possible to find a suitable method without betraying the theoretical conditions. This study's starting point will be the work of G. Arrighi and J. Drangel, which remains the most coherent attempt at an empirical method of country classification in the capitalist world-economy. Arrighi and Drangel choose GNP per capita as the indicator for core, periphery or semiperiphery status:

“Core activities command aggregate rewards that incorporate most, if not all, of the overall benefits of the world division of labour, whereas peripheral activities command aggregate rewards that incorporate few, if any, of those benefits. The greater the weight of peripheral activities in the mix falling within the jurisdiction of a given state, the smaller the share of the total benefits of the world division of labour commanded by the residents of that state. And, conversely, the greater the weight of core activities, the larger the share of those benefits commanded by the residents of a state. The differences in the command over total benefits of the

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<sup>117</sup> J. Steans, L. Pettiford, T. Diez & I. El-Anis, *An Introduction to International Relations Theory: Perspectives and Themes*, Harlow: Pearson Longman, 2010, p. 31-32.

<sup>118</sup> *Ibid.*, p. 57.

world division of labour must necessarily be reflected in commensurate differences in the GNP per capita of the states in question. “<sup>119</sup>

To sum up, a state which groups a great number of core activities, in other words a core state, is one with a relatively high GNI per capita<sup>120</sup>, a peripheral state is one with low GNI per capita and a semiperipheral state will be positioned in the middle, with neither a high nor a low GNI per capita. The Arrighi and Drangel definition is most useful for classifying countries at the very ends of the core-periphery axis, but it leads to some puzzling results<sup>121</sup>. If we turn to the World Bank’s country classification according to GNI per capita<sup>122</sup> and following Arrighi and Drangel’s method, we will end up categorising, along with the US, the UK, France and Australia, also St. Kitts and Nevis, Puerto Rico, Guam, Trinidad and Tobago and Equatorial Guinea, all high-income countries, as core countries. In the semiperipheral group, we will have to include, along with Brazil, Argentina, China, Mexico and South Africa, also the Marshall islands, Tonga, St. Lucia, Fiji and Azerbaijan, all of them upper middle-income economies. Finally, India and Indonesia would belong in the periphery, together with Kiribati, Samoa and Vanuatu, as lower middle-income economies.

It is therefore not enough to simply divide the world’s national economies into three groups, according to whether their relative GNI per capita is high, middle, or low, in order to identify core, peripheral and semiperipheral countries. The Arrighi and Drangel method is certainly a useful start, but it bears the mark of its publication time, namely an era in which the emergence of the BRICS was not yet a reality. We will therefore employ a two-dimensional classification of world-system position, in conformity with world-systems theory’s premise that a country’s position in the tripartite classification is not exclusively decided on purely economic terms, but is also also dependent on its external strength,

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<sup>119</sup> G. Arrighi & J. Drangel, ‘The Stratification of the World-Economy: An Exploration of the Semiperipheral Zone’, *10:1 Review (Fernand Braudel Center)*, 1986, p. 31.

<sup>120</sup> The term ‘GNP per capita’ has been replaced by the term ‘GNI per capita’. See World Bank, *Methodologies: Change in Terminology*, available online at: <http://data.worldbank.org/about/data-overview/methodologies> (accessed 4 August 2013).

<sup>121</sup> C. Chase-Dunn, *Global Formation*, p. 209.

<sup>122</sup> World Bank, *Data: Country and Lending Groups*, available online at: [http://data.worldbank.org/about/country-classifications/country-and-lending-groups#High\\_income](http://data.worldbank.org/about/country-classifications/country-and-lending-groups#High_income), and World Bank, *Data GNI per capita, Atlas method (current US\$)*, available online at: [http://data.worldbank.org/indicator/NY.GNP.PCAP.CD?order=wbapi\\_data\\_value\\_2012+wbapi\\_data\\_value+wbapi\\_data\\_value-last&sort=desc](http://data.worldbank.org/indicator/NY.GNP.PCAP.CD?order=wbapi_data_value_2012+wbapi_data_value+wbapi_data_value-last&sort=desc) (accessed 4 August 2013).

meaning its strength vis-à-vis other states in the interstate system<sup>123</sup>. For the purposes of this study, we will consider as core and semiperipheral countries not all states with high-income or middle-income economies, but only those states which are members of the G20. The G20 is a prominent, albeit unofficial, *forum* of economic cooperation among the world's biggest economies, both advanced and emerging, whose members represent 90% of the world's GDP<sup>124</sup>. The G20 includes, by definition, as an informal, exclusive *forum* of cooperation, states not only significant in economic terms, but also as global actors. We will be thus combining an economic and a politico-economic indicator: GNI per capita and politico-economic strength. If we exclude Russia, a non-member state of the WTO, the semiperipheral WTO members we will focus on are: China, India, Argentina, Brazil, Mexico, South Africa, Turkey and Indonesia; and the core members we will focus on are: the United States, Japan, Australia, Canada and the EU (the EU member states have joint membership in the WTO, which means that all EU states are only one member state of the WTO)<sup>125</sup>. As to the peripheral countries, in those instances when we cannot find a joint statement by a group of states, we will present the most representative view. Naturally, this does not mean that there are no other core or semiperipheral countries, but only that, due to limited scope of this study, we will only focus on those we consider the most significant ones.

### **3. THE DOHA DEVELOPMENT ROUND: A HISTORY OF THE NEGOTIATIONS**

#### **A. THE BATTLE IN SEATTLE**

To start analysing the Doha Development Round one needs to start a little earlier: namely, at the failed Seattle Ministerial Conference that took place from November 30 to December 3, 1999. 135 representatives from all WTO member states had gathered to launch a new round

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<sup>123</sup> C. Chase-Dunn, *Global Formation*, p. 215.

<sup>124</sup> P. I. Hajnal, *G8 System and the G20: Evolution, Role and Documentation*, Abingdon: Ashgate Publishing Group, 2007, p. 152.

<sup>125</sup> G20, *Infographics: About G20 Member Countries*, available online at: <http://en.g20russia.ru/infographics/20121201/780989503.html> (accessed 4 August 2013).

of negotiations, a so-called 'Millennium Round'- only to be greeted by 35000 demonstrators, leading to 600 arrests and \$3000000 in vandal damage<sup>126</sup>. In what might without exaggeration be called a misguided outburst of anger, in which the WTO was seen as the devil's, in other words globalisation's, minion, thousands of citizens and NGOs protested against the WTO's lack of protection for labour rights and environmental standards. It wasn't citizen dissatisfaction that halted the launch of a new round of negotiations in 1999, however.

In the Conference itself, two diametrically opposed views on what the new round of negotiations should entail divided the member state representatives to an irreparable degree, in this session "doomed to succeed", in the words of the Director-General of the WTO<sup>127</sup>. While not the only problem, the most important issue was certainly the battle between developed and developing states on the future of the trade agenda. On the one side, the US and the EU did everything in their power to get those precise topics that developing countries strongly opposed included in the agenda, while refusing to accept any suggestions that would harm their own interests. More specifically, the US became an outspoken advocate for the inclusion of labour and environmental standards in the WTO, as evidenced by President Clinton's statement upon his arrival in Seattle<sup>128</sup> and by the statements of the US Trade Representative<sup>129</sup> and the US Minister of Foreign Affairs at the Conference<sup>130</sup>. Labour rights are not regulated by any WTO agreement; according to the Singapore Ministerial Declaration of 1996, the WTO member states express their commitment "to the observance of internationally recognized core labour standards", but stress that the latter are best handled in the context of the ILO<sup>131</sup>. The Singapore Ministerial Declaration recognises also that labour standards are not to be used for protectionist purposes, especially against low-wage countries, which have a comparative advantage in this respect. In Seattle, the US proposed,

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<sup>126</sup> E. E. Murphy Jr., 'The Lessons of Seattle: Learning from the Failed Third WTO Ministerial Conference', 13 *Transnational Law*, 2000, p. 273.

<sup>127</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Address by the Director-General Mr. Mike Moore*, WT/MIN(99)/12.

<sup>128</sup> White House, *President Clinton presents U.S. agenda for a new trade round to trade ministers - calls for efforts to broaden participation in benefits of expanded trade*, 1 December 1999, available online at: <http://clinton3.nara.gov/WH/New/WTO-Conf-1999/factsheets/fs-011.html> (accessed 15 May 2013).

<sup>129</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Opening Remarks, Ambassador Charlene Barshefsky, U.S. Trade Representative*, WT/MIN(99)/10.

<sup>130</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Secretary Albright's welcoming remarks*, WT/MIN(99)/11.

<sup>131</sup> WTO, Ministerial Conference, Singapore, 9-13 December 1996, *Singapore Ministerial Declaration, adopted on 13 December 1996*, WT/MIN(96)/DEC, § 4, p. 2.

nevertheless, that a Working Group on the links between trade and labour standards be formed<sup>132</sup>. President Clinton even went so far as to suggest that core labour standards should be enforced by trade sanctions, in a newspaper interview<sup>133</sup>. The EU proposed, in its turn, albeit less passionately, the creation of a joint ILO/ WTO forum on trade, globalisation and labour<sup>134</sup>.

The EU was certainly more fervid on the issue of the environment. The EC Commissioner for Trade made very clear that the EU member states “*want* environmental considerations integrated throughout the negotiations in the new Round”<sup>135</sup>. Environmental issues are also essentially not a trade issue handled by the WTO. A Trade and Environment Committee exists, however, within the WTO and environment-related trade measures have been the object of several GATT/ WTO disputes; they are usually deemed illegal by DSU Panel Reports, insofar as they are not covered by GATT article XX on general exceptions. The EU’s proposal was an extensive discussion on such environment-related topics as Multilateral Environmental Agreement, eco-labelling and the precautionary principle, issues that extend far beyond the scope of the very limited GATT exceptions. In return for the inclusion of this and a bunch of other so-called “trade and” or Singapore issues, like investment and competition (Working Groups on these topics were created after the Singapore Ministerial<sup>136</sup>), the EU was willing to put agriculture on the negotiating table<sup>137</sup>.

These suggestions were not well-received on the other side of the spectrum. A message of the Ministers of the Group of 77, a loose coalition of developing states, to the Ministerial Conference, summarises the points of disagreement very eloquently. The group of 77 reaffirms its commitment to trade liberalisation and the WTO, but voices some serious complaints about the situation developing states were obliged to face. Unable to fully implement the Uruguay Round, due to various technical difficulties, they point out that developed states are also not fulfilling their obligations towards them, as a result of which

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<sup>132</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *United States of America, Statement by the Honourable Daniel Glickman, Secretary of Agriculture*, WT/MIN(99)/ST/12, p. 3.

<sup>133</sup> E. E. Murphy Jr., ‘The Lessons of Seattle...’, p. 285.

<sup>134</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Finland, Statement by H.E. Mr. Kimmo Sasi, Minister for Foreign Trade, on behalf of the Presidency of the Council of the European Union*, WT/MIN(99)/ST/4, p. 3.

<sup>135</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *European Communities, Commission of the European Community, Statement by Mr. Pascal Lamy, Commissioner for Trade*, WT/MIN(99)/ST/3, p. 2. Emphasis added.

<sup>136</sup> WTO, Ministerial Conference, Singapore, 9-13 December 1996, *Singapore Ministerial Declaration, adopted on December 13, 1996*, WT/MIN(96)/DEC, § 20, p. 7

<sup>137</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *European Communities*, p.2.

they remain excluded from the benefits of trade liberalisation<sup>138</sup>. The agenda for the new round of negotiations proposed by the Group of 77 is, therefore, quite different from that proposed by the US and the EU: they raise implementation issues, ask for market access for their products, and denounce the effort to include labour and environmental standards as protectionism.

Similar, if not identical, concerns can be found in the statements of Mexico<sup>139</sup>, India<sup>140</sup> and Brazil<sup>141</sup>, the latter being the most outspoken in its claims. In other words, developing member states' discontent focused on the imbalance that resulted from the Uruguay Round agreements: developing countries agreed to provisions that were very detrimental to their interests, expecting to be rewarded with regulations that would favour their trade sectors. Special and Differential Treatment, a set of "best endeavour" clauses that would facilitate developing states' integration into the trading system by providing *inter alia* for longer implementation times, remains inoperative, says the representative from India<sup>142</sup>. Instead, anti-dumping and anti-subsidy investigations, rules that were decided on at the Uruguay Round, have increased with regards to trade sectors in which developing economies have started to become more competitive. Rules on intellectual property, the infamous TRIPS agreement that was signed during the Uruguay Round, favour patent holders, which originate in few, if any, developing countries, but leave indigenous traditional knowledge unprotected and market access to textiles remains very little, he adds. Brazil's delegate stresses the problem of agriculture trade rules. "The name of the game is discrimination", he says; discrimination in the form of limited market access for agricultural products from developing states and discrimination in the form of export subsidies, still permissible in agriculture, but not available to any country that can't afford to use them<sup>143</sup>. India and Brazil both believe that environment and labour are best left out the WTO. Turkey also stresses the issue of implementation, as well as the need for revising the Agreement on Agriculture,

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<sup>138</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Message of the Ministers of the Group of 77 to the third Ministerial Conference*, WT/MIN(99)/3, p. 1-2.

<sup>139</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Mexico, Statement by H.E. Dr. Herminio Blanco Mendoza, Minister of Commerce and Industrial Development*, WT/MIN(99)/ST/68.

<sup>140</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *India, Statement by H.E. Mr. Murasoli Maran, Minister of Commerce and Industry*, WT/MIN(99)/ST/16.

<sup>141</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Brazil, Statement by H.E. Mr. Luiz Felipe Lampreia, Minister of Foreign Relations*, WT/MIN(99)/ST/5.

<sup>142</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *India, Statement*, p. 1.

<sup>143</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Brazil, Statement*, p. 2.

“which resulted in imbalances between the developed and the developing countries”, while also resisting the proposal that rules on competition policy, transparency in government procurement and electronic commerce can be negotiated at this point<sup>144</sup>.

If one combines the statements by the US, the EU, India, Brazil and the Group of 77, one can see that disagreement at the Seattle Ministerial Conference was too big to be overcome. The US chose to aggressively push for environment and labour and the EU chose to propose investment and competition. Developing states, however, many of them still waiting for the advantages their participation in the WTO was expected to bring, blatantly refused that such issues be included in the agenda for a new round of negotiations. According to them, the focus needed to lie on implementing the Uruguay Round agreements before moving further to adding the “trade and” issues that US and EU were advocating. What is more, some of them considered the protests as an aggravating factor of their suspicions for the impending wave of concealed protectionism: as if the pressure from the protestors would lead to an even stricter attitude by developed member states on the issues of the environment and labour, simply to appease civil society<sup>145</sup>.

Agriculture and the Singapore issues were, nevertheless, a thorny issue even between developed states. Australia’s delegate wondered in his statement “how some of the richest countries in the world could justify huge trade distorting subsidies in agriculture” and voiced his disagreement with “broadening [the WTO’s] agenda too much...introducing issues which can be misused for protectionist purposes<sup>146</sup>. Korea’s representative urged for progress on agriculture trade liberalization, an issue that has not been taken up in almost 50 years<sup>147</sup>. Japan, on the other hand, could be included in the camp of those resisting a reform of agricultural trade rules, issuing a very reluctant approval of putting agriculture on the negotiation agenda and implicitly disagrees with setting a too ambitious negotiation plan<sup>148</sup>.

It was therefore the developed vs. developing country divide and, to a lesser extent the developed vs. developed disagreement that sealed the fate of the Seattle Ministerial, leading

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<sup>144</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Turkey, Statement by H.E. Prof. Dr. Tunca Toskay, Minister of State*, WT/MIN(99)/ST/25, p. 2, 4-5.

<sup>145</sup> *Ibid.*, p. 1.

<sup>146</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Australia, Statement by the Honourable Mark Vaile, MP, Minister for Trade*, WT/MIN(99)/ST/7, p. 1-2.

<sup>147</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Korea, Statement by H.E. Dr. Han Duck-Soo, Minister for Trade*, WT/MIN(99)/ST/34, p. 1.

<sup>148</sup> WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Japan, Statement by H.E. Mr. Yohei Kono, Minister for Foreign Affairs*, WT/MIN(99)/ST/26, p. 2.

to a suspension of talks and no Ministerial Declaration whatsoever. During the Uruguay Round, the developing member states had more or less agreed to everything. At Seattle, they were not prepared to do the same. The reason is that, while during the GATT days, when trade liberalisation worked *à la carte*, developing states could be trade rules' free riders, the WTO was a single undertaking: all member states had to implement all obligations<sup>149</sup>. Naturally, developing states would be more careful from then on about what they agreed on. They had numbers on their side as well: out of the 136 members that took part in the Seattle Ministerial, 100 were listed as developing countries. Developing member states could now block consensus at any level, and apparently they would not hesitate to do so, unless the negotiating agenda included some reciprocity from the part of the developed states<sup>150</sup>.

## B. GREAT EXPECTATIONS IN DOHA

The Seattle debacle set off a widespread fear about the future of the WTO: could the WTO continue to be the main forum for trade liberalisation after this? In the city of Doha, in Qatar, as far away as possible from any prospective Western protesters, under tight security and various security threats<sup>151</sup>, on November 9-13, 2001, two months after the 9/11, the answer would be a quiet and ambivalent yes.

The issues before the Fourth Session of the Ministerial Conference were essentially the same as in Seattle. What was different this time was that the pressure was much bigger, in view both of the Seattle failure and the 9/11 attacks, and that the 2 years between the Seattle and the Doha Ministerial Conferences were spent in extensive preparation, led by the Director-General of the WTO and the Chairman of the General Council<sup>152</sup>. The preparations themselves, which started as early as January 2000, a little after Seattle, were not rosy and smooth. Member states agreed first on a checklist on possible topics of discussion at the Fourth Ministerial and on the creation of a special mechanism within the General Council to discuss implementation issues. The special mechanism would proceed with Special Sessions of the General Council; this colossal "exercise", in which every member state voiced its

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<sup>149</sup> Ernest H. Preeg, 'The South rises in Seattle', 3 *Journal of International Economic Law*, 2000, p. 183-185.

<sup>150</sup> D. A. Gantz, 'Failed Efforts to Initiate the "Millennium Round" in Seattle: Lessons for Future Global Trade Negotiations', 17 *Arizona Journal of International and Comparative Law*, 2000, p. 351.

<sup>151</sup> R. Bhala, 'Poverty, Islam, and Doha: Unmet Challenges Facing American Trade Law', 36 *International Lawyer*, 2002, p. 165.

<sup>152</sup> WTO, *The Doha Ministerial: culmination of a two-year process*, available online at: [http://www.wto.int/english/thewto\\_e/minist\\_e/min01\\_e/brief\\_e/brief02\\_e.htm](http://www.wto.int/english/thewto_e/minist_e/min01_e/brief_e/brief02_e.htm) (accessed 4 August 2013)

concerns and problems with every single WTO agreement<sup>153</sup>, was to have been completed before the Doha Ministerial<sup>154</sup>. The special mechanism, which seemed to cater, at least partly, to the needs of the developing member states, reached nevertheless an impasse just shortly before the Ministerial itself, as was revealed in a report by the Director-General and the Chairperson of the General Council at the end of June. Informal consultations between the DG and individual delegations continued, resulting in a Draft Ministerial Declaration<sup>155</sup> and a Draft Declaration in Intellectual Property and Access to Medicines<sup>156</sup>.

The latter was an issue of great importance to many developing states, as patent rights for medicines gravely hindered access to essential medicines for the populations of many poor states, scourged by such diseases as HIV/AIDS, tuberculosis and malaria. Poor states could not afford to buy patented medicine, and the issue essentially revolved around the conditions for making use of the exemptions to the patent holder's exclusive right to manufacture, distribute and sell a patented medicine for reasons of public health<sup>157</sup>. On the issue of TRIPS interpretation and pharmaceuticals, a strong developing country coalition was formed, which included the African Group, Brazil, the ASEAN countries and others (in total close to 50 member states) and which proposed a common flexible interpretation of TRIPS exemptions<sup>158</sup>. The US, stating that "[t]he TRIPS Agreement reflects the proper balance between innovation and access to health care", was in favour of a strict interpretation of the TRIPS provisions, therefore effectively disagreeing with the developing members' proposal<sup>159</sup>.

The Draft Ministerial Declaration was met with dismay from developing member states, judging from the Communications received by the General Council. The Draft was deemed

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<sup>153</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 22 June and 3 July 2000*, WT/GC/M/56, p. 11-60.

<sup>154</sup> WTO, General Council, *Implementation-Related Issues and Concerns, Decision of 15 December 2000*, WT/L/384.

<sup>155</sup> WTO, General Council, *Preparations for the Fourth Session of the Ministerial Conference, Draft Ministerial Declaration, Revision, 29 September 2001*, JOB(01)/140/Rev.1. The document itself is not available for the public at docs.wto.org.

<sup>156</sup> WTO, General Council, *Preparations for the Fourth Session of the Ministerial Conference, Draft Declaration on Intellectual Property and Public Health, Revision, 13 November 2001*, JOB(01)/155/Rev.1. The document itself is not available for the public at docs.wto.org.

<sup>157</sup> S. Lester *et al.*, *World Trade Law*, p. 768.

<sup>158</sup> WTO, Council for Trade-Related Aspects of Intellectual Property Rights, *Submission by the African Group, Barbados, Bolivia, Brazil, Cuba, Dominican Republic, Ecuador, Honduras, India, Indonesia, Jamaica, Pakistan, Paraguay, Philippines, Peru, Sri Lanka, Thailand And Venezuela*, IP/C/W/296.

<sup>159</sup> WTO, Council for Trade-Related Aspects of Intellectual Property Rights, *Special Discussion on Intellectual Property and Access to Medicines, Held in the Centre William Rappard during the meeting of the Council from 18 to 22 June 2001*, IP/C/M/31, p. 41.

one-sided by the delegate of Nigeria, as it did not take into account the proposals made by developing countries<sup>160</sup>. India was surprised by the fact that, in its interpretation, the Draft text called for the start of negotiations on investment and competition, a topic on which there was still no agreement and which many states suggested should be studied further<sup>161</sup>. The communications by the Group of 77 and China<sup>162</sup> and the African, Caribbean and Pacific Group of States<sup>163</sup> reflect the aforementioned concerns expressed by India and Nigeria and outright reject, in their turn, the inclusion of both investment and competition and labour and environment in the imminent negotiations. The implementation-related issues are once again in the forefront of the agenda for developing states, which urge for final decisions on the matter, in view of the deadlock at the Special Sessions of the General Council.

It becomes rather clear, therefore, from the reactions to the Draft Ministerial Declaration that developing states were still not satisfied with the result and that the preparations that would pave the way for agreement at the Doha Ministerial were doing no more than perpetuating the points of disagreement from Seattle. Nevertheless, member states accepted the Draft texts as the basis of the discussions at Doha. And in Doha, they all gathered for the Fourth Session of the WTO Ministerial Conference, acutely conscious of the importance that success or failure would have for the future of international trade cooperation and the WTO as a credible international organisation<sup>164</sup>. A solution on agriculture and implementation issues would have to be found, some of the Singapore issues would have to be dropped for the time being and some of them would have to be judged mature enough for negotiation<sup>165</sup>.

The Doha Ministerial commenced therefore with certain humbleness on the part of the biggest developed member states, incidentally those that had been expressed the most aggressive positions in Seattle. Both the US and the EU's high rhetoric lamented the previous

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<sup>160</sup> WTO, General Council, Preparations for the Fourth Session of the Ministerial Conference, *Nigeria's Comments/Views on the Revised Draft Ministerial Declaration Job(01)/140/Rev.1, Communication from Nigeria*, WT/GC/W/454.

<sup>161</sup> WTO, General Council, Preparations for the Fourth Session of the Ministerial Conference, *Communication from India*, WT/GC/W/459.

<sup>162</sup> WTO, General Council, Preparations for the Fourth Session of the Ministerial Conference, *Declaration of the Group Of 77 and China on the Fourth WTO Ministerial Conference at Doha, Qatar, Communication from Cuba*, WT/L/424.

<sup>163</sup> WTO, General Council, Preparations for the Fourth Session of the Ministerial Conference, *ACP Declaration on the Fourth Ministerial Conference, Communication from Kenya*, WT/L/430.

<sup>164</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Address by the Director-General, Mr. Mike Moore at the Inaugural Session*, WT/MIN(01)/12, p. 1.

<sup>165</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Opening Address by H.E. Mr Youssef Hussain Kamal, Minister Of Finance, Economy and Commerce, Chairman of the Fourth Session of the Ministerial Conference of the WTO*, WT/MIN(01)/11, p. 1.

Session's inability "to put development where it belongs – right at the heart of the multilateral trading system"<sup>166</sup> and expressed the hope that this time they would be able to contribute to "an agenda that will be the starting point for greater development, growth, opportunity, and openness throughout the world"<sup>167</sup>. Both members were willing to discuss implementation issues for the developing members this time, and both were apparently prepared to make compromises on the Singapore issues. In fact the US delegate's statement contains no reference whatsoever to any of the Singapore issues, while the EU's representative proposed negotiations on competition and investment to be held on a voluntary basis (with member states opting in or out), and negotiations that would amount to a clarification of the already existing rules on trade and environment<sup>168</sup>. The US and the EU had, as is customary, diametrically opposed views on agriculture, the US stating that on that precise issue it had the same agenda as developing countries and the EU classing agriculture as a "tough point". Agriculture was high on the agenda of both Canada<sup>169</sup> and Australia<sup>170</sup>, both members of the Cairns group of Fair Agricultural Traders<sup>171</sup>, both urging for significant reform on agricultural trade rules.

The issues of reform of the Agreement on Agriculture and implementation of the Uruguay Round agreements continued to be the two main issues for developing member states, both for emerging economies and for LDCs<sup>172</sup>. Furthermore, most developing countries reiterated their refusal to include any of the Singapore issues in the agenda for an upcoming round of negotiations. Some new issues were added as well, the most prominent being the interpretation of the TRIPS Agreement so as to facilitate access to essential medicines, with India speaking of the "availability and affordability of essential medicines [as] a universal

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<sup>166</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *European Communities, Commission, Statement by Mr Pascal Lamy, Commissioner for Trade*, WT/MIN(01)/ST/4, p. 1.

<sup>167</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *United States, Statement by H.E. Mr. Robert B. Zoellick, United States Trade Representative*, WT/MIN(01)/ST/3, p. 4.

<sup>168</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *European Communities*, p. 1.

<sup>169</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Canada, Statement by the Honourable Pierre S. Pettigrew, Minister for International Trade*, WT/MIN(01)/ST/13, p. 2.

<sup>170</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Australia, Statement by the Honourable John Fahey, MP, Minister for Finance and Administration*, WT/MIN(01)/ST/19, p. 1.

<sup>171</sup> The Cairns group is a coalition of 19 agricultural exporting countries with both developed and developing members from Latin America, Africa and the Asia-Pacific region. See: <http://cairnsgroup.org> (accessed 4 August 2013).

<sup>172</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Zambia, Statement by the Honourable Yusuf A. Badat, Minister of Commerce, Trade and Industry*, WT/MIN(01)/ST/123, p. 2.

human right"<sup>173</sup> and Brazil declaring that "the commercial exploitation of knowledge must not be valued more highly than human life"<sup>174</sup>. In a nutshell, the legal issue concerning TRIPS and public health concerned the conflicting interpretations of its provisions on patents for essential medicines, an issue that could only be resolved by an authoritative interpretation of the legal text, an exclusive competence of the Ministerial Conference or the General Council; without such an authoritative interpretation, in case of a dispute the WTO dispute settlement organs would be left free to interpret TRIPS as they saw fit<sup>175</sup>. The public health implications of the TRIPS, a subject that had not come up in Seattle, came to be an object of heated debate in Doha. Of the developed states, it was mostly the US that seemed more rigid on the issue of TRIPS, rejecting a declaration that "eviscerates the TRIPs rules through an exception for vague 'public health objectives' "<sup>176</sup>.

Furthermore, several developing countries raised the issue of market access for non-agricultural products, a category that includes various industrial and manufactured goods, fuels and mining products, fish and forestry products, almost 90% of the world's merchandise exports. Tariff peaks, high tariffs and tariff escalation<sup>177</sup> from the part of developed states continue to exist for this category, thus seriously hindering market access for non-agricultural products from newly industrialised developing countries, while the latter have to a large degree bound their tariffs for industrial products<sup>178</sup>. South Africa argued that industrial tariffs have the effect of protecting "industries in the 'North' that are resource, energy and labour intensive...areas where the industrialization of the 'South' has moved the competitive advantage to them"<sup>179</sup>. "[R]ising tariffs from raw materials to intermediate products and sometimes peaked for finished industrial products restrict export opportunities and hamper vertical diversification and industrialization in developing countries," states the

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<sup>173</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *India, Statement by the Honourable Murasoli Maran, Minister of Commerce and Industry*, WT/MIN(01)/ST/10, p. 2.

<sup>174</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Brazil, Statement by H.E. Mr Celso Lafer, Minister of Foreign Relations*, WT/MIN(01)/ST/12, p. 2.

<sup>175</sup> P. Van den Bossche, *The Law and Policy of the World Trade Organization*, p. 141-142.

<sup>176</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *United States*, p. 3.

<sup>177</sup> Tariff peaks are defined as "high import tariffs on products adopted to protect the domestic industry", while tariff escalation refers to "to low duties on imported materials used by the domestic industry to make a final product", M. Clough, 'World Trade Update: Towards the Fifth Ministerial Conference', *30 International Business Lawyer*, 2002, p. 28.

<sup>178</sup> WTO, *Market Access: Negotiations, A Simple Guide: NAMA Negotiations*, available online at: [http://www.wto.org/english/tratop\\_e/markacc\\_e/nama\\_negotiations\\_e.htm](http://www.wto.org/english/tratop_e/markacc_e/nama_negotiations_e.htm) (accessed 4 August 2013).

<sup>179</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *South Africa, Statement by H.E. Mr Alexander Erwin, MP, Minister of Trade and Industry*, WT/MIN(01)/ST/7, p. 2.

delegate of Indonesia arguing on the importance of NAMA<sup>180</sup>. The amendment of anti-dumping rules<sup>181</sup>, so as not to be susceptible to abuse<sup>182</sup>, and the liberalisation of trade in services, especially the movement of physical persons<sup>183</sup>, were two more areas of interest for developing member states.

So which of those were finally included in the mandate for the new round of negotiations? The short answer is all of them, as the work programme included in the Doha Ministerial Declaration was nothing short of ambitious. Negotiations on agriculture would aim at improved market access, gradual phasing out of export subsidies and substantial reductions in domestic support<sup>184</sup>. Concerning NAMA, the goal would be the reduction or elimination of high tariffs, tariff peaks and tariff escalation, especially for products of interest to developing countries, with product coverage being comprehensive and no products *a priori* excluded<sup>185</sup>. Negotiations on competition, investment, government procurement and trade facilitation would take place after the Fifth Session of the Ministerial Conference, after a decision on the modalities for the negotiations was taken on that Session<sup>186</sup>. Labour rights belonged to the ILO<sup>187</sup>. The rules on antidumping would be clarified and improved, with special regard for the needs of developing member<sup>188</sup>s. The relationship between trade and the environment was, however, included in the work programme “without prejudging [the] outcome [of the negotiations]”<sup>189</sup>. More specifically, the relationship between WTO rules and trade obligations set out in Multilateral Environmental Treaties would be examined, while the Committee on Trade and Environment would simultaneously study “the effect of environmental measures on market access, especially for developing countries, in particular the least-developed

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<sup>180</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Indonesia, Statement by H.E. Mrs Rini M.S. Soewandi, Minister of Industry and Trade*, WT/MIN(01)/ST/39, p. 3.

<sup>181</sup> Dumping is defined as “the bringing of a product onto the market of another country (or customs territory) at a price less than the normal value of the product”, P. Van den Bossche, *The Law and Policy of the World Trade Organization*, p. 508.

<sup>182</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Mexico, Statement by H.E. Mr Luis Ernesto Derbez Bautista, Secretary of Economy*, WT/MIN(01)/ST/17, p. 2.

<sup>183</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *India*, p. 1.

<sup>184</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Ministerial Declaration, Adopted on 14 November 2001*, WT/MIN(01)/DEC/1, para. 13. Export subsidies are generally defined as “subsidies contingent upon export performance”, meaning subsidies that help a product remain cheap in a foreign market, and domestic support is “contingent upon the use of domestic over imported goods”, P. Van den Bossche, *The Law and Policy of the World Trade Organization*, p. 608.

<sup>185</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Ministerial Declaration*, para. 16.

<sup>186</sup> *Ibid.*, paras. 20-27.

<sup>187</sup> *Ibid.*, para. 8.

<sup>188</sup> *Ibid.*, para. 28.

<sup>189</sup> *Ibid.*, para. 31.

among them” and then report to the Fifth Session of the Ministerial Conference<sup>190</sup>. The Doha Round negotiations were to be concluded no later than 1 January 2005<sup>191</sup>

In addition to the Ministerial Declaration, the Fourth Session of the Ministerial Conference issued a Declaration on the TRIPS Agreement and Public Health, in which it was recognised that the TRIPS does not prevent members from taking measures to protect public health and that it should be interpreted so as to promote access to medicines for all<sup>192</sup>. Furthermore, according to the Declaration each member has the right to grant compulsory licenses<sup>193</sup>, on grounds determined by the state itself, and each state has the right to unilaterally define what constitutes national emergency or extreme urgency<sup>194</sup>. The issue of states that do not have manufacturing capacities in the pharmaceutical sector, and therefore cannot grant compulsory licenses, was to be solved by the General Council<sup>195</sup>.

As becomes clear by the above description of the work programme, the only way to launch a new round of negotiations was for everyone to make significant compromises, as evidenced by the comprehensiveness and vagueness of the Doha Declaration. Every single topic discussed in the Doha Ministerial Conference was included in the work programme, but “without prejudging the outcome of the negotiations”, a self-evident statement that is nonetheless repeated in various parts of the text<sup>196</sup>. In short, the Doha Declaration seems to postpone every issue of substance to a future date. What did developed and developing countries ‘win’ at Doha? Developing countries won a final removal of the labour rights issue, a renegotiation of the antidumping agreement, the launch of negotiations on agriculture and NAMA, albeit with no precise modalities, thus making the outcome of these negotiations very uncertain<sup>197</sup>. Developed countries won the launch of negotiations on agriculture (for everyone except the EU), an inclusion of the Singapore issues on the new round of

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<sup>190</sup> *Ibid.*, para. 32.

<sup>191</sup> *Ibid.*, para. 45.

<sup>192</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Declaration on the TRIPS Agreement and Public Health, Adopted on 14 November 2001*, WT/MIN(01)/DEC/2, para. 4.

<sup>193</sup> Compulsory licensing is defined as “[the] use of a patent without authorization of the rights holder”, P. Van den Bossche, *The Law and Policy of the World Trade Organization*, p. 788.

<sup>194</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Declaration on the TRIPS Agreement*, para. 5. ‘National emergency’ is one of the possible grounds mentioned in TRIPS for the granting of compulsory licenses, P. Van den Bossche, *The Law and Policy of the World Trade Organization*, p. 789.

<sup>195</sup> WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Declaration on the TRIPS Agreement*, para. 6.

<sup>196</sup> G. N. Horlick, ‘Over the Bump in Doha?’, *5:1 Journal of International Economic Law*, 2002, p. 196.

<sup>197</sup> *Ibid.*

negotiations (mostly for the EU), though the formal decision was put off till the next Ministerial.

Perhaps the biggest victory for the developing members was the Declaration on TRIPS and Public Health, a text which was in spirit quite close to the draft text that the coalition of developing states had submitted to the Council on TRIPS<sup>198</sup>. The signing of the Declaration was a significant compromise, practically forced on developed members, such as the US, who resisted to the last minute but finally yielded before developing members' threats to block the launch of the next round and brought forth by the combined and united efforts of a great number of developing states, with Brazil, India and the African Group as its most outspoken representatives<sup>199</sup>. While ambiguous and with uncertain legal effect, the Declaration effectively presents a political obstacle to any country wishing to initiate a WTO dispute for compulsory licensing of patented medicines in response to public health emergencies<sup>200</sup>.

### C. TEARS IN CANCÚN

The Fifth Session of the WTO Ministerial Conference was held in Cancún, in Mexico, from 10 to 14 September 2003. The stakes were much lower this time, with the Cancún not expected to launch but simply to continue an on-going round of negotiations, but as with every WTO Ministerial Conference, there existed nonetheless stakes: some results of the DDA negotiations conducted in the two years since its launch and decision on the areas that had been postponed till precisely this Session.

A very important development that took place just before the Ministerial was the General Council Decision that interpreted the vague paragraph 6 of the Doha Declaration on TRIPS and Public Health, so that poor countries that could not manufacture their own medicines under compulsory licensing could import them from another country<sup>201</sup>. It was not without a struggle that this "historic agreement" was reached<sup>202</sup>, as the United States initially blocked a consensus at the Council on TRIPS, on account of its objections on an issue of great

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<sup>198</sup> T. Kongolo, 'WTO Doha Ministerial Declaration and Intellectual Property: African Perspectives', 9 *African Yearbook of International Law*, 2001, p. 202.

<sup>199</sup> J. J. Scott, 'Comment on the Doha Ministerial', 5:1 *Journal of International Economic Law*, 2002, p. 194.

<sup>200</sup> *Ibid.*, p. 195.

<sup>201</sup> WTO, General Council, *Implementation of Paragraph 6 of the Doha Declaration on the Trips Agreement and Public Health, Decision of 30 August 2003*, WT/L/540.

<sup>202</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 25, 26 and 30 August 2003*, WT/GC/M/82, p. 8.

importance, the scope of diseases covered by the Doha Declaration<sup>203</sup>, in other words the scope of patented medicines for which developing countries could get an exemption for reasons of public health. Nevertheless, in the face of a unified opposition from developing states, with arguments founded in the Doha Declaration text itself<sup>204</sup>, the US position did not pass, and the text of the Decision makes clear that it is to all public health concerns that the Doha Declaration compulsory licensing scheme applies, and not just for specific diseases.

Despite this very important success, in Cancún the WTO member states were to reiterate some of their previous disagreements, the Singapore issues being the hottest topic of all. Before the conference itself, the EU had hastened to submit a proposal to the General Council on the modalities to be followed during the negotiations<sup>205</sup>. This presupposed that negotiations were to start at Cancún, a view not shared by several developing states, insofar as no explicit consensus was reached yet<sup>206</sup>. In the draft Declaration that ensued from the discussions in the General Council, two diametrically opposed texts were placed in brackets (i.e. none of them was agreed on), one launching negotiations and one announcing the lack of a basis for the commencement of negotiations<sup>207</sup>. Despite this hint at a fundamental disagreement, the EU did not back down from its position in the conference, calling for decisions on the “tough issues” of the DDA, among which the Singapore issues, and caution in order to “avoid trying to re-create the confrontational north-south atmosphere of the 1970s and 1980s”<sup>208</sup>. The EU seemed unwilling to even ungroup the Singapore package, so that some of the “trade and” issues could be dropped and negotiations could proceed on the less controversial ones. Decoupling the Singapore issues was an option that could possibly

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<sup>203</sup> WTO, Council for Trade-Related Aspects of Intellectual Property Rights, *Minutes of Meeting, Held in the Centre William Rappard on 25-27 and 29 November, and 20 December 2002*, IP/C/M/38, p. 7.

<sup>204</sup> F. M. Abbott, ‘The WTO Medicines Decision: World Pharmaceutical Trade and the Protection of Public Health’, 99 *American Journal of International Law*, 2005, p. 332.

<sup>205</sup> WTO, General Council, *Singapore Issues, The Question of Modalities, Communication from the European Communities*, WT/GC/W/491.

<sup>206</sup> WTO, General Council, *Comments on the EC Communication (WT/GC/W/491) on the Modalities for the Singapore Issues, Communication from Bangladesh, Cuba, Egypt, India, Indonesia, Kenya, Malaysia, Nigeria, Pakistan, Venezuela, Zambia and Zimbabwe*, WT/GC/W/501, p. 1.

<sup>207</sup> WTO, General Council, *Preparations for the Fifth Session of the Ministerial Conference, Draft Cancún Ministerial Text, Revision*, 24 August 2003, JOB(03)/150/Rev.1. The document itself is not available for the public at docs.wto.org, but the text is nevertheless available on the official WTO page for the Cancún Ministerial, see: WTO, *The Fifth Ministerial Conference*, available online at: [http://www.wto.org/english/thewto\\_e/minist\\_e/min03\\_e/min03\\_e.htm](http://www.wto.org/english/thewto_e/minist_e/min03_e/min03_e.htm) (accessed 4 August 2013).

<sup>208</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *European Communities, Commission, Statement by Mr Pascal Lamy, Commissioner for Trade*, WT/MIN(03)/ST/5, p. 2.

gather some support from developing states<sup>209</sup>: of the four issues, government procurement and trade facilitation were the easier ones, with competition and investment being the hardest. It was investment in particular, however, that was of interest to developing states, as it was considered a “development-related” area, in which a WTO agreement, where rules such as national treatment apply, would “curtail the policy space of developing countries” and would only be advantageous to “developed countries from which two thirds of all cross border investments originate”<sup>210</sup>. In the end the EU agreed to the decoupling of the Singapore issues, as evidenced by the Cancún Draft Ministerial Declaration, but to developing countries it was a case of ‘too little too late’<sup>211</sup>. By that time, however, two other states on whose agenda the Singapore issues were the highest item, Japan<sup>212</sup> and Korea<sup>213</sup>, insisted that there can be no agreement unless all four Singapore issues are included in the negotiations as a package<sup>214</sup>.

While developed states struggled to promote the Singapore issues, developing states would not accept a deal without meaningful reforms in agriculture. The negotiations on agriculture, however, saw two unusual developments: a common US-EU proposal on agricultural modalities<sup>215</sup> and a quick counter-proposal coming from the so-called G20<sup>216</sup> (or G21, or G22; the number of members varies), a group of developing states gathered around India, Brazil and South Africa, who had already joined forces on the pursuit of the DDA with

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<sup>209</sup> WTO, Trade Negotiations Committee, *The Doha Agenda: Towards Cancún, Communication from Argentina, Bolivia, Botswana, Brazil, Chile, China, Colombia, Cuba, Dominican Republic, Ecuador, El Salvador, Gabon, Guatemala, Honduras, India, Malaysia, Mexico, Morocco, Nicaragua, Pakistan, Paraguay, Peru, Thailand, Uruguay, Venezuela and Zimbabwe*, TN/C/W/13, p. 3.

<sup>210</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *India, Statement by H.E. Mr Arun Jaitley, Minister of Commerce and Industry and Law and Justice*, WT/MIN(03)/ST/7, p. 3. The document itself is not available for the public at docs.wto.org.

<sup>211</sup> J. Kurtz, ‘Developing Countries and their Engagement in the World Trade Organization: An Assessment of the Cancún Ministerial’, 5 *Melbourne Journal of International Law*, 2004, p. 288.

<sup>212</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Japan, Statement by H.E. Mr. Takeo Hiranuma, Minister of Economy, Trade and Industry*, WT/MIN(03)/ST/22, p. 1.

<sup>213</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Korea, Statement by H.E. Mr Hwang Doo-yun, Minister for Trade*, WT/MIN(03)/ST/15, p. 2.

<sup>214</sup> ICTSD, *Bridges Daily Update #6, Cancun Collapse: Where There’s No Will There’s No Way*, 15 September 2003, available online at: <http://ictsd.org/i/wto/wto-mc5-cancun-2003/bridges-daily-updates-mc5/161132/> (accessed 4 August 2013).

<sup>215</sup> WTO, Committee on Agriculture, Special Session, *Joint EC-US Paper – Agriculture*, JOB(03)/157.

<sup>216</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Agriculture - Framework Proposal, Joint Proposal by Argentina, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, India, Mexico, Pakistan, Paraguay, Peru, Philippines, South Africa, Thailand and Venezuela*, WT/MIN(03)/W/6.

the Brasilia declaration of June 2003<sup>217</sup>. The US-EU proposal was a mix of the two states wishes, thus allowing for both their schemes of domestic support, with some reduction, and export subsidies, a major point for the EU, which would too be reduced with a view to being gradually phased out, on a selective basis and with no specific timetable<sup>218</sup>. The G20, and other developing members, such as the African Group, rejected the US-EU proposal as not progressing in the vein of the Doha Declaration, by offering too little, if anything, in the areas of problematic areas of domestic and export subsidies<sup>219</sup>. The G20 also rejected the draft text circulated by the General Council chairperson and strongly championed their own modalities, with Brazil asking for “the full implementation of the Doha mandate in the three pillars of agricultural reform”<sup>220</sup> and South Africa asking for “justice in agricultural trade”<sup>221</sup>. A sub-issue under the general topic of agriculture, but which proved nevertheless to be controversial in Cancún, was cotton subsidies. The addition of the elimination of cotton subsidies in the Doha agenda was proposed before Cancún by four small African states<sup>222</sup> and was essentially directed at the US, estimated to account for 50% of the world’s cotton subsidies<sup>223</sup>. The proposal was widely accepted as a rightful claim for these small countries whose most important export product is cotton, attracting even the WTO Director-General’s sympathy and support; it was, nevertheless, outright rejected by the US, which went so far as to suggest these countries diversify their agricultural production<sup>224</sup>.

The Cancún Ministerial, resulted in zero progress for the DDA and a Ministerial Statement in which the member states “[n]otwithstanding this setback... reaffirm [the] Doha Declarations and Decisions and recommit [themselves] to working to implement them fully

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<sup>217</sup> IBSA, *Brasilia Declaration*, available online at: [http://web.archive.org/web/20070915141009/http://www.ibsa-trilateral.org/brasil\\_declaration.htm](http://web.archive.org/web/20070915141009/http://www.ibsa-trilateral.org/brasil_declaration.htm) (accessed 4 August 2013).

<sup>218</sup> C. A. Thacker, ‘Agricultural Trade Liberalization in the Doha Round: The Search for a Modalities Draft’, 33 *Georgia Journal of International and Comparative Law*, 2004-2005, p. 737-738.

<sup>219</sup> WTO, Committee on Agriculture, *Initial Remarks by the African Group to the Joint EC-US Paper on Agriculture, Communication from Morocco on behalf of the African Group*, TN/AG/GEN/8, p. 2.

<sup>220</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Brazil, Statement by H.E. Mr Celso Amorim, Minister of External Relations*, WT/MIN(03)/ST/28, p. 2.

<sup>221</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *South Africa, Statement by the Honourable Alexander Erwin, Minister of Trade and Industry*, WT/MIN(03)/ST/43, p. 2.

<sup>222</sup> WTO, Committee on Agriculture, Special Session, *WTO Negotiations on Agriculture Poverty Reduction: Sectoral Initiative in favour of Cotton, Joint Proposal by Benin, Burkina Faso, Chad and Mali*, TN/AG/GEN/4.

<sup>223</sup> J. Kurtz, ‘Developing Countries and their Engagement in the World Trade Organization...’, p. 292.

<sup>224</sup> S. Cho, ‘A Bridge Too Far: The Fall of the Fifth WTO Ministerial Conference in Cancún and the Future of Trade Constitution’, 7:2 *Journal of International Economic Law*, 2004, p. 230.

and faithfully”<sup>225</sup>. According to developing countries, the Doha Development Agenda gave them the promise that their needs would be at the forefront of this round of negotiations, but the concessions made by the developed members were judged too thin and their demands too high. The EU was not ready to abandon the CAP even though, for the vast majority of developing states, agriculture was a key issue<sup>226</sup>. In its turn, the US would not discuss its cotton subsidies, with West African states stating that cotton would be the litmus test by which to judge if there was any substance in the DDA promises<sup>227</sup>. That, coupled with the continued insistence on the Singapore issues created a heavy climate in Cancún, in which the intentions of developed states were seriously questioned and the demand for the focus on development that the negotiations were supposed to have often repeated, either in subdued<sup>228</sup> or in more dramatic tones<sup>229</sup>.

What becomes rather clear, nevertheless, is that developing states had realised that their strength lay in their possibility to block consensus on issues that did not further their interests, an option that they used to a great extent in Cancún. Thus the Singapore issues would only be put on the table when agriculture was put on the table. WTO negotiations have always been about reciprocity, which is after all what the ‘single undertaking’ entails: all topics are discussed simultaneously, so that there is incentive for every participant<sup>230</sup>. Nothing is agreed until everything is agreed, and this rule was used in Cancún by both developed and developing states in order to achieve the greatest benefit for their country. The G20 proposals demonstrated developing member states confidence, even if their proposal was a bit too ambitious, considering the strong tradition that domestic and export support have had for the EU<sup>231</sup>. The same can be said about the Cotton Initiative, sponsored by four least-developed members. In short, Cancún showed that the North-South divide,

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<sup>225</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Ministerial Statement Adopted on 14 September 2003*, WT/MIN(03)/20.

<sup>226</sup> R. Wolfe, ‘Crossing the River by Feeling the Stones: Where the WTO is going after Seattle, Doha and Cancun’, *11:3 Review of International Political Economy*, 2002, p. 591.

<sup>227</sup> The New York Times, Opinion, Cancún Targets Cotton, 13 September 2003, available online at: <http://www.nytimes.com/2003/09/13/opinion/cancun-targets-cotton.html> (accessed 4 August 2013).

<sup>228</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *China, Statement by H.E. Mr. Lu Fuyuan, Minister of Commerce*, WT/MIN(03)/ST/12.

<sup>229</sup> WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Indonesia, Statement by H.E. Mrs Rini M.S. Soewandi, Minister of Industry and Trade*, WT/MIN(03)/ST/24, p. 1.

<sup>230</sup> R. Wolfe, ‘Crossing the River...’, p. 590.

<sup>231</sup> J. Kurtz, ‘Developing Countries and their Engagement in the World Trade Organization...’, p. 293.

while momentarily appeased in Doha and jubilant after the Decision on TRIPS and medicines, had not disappeared altogether<sup>232</sup>.

#### D. THE BEGINNING OF THE END IN HONG KONG

Under the weight of the Cancún collapse, WTO member states continued to work intensely behind the scenes, to assure that the next Ministerial Conference, in 2005, incidentally very close to the supposed date of conclusion of the Doha Round, would have a positive outcome. As a result of this, the General Council adopted a Decision in July 2004, otherwise known as 'July package', taking stock of the progress of the negotiations in the various area-specific Councils and Committees of the WTO<sup>233</sup>. The July package, arrived at after considerable political effort, was, in essence, a revision of the initial Doha work programme, a narrowing down of the too broad Doha Declaration agenda to specific issues of importance and on which agreement could be achieved, albeit with an undefined timeframe<sup>234</sup>.

One of the most important elements of the July package is that it does away with three out of four Singapore issues: government procurement, competition and investment will not be discussed in the Doha Round, while negotiations on trade facilitation commence by explicit consensus<sup>235</sup>. Another important point is that the July package contains, not agriculture modalities *per se*, but at least a "framework for establishing modalities on agriculture". According to the latter, the countries with the highest domestic support schemes will make the largest reductions, export subsidies will be gradually eliminated, following a timetable that will be specified at a later date and market access will be addressed through tariff reductions<sup>236</sup>. Trade-distorting practises applied on cotton, the importance of which for LDCs is recognised in the text, will be discussed ambitiously in the context of the agriculture negotiations<sup>237</sup>. The agriculture framework reflected to a great extent the wishes of the G20 on several points, including the formula for domestic support, the elimination of export subsidies, the continuation of Special and Differential Treatment and the taking into account

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<sup>232</sup> Sunjoon Cho, 'A Bridge Too Far...', p. 236.

<sup>233</sup> WTO, General Council, *Doha Work Programme, Decision Adopted by the General Council on 1 August 2004*, WT/L/579.

<sup>234</sup> P. Sutherland, 'The Doha Development Agenda: Political Challenges to the World Trading System- A Cosmopolitan Perspective', 8:2 *Journal of International Economic Law*, 2005, p. 366-367. 363-375

<sup>235</sup> *Ibid.*, para. g.

<sup>236</sup> *Ibid.*, Annex A, paras. 6-16, 17-26 and 27-44 respectively.

<sup>237</sup> *Ibid.*, Annex A, para. 3.

of preferential trade schemes that a great number of developing countries have with developed states<sup>238</sup>. A framework for establishing NAMA modalities was also agreed<sup>239</sup>.

On the road to Hong Kong and approximately one year after the July 2004 package and the euphoria that it evoked, little, if any, progress had been made on the Doha work programme. Prospects about the upcoming Ministerial were bleak. If no progress was made until the autumn of 2005, “the possibility of the substantive results at Hong Kong – which were essential to conclude the Round – would inevitably be put into jeopardy”, in the words of the WTO Director-General<sup>240</sup>. Nevertheless the autumn came and went without any news, and a feeling of both urgency and disappointment seemed to prevail at the Trade Negotiations Committee<sup>241</sup> and, consequently at the General Council. Should the situation remain unchanged in Hong Kong, the new deadlines for conclusion of the round would not be met, with possible disastrous consequences on the Doha Round<sup>242</sup>.

The Sixth Session of the WTO Ministerial Conference, in Hong Kong, to take place from 13 to 18 December 2005, started therefore with low expectations. With the Singapore issues gone, agriculture now loomed as the most important point of the DDA. Developing countries were adamant that it was in agriculture that the development promise of the Doha Development Agenda would be fulfilled<sup>243</sup> and they would withhold agreement on the other points of the agenda until a satisfactory formula for reducing and eventually eliminating trade-distorting practices<sup>244</sup>. What that meant essentially was that agreement on the NAMA modalities was dependent on the agriculture discussions and what that meant, in its turn, was that, insofar as developed member states continued to offer limited concessions, no agreement on any issue would be reached<sup>245</sup>. The EU, the main culprit behind the standstill in agriculture negotiations, insisted that this Round should not become a “single issue Round”,

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<sup>238</sup> F. Ismail, ‘A Development Perspective on the WTO July 2004 General Council Decision’, *8:2 Journal of International Economic Law*, 2005, p. 386-388.

<sup>239</sup> WTO, General Council, *Doha Work Programme*, Annex B.

<sup>240</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 27 and 29 July 2005*, WT/GC/M/97, p. 32.

<sup>241</sup> WTO, Trade Negotiations Committee, *Minutes of Meeting, Held in the Centre William Rappard on 14 September 2005*, TN/C/M/20.

<sup>242</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 19 October 2005*, WT/GC/M/98, p. 2.

<sup>243</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *India, Statement by HE Mr Kamal Nath, Minister of Commerce and Industry*, WT/MIN(05)/ST/17, p. 1.

<sup>244</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Brazil, Statement by HE Mr Celso Amorim, Minister of External Relations*, WT/MIN(05)/ST/8, p. 1.

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and that focus should not be only on agriculture but also on NAMA and services, while at the same time insisting that it had launched “significant agricultural reforms”<sup>246</sup>. The EU Commissioner for Trade lamented the rejection of its offer- an offer on tariff cuts that was judged too low by the vast majority of the WTO members, developed and developing alike, including the US, the Cairns Group and the G20 coalition of developing countries<sup>247</sup>. One after the other, however, the developing countries stressed that, to them, DDA meant agriculture reform<sup>248</sup>, the optimum solution being the conclusion of an agreement on modalities by the end of the conference<sup>249</sup>.

The Hong Kong Ministerial in the end did not collapse, as the Cancún Ministerial had. The Hong Kong Ministerial Declaration reaffirmed the members’ commitment to the Doha Development Agenda and to the deadline for concluding the negotiations in 2006<sup>250</sup>. Starting from agriculture, the Hong Kong Declaration repeated that domestic support would be reduced using a tiered formula, members with higher levels of such subsidies would undertake higher reductions; no specific information as to the end date of this procedure was mentioned<sup>251</sup>. Export subsidies, on the other hand, would be eliminated by the end of 2013, in a manner that would be specified in the modalities, when these were agreed on<sup>252</sup>. For cotton, specifically, all forms of export subsidies by developed countries would have to be eliminated by 2006, and domestic support for this product would be reduced more “ambitiously” than the general reduction<sup>253</sup>. On NAMA, the member states agree on a specific formula for reductions and agree to intensify negotiations with a view to producing modalities by April 2006 and specific commitments by July 2006, while at the same time correlating the “level of ambition” for NAMA with the talks on agriculture<sup>254</sup>.

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<sup>246</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *European Communities, Statement by Right Honourable Peter Mandelson, Commissioner for Trade*, WT/MIN(05)/ST/5, p. 1-2.

<sup>247</sup> ICTSD, Bridges Daily Update #1, *Expectations Low as Hong Kong Ministerial Gets Underway*, 13 December 2005, available online at: <http://ictsd.org/i/wto/wto-mc6-hong-kong-2005/bridges-daily-updates-mc6/158989/> (accessed 4 August 2013).

<sup>248</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Communication from the Informal Group of Developing Countries*, WT/MIN(05)/32, p. 1.

<sup>249</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *South Africa, Statement by HE Mr Mandisi Mpahlwa, Minister of Trade and Industry*, WT/MIN(05)/ST/87, p. 2.

<sup>250</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Doha Work Programme, Ministerial Declaration, Adopted on 18 December 2005*, WT/MIN(05)/DEC, para. 1.

<sup>251</sup> *Ibid.*, para. 5.

<sup>252</sup> *Ibid.*, para. 6.

<sup>253</sup> *Ibid.*, para. 11.

<sup>254</sup> *Ibid.*, para. 23-24.

Was the Hong Kong Ministerial a success or a failure for the two opposing groups of developed and developing countries? In the field of agriculture, which the vast majority of developing members considered of critical importance, Hong Kong ended almost as it started, in other words with nothing concrete except the commitment to eliminate export subsidies, which was already present in the July 2004 General Council Decision, with the slight addition of an end date this time, in 2013. A number of developing states referred in their statements to Cancún, mostly as a great victory for them and as a lesson for the developed countries<sup>255</sup>. In Hong Kong they did not present as much resistance. This can be attributed to the fact that a second collapsed ministerial would probably signal the end of the Doha Round<sup>256</sup>, from which every single WTO member, and especially the poorer ones, however long and hard the negotiation procedure, expect some future gains<sup>257</sup>. The fact remains that they did not get so much out of the Hong Kong Ministerial, in fact settling for a repetition of the July 2004 Decision.

While not achieving much in the way of concrete results, developing states did not lose the momentum they had gained at Cancún, by participating actively at the negotiations. Not all developing states have the same demands, not even on the key issue of agriculture. Some of them have an aggressive stance and demand the biggest possible agricultural market opening from developed countries<sup>258</sup>, some of them are interested in maintaining the preferential treatment their farm products have in specific markets (like the EU-ACP banana scheme)<sup>259</sup> and some had concerns about food security and rural livelihoods<sup>260</sup>. Nevertheless, in Hong Kong, as in Cancún, they presented a unified front, where all developing states promoted all the above demands<sup>261</sup>. A most remarkable aspect of the importance developing states came to have for the successful conclusion of the Doha Round and of the fact that developed members were fully aware of that importance can be seen in the new negotiating nucleus for agriculture. The so-called Quad (Canada, EU, Japan, US), the most important group of states

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<sup>255</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Indonesia, Statement by HE Dr Mari Elka Pangestu, Minister of Trade*, WT/MIN(05)/ST/21, p. 1.

<sup>256</sup> T. Nevin, 'Hong Kong a Disaster for the Poor', *317 African Business*, 2006, p. 43.

<sup>257</sup> R. J. Evans, 'The Challenges of Doha, Hong Kong and Beyond', *3 International Trade Forum*, 2005, p. 26.

<sup>258</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Brazil*, p. 1.

<sup>259</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *G-90 Declaration on the Sixth WTO Ministerial Conference*, WT/MIN(05)/8, para. 29.

<sup>260</sup> WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Indonesia*, p. 2.

<sup>261</sup> A. Matthews, 'The Road from Doha to Hong Kong in the WTO Agricultural Negotiations: A Developing Country Perspective', *32:4 European Review of Agricultural Economics*, 2005, p. 563-564. 561-574.

in the WTO, that needed to agree first before any breakthrough could be made, was replaced by the Five Interested Parties (Australia, Brazil, India, EU, US), of which two were developing members. The July package was the result of negotiations among those Five Interested Parties<sup>262</sup>. To sum up, the developing countries, while not receiving concrete returns from the Hong Kong Ministerial, reaffirmed their will to work together as a group against their developed counterparts.

## E. THE SLOW DEATH OF THE DOHA ROUND

The history of the Doha Development Round after Hong Kong is a dismal one. With no NAMA or agricultural modalities text in sight, a group of six states (US, EU, Japan, Australia, Brazil, and India) attempted to come to an agreement among themselves. They did not succeed, the deadline for the conclusion of the agricultural and NAMA modalities, set for July 2006, expired and the WTO Director-General suspended the Doha negotiations<sup>263</sup>. New separate negotiations with four states (US, EU, Brazil, India) took place in June 2007 and again collapsed, at which point the WTO DG resumed the Doha Round and called for an agreement on the modalities texts that the Chairs of the various area-specific WTO Committees and Councils had drafted<sup>264</sup>.

In July 2008, the WTO DG invited selected ministers to Geneva for an informal ministerial meeting, which lasted a full nine days on what was to be a marathon of negotiations on several levels: separate negotiations with the so-called G7 (US, EU, Brazil, India, China, Japan and Australia), ministerial 'green room' meetings with up to 40 participants and informal meetings of the Trade Negotiations Committee, in order to keep the whole membership informed<sup>265</sup>. In his words: "There was no escaping the fact that the intensive efforts the whole membership had been putting in over the last days with the aim of establishing modalities in Agriculture and NAMA had failed. Members had been unable to bridge their differences despite more than a week of hard work."<sup>266</sup> The problem turned out to be the Special

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<sup>262</sup> ICTSD, Bridges Daily Update #1.

<sup>263</sup> F. Ismail, 'An assessment of the WTO Doha Round July–December 2008 Collapse', 8:4 World Trade Review, 2009, p. 580-581.

<sup>264</sup> *Ibid.*

<sup>265</sup> S. Harbinson, 'The Doha Round: "Death-Defying Agenda" or "Don't Do it Again"?', 10 ECIPE Working Paper, 2009, p. 9.

<sup>266</sup> WTO, Trade Negotiations Committee, *Minutes of Meeting, Held in the Centre William Rappard on 30 July 2008*, TN/C/M/28, p. 1.

Safeguard Mechanism that would be included in the agriculture modalities, and not one of the most salient agriculture topics, a fact which led the DG to state that “[a] very few issues, which had not been there, had led them not to establish modalities, but a huge amount of problems which had remained intractable for years had found solutions”<sup>267</sup>. The same amount of disappointment was evident in several other delegations, with the EU representative lamenting the lack of “political will to close the final gaps”, especially since “[t]hey had had agreement on 90-95 per cent of the issues at stake in modalities”<sup>268</sup>. The orchestrator of the July 2008 collapse seemed to have been India, supported by China and other developing states<sup>269</sup>. India nonetheless insisted that the SSM was no minor issue and that “[m]embers should ask themselves why they had not been able to resolve the main issues which concerned developing countries in the WTO”<sup>270</sup>.

More efforts were made in December 2008, when the Chairs of the WTO Committee on Agriculture and the Chair of the Negotiating Group on Market Access issued new Draft Modalities texts, in which they tried to collect the points of convergence and suggest possible solutions<sup>271</sup>. Nevertheless, the WTO DG, while stating that members “were not far from achieving their goal, having made very good progress in both areas”, admitted that “calling Ministers to try to finalize modalities by the year’s end would be running too much of a risk of failure which could damage not only the Round but also the WTO system as a whole”<sup>272</sup>. By the end of 2009, the Doha Round seemed dead, despite the Director-General’s assurances to the contrary. As Chairman of the Trade Negotiations Committee, the DG had nothing concrete to report concerning the progress the committee had made on the burning DDA issues. Essentially, the WTO DG had a number of encouraging platitudes, such as assuring the General Council in May 2009 that “[t]here had been an increasing level of political engagement and clear signals of renewed commitment and support for a rapid conclusion of

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<sup>267</sup> *Ibid.*

<sup>268</sup> *Ibid.*, p. 5.

<sup>269</sup> R. Wolfe, ‘Sprinting During a Marathon: Why the WTO Ministerial Failed in July 2008’, *44:1 Journal of World Trade*, 2010, p. 83.

<sup>270</sup> WTO, Trade Negotiations Committee, *Minutes of Meeting*, p. 13-14.

<sup>271</sup> R. Bhala, ‘Resurrecting the Doha Round: Devilish Details, Grand Themes, and China Too’, *45 Texas International Law Journal*, 2009-2010, p. 10-11.

<sup>272</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 18 December 2008*, WT/GC/M/117, p. 7.

the Round"<sup>273</sup> and remarking in July 2009 "the renewed impetus that leaders had given the DDA with the call that the Round be concluded in 2010"<sup>274</sup>.

The Seventh Session of the Ministerial Conference was held in Geneva, from 30 November to 2 December 2009. Its theme of discussion was "The WTO, the Multilateral Trading System and the Current Global Economic Environment"<sup>275</sup>, in other words not the Doha Development Agenda *per se*. Naturally, the Doha Round was mentioned by most delegations, often connected with the global financial crisis. Developing countries stressed once again that the Doha Round, if it were to be really successful, had to cater to their developmental needs. For South Africa, it was worth sacrificing an early conclusion for a developmental outcome, especially since correcting the injustices of the Uruguay Round was imperative<sup>276</sup>, for Brazil developing states could not be expected to be the only ones to make unilateral concessions<sup>277</sup>, and India lamented the continued neglect to issues of interest to the developing world<sup>278</sup>. EU, on the other hand, denounced the " 'low-intensity' protectionism, including from G20 members", that was a result of the financial crisis, and remarked that WTO member states were progressing too slowly to meet the 2010 target<sup>279</sup>. Instead of a Ministerial Declaration, in this session of the Ministerial Conference, a Chairman's Summary was issued, in which the situation with the Doha Round was summarised as follows:

There was strong convergence on the importance of trade and the Doha Round to economic recovery and poverty alleviation in developing countries. The development dimension should remain central to the Round and particular attention should be paid to issues of importance to developing countries. Ministers reaffirmed the need to conclude the Round in 2010..."<sup>280</sup>

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<sup>273</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 26-27 May 2009*, WT/GC/M/120, p. 3.

<sup>274</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 28 July 2009*, WT/GC/M/121, p. 2.

<sup>275</sup> WTO, General Council, *Seventh Session of the Ministerial Conference, Decision of 26 May 2009*, WT/L/760.

<sup>276</sup> WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *South Africa, Statement by Dr. Rob Davies, Minister of Trade and Industry*, WT/MIN(09)/ST/137, p. 2.

<sup>277</sup> WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *Brazil, Statement by HE Ambassador Celso Nunes Amorim, Minister for Foreign Affairs*, WT/MIN(09)/ST/11, p. 1.

<sup>278</sup> WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *India, Statement by HE Mr Anand Sharma, Minister of Commerce and Industry*, WT/MIN(09)/ST/35, p. 2.

<sup>279</sup> WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *European Communities, Statement by Ms Catherine Ashton, European Union Trade Commissioner*, WT/MIN(09)/ST/12, p. 1.

<sup>280</sup> WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *Seventh Ministerial Conference, Chairman's Summary*, WT/MIN(09)/18, p. 1.

This statement seems to accurately portray the vagueness and lack of energy and optimism that had begun to follow any mention of the Doha Round.

Some uncalled for optimism reappeared in 2010, when, again, no agreement on the modalities had been achieved, much less an agreement on the actual issues discussed. The negotiations were by that time proceeding under the so-called 'cocktail approach', in other words "smaller groups in variable geometry, bilateral contacts and...consultations"<sup>281</sup>. The small groups were on the "second round of brainstorming" but what was still missing was "a clear political signal [from the Leaders] that they were ready to enter the end-game of the Doha negotiation and that they were willing to empower delegations in Geneva to enter the final stretch of the negotiations"<sup>282</sup>. As 2010 neared its end, the deadline for the conclusion of the Doha Round was once again postponed: this time the WTO DG urged all member states to explore "in line with Members' cocktail approach, every configuration and possibility for progress...to the fullest", so that negotiating texts were ready during the first quarter of 2011 and so that the Round could be concluded in 2011<sup>283</sup>. During the summer of 2011, however, it was recognised that "the Doha Round could not be completed in its entirety by 2011", and that at that point it would be more useful to focus on "a non-exhaustive list of topics that could form the elements of a small package of DDA deliverables by MC8", in other words try to reach agreement on "DDA deliverables" by the next Ministerial Conference, to be held in December 2011<sup>284</sup>. Nevertheless, even this modest goal could not be reached at the Eighth Ministerial, which took place in Geneva, from 15 to 17 December 2011. The Chairman's Concluding Statement included "elements for political guidance" and a summary of the issues discussed. One of the points in the elements for political guidance was the Doha Development Agenda and the text recognised that "the negotiations [were] at an impasse" and that "it [was] unlikely that all elements of the Doha Development Round could be concluded simultaneously in the near future"<sup>285</sup>. Notwithstanding this admission, the text

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<sup>281</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 29 July 2010*, WT/GC/M/127, p. 3.

<sup>282</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 21 October 2010*, WT/GC/M/128, p. 2.

<sup>283</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 14 December 2010*, WT/GC/M/129, p. 6-7.

<sup>284</sup> WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 27 July 2011*, WT/GC/M/132, p. 2-3.

<sup>285</sup> WTO, Ministerial Conference, Eighth Session, Geneva, 15-17 December 2011, *Eighth Ministerial Conference, Chairman's Concluding Statement*, WT/MIN(11)/11, p. 3.

continued by stating that member states would continue to strive towards the conclusion of the Doha mandate. On the road to next Ministerial, the Ninth Session of the Ministerial Conference, to be held in Bali, from 3 to 6 December 2013, the WTO DG and the member states had identified a list of “deliverables”, so that the Bali Ministerial could become a step towards the conclusion of the Doha Round. Nevertheless, it seems that not all disputes have been solved and that the Bali Ministerial might see another round of developed vs. developing countries in the guise of trade facilitation vs. food security<sup>286</sup>.

#### **4. A WORLD-SYSTEMS PERSPECTIVE OF THE DOHA DEVELOPMENT ROUND: CHRONICLE OF A DEATH FORETOLD**

So what do we see if we interpret the Doha Development Round by using the concepts of world-systems theory? How do core, periphery and semiperiphery interact with each other?

Regarding the core, the progress of the Doha Round demonstrates that it is indeed protecting its quasi-monopolies. The first indication of this was the insistence of the US and the EU on the so-called “trade and” issues. The Seattle Ministerial was gravely harmed by the US’s insistence that labour standards be included in the WTO. What the incorporation of labour standards in the WTO would mean in practice is that any WTO member states could initiate a dispute settlement procedure against any other member that does not observe the ILO core labour conventions. This would make little difference to advanced economies, in which core labour standards<sup>287</sup> are already in force, but there are a great number of peripheral

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<sup>286</sup> The Hindu, *India pins hope on Bali meet for WTO Doha Round talks to move forward*, 29 July 2013, available online at: <http://www.thehindu.com/news/national/india-pins-hope-on-bali-meet-for-wto-doha-round-talks-to-move-forward/article4966909.ece> (accessed 4 August 2013).

<sup>287</sup> Core labour standards are those contained in the following eight ILO Conventions: C138—Minimum Age for Admission to Employment, C182—Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, C29— Forced or Compulsory Labour, C105—Abolition of Forced Labour, C100—Equal Remuneration of Men and Women Workers for Work of Equal Value, C111—Discrimination in Respect of Employment and Occupation, C87—Freedom of Association and Protection of the Right to Organize,10 and C98 Application of the Principles of the Right to Organize and to Bargain Collectively. Of those, only forced labour is covered by the WTO agreements.

and semiperipheral economies that do not comply with international labour norms<sup>288</sup>. While the importance of non-observance of these norms from a human rights perspective cannot be underestimated, their introduction in the WTO legal system would effectively nullify the comparative advantage that the semiperiphery and the periphery have in cheap labour. Raising the cost of their manufactures would be a serious monetary problem for these countries and it would inevitably lead to fewer exports, which in its turn would lead to a worsening of their overall economic condition<sup>289</sup>. The concern that the core is merely trying to make its own products, which cannot be produced with cheap labour, and therefore are harmed by the periphery's comparative advantage, more attractive to global markets and consumers is not unheard of in the annals of trade protectionism<sup>290</sup>. Especially since there is a competent international organisation for the protection of labour rights, the International Labour Organisation.

The same logic can be applied to the EU's promotion of the incorporation of environmental norms in the WTO. The EU itself has an elaborate environmental policy; to the EU, therefore, and to many other core countries, there would be no additional costs in complying with environmental norms, should they be included in the WTO. First of all, it must be noted that the GATT provides for limited environment-related exemptions from its rules in article XX, 'limited' being the operative word. Notwithstanding the legal arguments about the incorporation of environmental concerns in the WTO<sup>291</sup>, there is the reasonable concern that environmental norms are once again a vehicle to deprive peripheral and semiperipheral countries of their comparative advantage: cheap products, coming from cheap production processes. Out of the few environmental cases that have been examined in GATT and WTO dispute settlement mechanisms, the majority are complaints by developing countries against import restrictions imposed by developed ones. In 'Tuna/ Dolphin', the US banned the import of tuna products from Mexico, because their harvesting did not comply

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288 S. Lester et al., *World Trade Law*, p. 837.

289 H.-M. Wolfgang & W. Feuerhake, 'Core Labour Standards in World Trade Law: The Necessity for Incorporation of Core Labour Standards in the World Trade Organization', 36:5 *Journal of World Trade*, 2002, p. 885.

290 C. Thomas, 'Should the World Trade Organization Incorporate Labor and Environmental Standards?', 61 *Washington & Lee Law Review*, 2004, p. 372.

291 G. Marceau, 'Conflicts of Norms and Conflicts of Jurisdictions: The Relationship between the WTO Agreement and MEAs and other Treaties', 35:6 *Journal of World Trade*, 2001, p. 1082. 1081-1131.

with domestic US law<sup>292</sup>, in 'US Gasoline', the US discriminated against gasoline imports Venezuela and Brazil<sup>293</sup> and in Shrimp/Turtle the US banned the imports of shrimp products from India, Malaysia, Pakistan and Thailand, because they had been harvested in ways that, again, did not comply with US domestic laws on the protection of turtles<sup>294</sup>. The fear that the semiperiphery and the periphery have often expressed regarding their being forced to comply with the core's domestic environmental standards is not unfounded, as the practice shows.

The Singapore issues could also be used as an instrument against the periphery and semiperiphery. The integration of competition policy in particular, mostly championed by the EU, to peripheral countries would mean the introduction of a completely new legal mechanism, with all the legislative and administrative costs the latter would entail<sup>295</sup>. Many of those countries simply do not have the necessary infrastructure for such an enterprise at this point. Furthermore, as everything, competition policy, once included in the WTO legal system, would become one of the topics that the WTO dispute settlement bodies could adjudicate on and for which, in cases of non-compliance, the winning party can apply retaliatory measures, which might harm any sector of trade<sup>296</sup>. For countries that conspicuously do not have the capacity to maintain the competition monitoring mechanisms, but might nevertheless be charged with non-compliance, the introduction of competition policy is a very dubious measure. At the same time, should competition regulation be included in the WTO, it would fall under the overarching WTO non-discrimination principle; being obligated to treat foreign and domestic businesses alike, however, might be detrimental to the economic policy design of the semiperiphery, to which it might be beneficial to favour domestic to multinational enterprises<sup>297</sup>. It was this same concern that peripheral and semiperipheral countries also had in connection with the incorporation of investment rules in the WTO: it would be no more than a rule forcing them to open their markets to foreign

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<sup>292</sup> GATT, DS21, *United States- Restrictions on Imports of Tuna*, summary available online at:

[http://www.wto.org/english/tratop\\_e/envir\\_e/edis04\\_e.htm](http://www.wto.org/english/tratop_e/envir_e/edis04_e.htm) (accessed 4 August 2013).

<sup>293</sup> WTO, WT/DS2, *United States- Standards for Reformulated and Conventional Gasoline*, summary available online at:

[http://www.wto.org/english/tratop\\_e/envir\\_e/edis07\\_e.htm](http://www.wto.org/english/tratop_e/envir_e/edis07_e.htm) (accessed 4 August 2013).

<sup>294</sup> WTO, WT/DS58, *United States- Import Prohibition of Certain Shrimp and Shrimp Products*, summary available online at: [http://www.wto.org/english/tratop\\_e/envir\\_e/edis08\\_e.htm](http://www.wto.org/english/tratop_e/envir_e/edis08_e.htm) (accessed 4 August 2013).

<sup>295</sup> J. Drexler, 'International Competition Policy after Cancún: Placing a Singapore Issue on the WTO Development Agenda', 27:3 *World Competition*, 2004, p. 436-437.

<sup>296</sup> *Ibid.*

<sup>297</sup> *Ibid.*

companies, against which the domestic businesses of the periphery could not possibly compete on equal footing, with the state unable to regulate their behaviour<sup>298</sup>.

While the core pushed the periphery and the semiperiphery to open their markets with the aforementioned proposals, core countries vehemently refuse to open their own markets to products from the periphery. The periphery's most urgent demand was that the core allow market access for their agricultural products. Agriculture is one of the most important sectors of the economy in peripheral and semiperipheral countries, with approximately three-quarters of the population living in rural areas<sup>299</sup>. Nevertheless, the Uruguay Round Agreement on Agriculture, despite its success at being the first ever international agreement to regulate trade in agricultural products, allowed the core to maintain their domestic agricultural protection by using a "complex web of tariffs, quotas, subsidies, and other forms of government support and protection"<sup>300</sup>. Tariff Rate Quotas (TRQs) allow only a certain quantity of imports with low tariffs, a higher tariff being applied to all products exceeding the fixed rate; TRQs are amply used by the US and the EU to grant preferential access to products from certain countries<sup>301</sup>. Tariff peaks, in other words particularly high tariffs on specific commodities, are applied to protect certain domestic products, such as sugar and dairy, against imports; for individual commodities the US uses megatariffs of up to 350% and the EU of up to 500%. Tariff escalation, meaning the application of lower tariffs to raw products and higher ones to processed ones, discourages the export of processed farm goods, discouraging also technological and hence economic development; both the US and the EU use tariff escalation<sup>302</sup>. Export subsidies, most frequently consisting in payments that compensate the farmer for the difference between the world price and a fixed price in the domestic market, are prohibited in every other trade sector but agriculture; only 25 out of 150 WTO members are allowed to use agricultural export subsidies, most of which belong in the core<sup>303</sup>. Domestic support, that is direct payments to farmers, are another typical trade-distorting instrument used in the core, while in the periphery governments have traditionally

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<sup>298</sup> K. C. Kennedy, 'A WTO Agreement on Investment: A Solution in Search of a Problem?', 24 *University of Pennsylvania Journal of International Economic Law*, 2003, p. 87. 77-188

<sup>299</sup> P.-c. Athukorala, 'Agricultural Trade Reforms in the Doha Round: A Developing Country Perspective', 38:5 *Journal of World Trade*, 2004, p. 878. 877-897

<sup>300</sup> T. C. Beierle, 'Agricultural Trade Liberalization- Uruguay, Doha and Beyond', 36:6 *Journal of World Trade*, 2002, p. 1090.

<sup>301</sup> *Ibid.*, p. 1095.

<sup>302</sup> *Ibid.*

<sup>303</sup> *Ibid.*, p. 1096.

taxed farmers<sup>304</sup>. Domestic support is divided into various categories in the Agreement on Agriculture, two of which seem to have been specifically designed to allow the US and the EU to maintain their domestic protection schemes, while overall domestic support spending has increased after the Agreement on Agriculture entered into force<sup>305</sup>.

Therefore, even in the WTO rules-based system, international trade remains a largely unequal exchange and it is against these inequalities that the periphery and the semiperiphery have protested in the course of the Doha Round negotiations. However, according to this study's findings, the interaction between periphery and semiperiphery have not been in conformity with Wallerstein's propositions. Namely, the semiperiphery and the periphery have formed a generally united coalition against the core, instead of behaving in the manner that Wallerstein posits. The most prominent semiperipheral countries, India and Brazil have not attempted to approach the core and have certainly not acted as 'buffer zones' between the periphery and the core; on the contrary, they have acted as representatives of the whole periphery and initiators of such unitary efforts as the G20 coalition of developing states. Accordingly, the periphery has not acted in opposition to the semiperiphery, but has in most cases participated in joint communications and statements with the semiperiphery, signifying the unity of position between the semiperiphery and the periphery. That holds true both for the Singapore issues, against which periphery and semiperiphery joined forces, and for the most contested issue of agriculture. As mentioned above, not every country in the periphery has the same interests in the issue of agricultural trade as every other country in the periphery. Many of them are the recipients of preferential market access schemes, such as the ACP countries, who have traditionally had preferential trade relations with the EU for their products, while a great number of peripheral countries are so-called Net-Food Importing Countries, who enjoy short-term benefits from the CAP's export subsidies, because it keeps world food prices down<sup>306</sup>. Nevertheless they all supported a joint position, in which they demanded that the Doha Round negotiations include significant reforms for agricultural trade and at the same time respect preferential trade agreements and take into account food

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<sup>304</sup> *Ibid.*, p. 1098.

<sup>305</sup> *Ibid.*, p. 1101.

<sup>306</sup> T. Kaul, 'The Elimination of Export Subsidies and the Future of Net-Food Importing Developing Countries in the WTO', 24 *Fordham Journal of International Law*, 2000-2001, p. 397.

security issues<sup>307</sup>. This unity of the periphery and the semiperiphery has been a characteristic of the Doha Round and has been instrumental in deciding its progress.

## 5. CONCLUSION

Returning to this study's research question now: why is the Doha Development Round at an impasse according to this study's historical research into WTO member states' positions and world-systems theory? The Doha Round is at an impasse because core countries refuse to let go of their quasi-monopolies, in the form of trade-distorting practices that they have maintained for decades, even in the face of the united opposition from the periphery and the semiperiphery. As opposed to the GATT days, when the membership was small and the core countries still so influential that the major disputes took place exclusively among them, the WTO is composed of nearly 100 peripheral countries, which have discovered their strength in numbers. They have thus blocked the consensus a number of times since the launch of the Doha Round, managing to obtain: a Declaration and a Decision that allows exemptions from TRIPS for patented medicines for reasons of public health, the inclusion of development as the major overarching aim of the Doha round of negotiations, the exclusion of three out of four Singapore issues, an explicit recognition that labour rights belong in the ILO, the specific inclusion of cotton subsidies as a separate negotiating point under the agriculture negotiations, a commitment to eliminate agricultural export subsidies in 2013 and a new status quo in agricultural negotiations, where the major negotiating parties are no longer the Quad three semiperipheral and four core countries. They have also succeeded in withholding agreement for all other issues until agriculture negotiations have progressed.

The periphery and the semiperiphery have therefore started to play a major role in the WTO, and this a very important, if not the most important factor in the deadlock facing the Doha Development Round. In that sense, returning to our research question again, the problems of the Doha Round are the inherent inequalities of international trade and, consequently, the WTO itself. According to this study, therefore, the so-called failure of the

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<sup>307</sup> T. C. Beierle, 'Agricultural Trade Liberalization...', p. 1102.

Doha Round (by failure we mean the failure to produce new trade regulation) starts with its inception. If free trade is not free, and according to our analysis it is not, and if it is not free because the core maintains its quasi-monopolies at all cost, which according to our analysis it does, it would not be possible for a so-called Development Round in the WTO to have any positive outcome. Especially more so since the vast majority of the WTO's members are peripheral and semiperipheral states that can use their numbers to obtain negotiating leverage.

The Doha Round has therefore not followed a downward spiral; on the contrary, the discontent of the periphery and the semiperiphery with the core has been following a linear path since the Seattle Ministerial. Let us remember that the Seattle Ministerial's collapse was due to the intense disagreement between core and periphery. The same occurred in Cancún and has been occurring from the days following the Hong Kong Ministerial to this day. That leaves us with two sessions of the Ministerial Conference that did not collapse due to core-periphery dispute: the Fourth Ministerial in Doha and the Sixth Ministerial in Hong Kong. It would not be accurate to claim that the Doha Ministerial was free of periphery discontent; it was not. But the circumstances under which this meeting was held, a few weeks after 9/11 and two years after a failed Ministerial, put a lot of pressure on WTO members to launch the new round and give a message of international cooperation. This is why they agreed to such a broad and vague agenda as the one included in the Doha Declaration: every issue of importance for both core and periphery was included but with enough vagueness so as not to provoke intense reactions that would block the consensus. The Sixth Ministerial in Hong Kong was also the one immediately after a collapsed Ministerial and, following the pressure to produce some results, the member states signed another vague Declaration that had very little substance. The Doha Ministerial was therefore the exception and not the rule and the launch of the Doha Round cannot be attributed to the magical attenuating of the core-periphery differences in Doha but to the membership's response to the urgent situation at hand. The inclusion of 'development' as the overarching principle that would guide the new round of negotiations is one more indication of the urgency guiding the launch of the Doha Round: the concerns of the periphery and the semiperiphery had to be assuaged with the conviction that their needs would be placed at the centre of the negotiations and that at the end of the journey there would be positive results for them. The fact that the follow-up to this

promise was not as encouraging as the promise itself resulted in the incessant halts and subsequent jump starts of the Doha Round that have been going on to this day.

To sum up, the Doha Development Round was launched on a flawed premise: that focusing on the periphery would help it reap the benefits from free trade. International trade was never 'free', however: the core continued to operate on the assumption that it can maintain its quasi-monopolies in the form of trade-distorting practices and the periphery and semiperiphery have reacted by continuously demanding that the inherent inequalities of global trade be remedied, leading to the well-known impasse in the current round of negotiations.

# BIBLIOGRAPHY

## BOOKS AND ARTICLES

- Abbott, Frederick M., 'The WTO Medicines Decision: World Pharmaceutical Trade and the Protection of Public Health', 99 *American Journal of International Law*, 2005, p. 317-358
- Amin, Samir, 'Le modèle théorique d'accumulation et de développement dans le monde contemporain: La problématique de transition', 13:52 *Tiers-Monde*, 1972, p. 703-726
- Arrighi, Giovanni & Drangel, Jessica, 'The Stratification of the World-Economy: An Exploration of the Semiperipheral Zone', 10:1 *Review (Fernand Braudel Center)*, 1986, p. 9-74
- Athukorala, Prema-chanda, 'Agricultural Trade Reforms in the Doha Round: A Developing Country Perspective', 38:5 *Journal of World Trade*, 2004, p. 877-897
- Beierle, Thomas C., 'Agricultural Trade Liberalization- Uruguay, Doha and Beyond', 36:6 *Journal of World Trade*, 2002, p. 1089-1110
- Bergesen, Albert, 'The Critique of World-System Theory: Class Relations or Division of Labor?', 2 *Sociological Theory*, 1984, p. 365-372
- Birdsall, Nancy & Fukuyama, Francis, 'The Post-Washington Consensus: Development After the Crisis', 90:2 *Foreign Affairs*, 2011, p. 45-53
- Bhala, Raj, 'Poverty, Islam, and Doha: Unmet Challenges Facing American Trade Law', 36 *International Lawyer*, 2002, p. 159-196
- Bhala, Raj, 'Resurrecting the Doha Round: Devilish Details, Grand Themes, and China Too', 45 *Texas International Law Journal*, 2009-2010, p. 1-126
- Brenner, Robert, 'The Origins of Capitalist Development: A Critique of Neo-Smithian Marxism', 11/104 *New Left Review*, 1977, p. 25-92
- Busch, Marc L. & Reinhardt, Eric, 'Testing International Trade Law: Empirical Studies of GATT/WTO Dispute Settlement', in: Kennedy, Daniel M., & Southwick, James D. (eds.), *The Political Economy of International Trade Law: Essays in Honor of Robert Hudec*, New York; Cambridge: Cambridge University Press, 2002, p. 457-481
- Cardoso, Fernando Henrique & Faletto, Enzo, *Dependencia y desarrollo en América Latina: Ensayo de interpretación sociológica*, Buenos Aires: Siglo XXI Editores Argentina, 2003
- Chase-Dunn, Christopher, *Global Formation: Structures of the World-Economy*, Lanham, Maryland: Rowman & Littlefield, 1998
- Chase-Dunn, Christopher & Lawrence, Kirk S., 'Alive and well: A response to Sanderson', 51:6 *International Journal of Comparative Sociology*, 2010, p. 470-480
- Cho, Sunjoon, 'A Bridge Too Far: The Fall of the Fifth WTO Ministerial Conference in Cancún and the Future of Trade Constitution', 7:2 *Journal of International Economic Law*, 2004, p. 219-244
- Cho, Sungjoon, 'The demise of development in the Doha Round negotiations', 45:3 *Texas International Law Journal*, 2010, p. 574-601
- Clough, Mark, 'World Trade Update: Towards the Fifth Ministerial Conference', 30 *International Business Lawyer*, 2002, p. 25-28
- Davis, Christine & Shirato, Yuki, 'Firms, Governments, and WTO Adjudication: Japan's Selection of WTO Disputes', 59:2 *World Politics*, 2007, p. 274-313
- Drexel, Josef, 'International Competition Policy after Cancún: Placing a Singapore Issue on the WTO Development Agenda', 27:3 *World Competition*, 2004, p. 419-457
- Evans, Robert J., 'The Challenges of Doha, Hong Kong and Beyond', 3 *International Trade Forum*, 2005, p. 26-28
- Frank, Andre Gunder, 'Le développement du sous-développement', 6:16/17 *Cahiers Vilfredo Pareto*, 1968, p. 69-81

- Footer, Mary, *Legal aspects of international organization, volume 46: Institutional and normative analysis of the World Trade Organization*, Leiden: Martinus Nijhoff Publishers, 2006
- Galtung, Johan, 'A structural theory of imperialism', 8:2 *Journal of Peace Research*, 1971, p. 81-117
- Gantz, David A., 'Failed Efforts to Initiate the "Millennium Round" in Seattle: Lessons for Future Global Trade Negotiations', 17 *Arizona Journals of International and Comparative Law*, 2000, p. 349-370
- G20, *Infographics: About G20 Member Countries*, available online at: <http://en.g20russia.ru/infographics/20121201/780989503.html>
- Gaye, Adama, 'Neo-liberalism is still the best development model - Francis Fukuyama', 353 *African Business*, 2009, p. 28-29
- Gourevitch, Peter, 'The International System and Regime Formation: A Critical Review of Anderson and Wallerstein', 10:3 *Comparative Politics*, 1978, p. 419-438
- Hajnal, Peter I., *G8 System and the G20: Evolution, Role and Documentation*, Abingdon: Ashgate Publishing Group, 2007
- Hoekman, Bernard & Kostecky, Michel, *The political economy of the world trading system: WTO and beyond*, Oxford: Oxford University Press, 2001
- Hopkins, Terence K. & Wallerstein, Immanuel, 'Patterns of Development of the Modern World-Economy', 1:2 *Review (Fernand Braudel Center)*, 1977, p. 111-145
- Hopkins, Terence K. & Wallerstein, Immanuel, *The Age of Transition: Trajectory of the World-System 1945-2025*, London; New Jersey: Zed Books, 1998
- Horlick, Gary N., 'Over the Bump in Doha?', 5:1 *Journal of International Economic Law*, 2002, p. 195-202
- IBSA, *Brasilia Declaration*, available online at: [http://web.archive.org/web/20070915141009/http://www.ibsa-trilateral.org/brasil\\_declaration.htm](http://web.archive.org/web/20070915141009/http://www.ibsa-trilateral.org/brasil_declaration.htm) (accessed 4 August 2013)
- ICTSD, Bridges Daily Update #6, *Cancun Collapse: Where There's No Will There's No Way*, 15 September 2003, available online at: <http://ictsd.org/i/wto/wto-mc5-cancun-2003/bridges-daily-updates-mc5/161132/> (accessed 4 August 2013)
- ICTSD, Bridges Daily Update #1, *Expectations Low as Hong Kong Ministerial Gets Underway*, 13 December 2005, available online at: <http://ictsd.org/i/wto/wto-mc6-hong-kong-2005/bridges-daily-updates-mc6/158989/> (accessed 4 August 2013)
- Ismail, Faizel, 'A Development Perspective on the WTO July 2004 General Council Decision', 8:2 *Journal of International Economic Law*, 2005, p. 377-404
- Ismail, Faizel, 'An assessment of the WTO Doha Round July–December 2008 Collapse', 8:4 *World Trade Review*, 2009, p. 579–605
- Jones, Kent, *The Doha blues: Institutional crisis and reform in the WTO*, New York: Oxford University Press, 2010
- Kaul, Tashi, 'The Elimination of Export Subsidies and the Future of Net-Food Importing Developing Countries in the WTO', 24 *Fordham Journal of International Law*, 2000-2001, p. 383-409
- Kennedy, Kevin C., 'A WTO Agreement on Investment: A Solution in Search of a Problem?', 24 *University of Pennsylvania Journal of International Economic Law*, 2003, p. 77-188
- Kongolo, Tshimanga, 'WTO Doha Ministerial Declaration and Intellectual Property: African Perspectives', 9 *African Yearbook of International Law*, 2001, p. 185-211
- Koopman, Georg, 'Doha Development Round perspectives', 40:4 *Intereconomics*, 2005, p. 235-240
- Kurtz, Jürgen, 'Developing Countries and their Engagement in the World Trade Organization: An Assessment of the Cancún Ministerial', 5 *Melbourne Journal of International Law*, 2004, p. 280-298
- Lesay, Ivan, 'How 'Post' is the Post-Washington Consensus?', 29:2 *Journal of Third World Studies*, 2012, p. 183-198
- Lester, Simon, Mercurio, Bryan, Davies, Arwel & Leitner, Kara, *World Trade Law: Text, Materials and Commentary*, Oxford: Hart Publishing, 2008
- Marceau, Gabrielle, 'Conflicts of Norms and Conflicts of Jurisdictions: The Relationship between the WTO Agreement and MEAs and other Treaties', 35:6 *Journal of World Trade*, 2001, p. 1081-1131

- Matsushita, Mitsuo, Schoenbaum, Thomas J. & Mavroidis, Petros C., *The World Trade Organization: Law, Practice, and Policy*, Oxford: Oxford University Press, 2006
- Matthews, Alan, 'The Road from Doha to Hong Kong in the WTO Agricultural Negotiations: A Developing Country Perspective', 32:4 *European Review of Agricultural Economics*, 2005, p. 561-574
- Mavroidis, Petros C., 'Doha, Dohalf or Dohaha? The WTO licks its wounds', 3:2 *Trade, Law and Development*, 2011, p. 367-381
- Modelski, George, 'The Long Cycle of Global Politics and the Nation-State', 20:2 *Comparative Studies in Society and History*, 1978, p. 214-235
- Murphy, Ewell E. Jr., 'The lessons of Seattle: Learning from the failed Third WTO Ministerial Conference', 13:2 *Transnational Lawyer*, 2000, p. 273-288
- Nederveen Pieterse, Jan, 'A Critique of World System Theory', 3:3 *International Sociology*, 1988, p. 251-266
- Nederveen Pieterse, Jan, *Development theory: Deconstructions/ Reconstructions*, Los Angeles; London: SAGE, 2010
- Nevin, Tom, 'Hong Kong a Disaster for the Poor', 317 *African Business*, 2006, p. 42-43
- Petras, James, 'Dependency and World System Theory: A critique and New Directions', 8:3/4 *Latin American Perspectives*, 1981, p. 148-155
- Preeg, Ernest H., 'The South rises in Seattle', 3 *Journal of International Economic Law*, 2000, p. 183-185
- Saad-Filho, Alfredo, *Growth, Poverty and Inequality: From Washington Consensus to Inclusive Growth*, DESA Working Paper No. 100, 2010, ST/ESA/2010/DWP/100, available online at: [http://www.un.org/esa/desa/papers/2010/wp100\\_2010.pdf](http://www.un.org/esa/desa/papers/2010/wp100_2010.pdf) (accessed 4 August 2013)
- Sanderson, Stephen K., 'World-Systems Analysis after Thirty Years: Should it Rest in Peace?', 46:3 *International Journal of Comparative Sociology*, 2005, p. 179-213
- Sanderson, Stephen K., 'Alive and well...or just alive? Rejoinder to Chase-Dunn and Lawrence', 52:5 *International Journal of Comparative Sociology*, 2011, p. 431-438
- Scott, Jeffrey J., 'Comment on the Doha Ministerial', 5:1 *Journal of International Economic Law*, 2002, p. 191-195
- Skocpol, Theda, 'Wallerstein's World Capitalist System: A Theoretical and Historical Critique', 82:5 *American Journal of Sociology*, 1977, p. 1075-1090
- Steans, Jill, Pettiford, Lloyd, Diez, Thomas & El-Anis, Imad, *An Introduction to International Relations Theory: Perspectives and Themes*, Harlow: Pearson Longman, 2010
- Stiglitz, Joseph, 'Two principles for the next Round or, How to bring developing countries in from the cold', 23 *World Economy*, 2000, p. 437-454
- Stoll Schorkopf, Frank & Steinmann, Arthur, *Max Planck commentaries on world trade law-WTO: World economic order, World trade law*, Leiden: Martinus Nijhoff Publishers, 2006
- Sutherland, Peter, 'The Doha Development Agenda: Political Challenges to the World Trading System- A Cosmopolitan Perspective', 8:2 *Journal of International Economic Law*, 2005, p. 363-375
- Thacker, Cody A., 'Agricultural Trade Liberalization in the Doha Round: The Search for a Modalities Draft', 33 *Georgia Journal of International and Comparative Law*, 2004-2005, p. 721-756
- The Hindu, *India pins hope on Bali meet for WTO Doha Round talks to move forward*, 29 July 2013, available online at: <http://www.thehindu.com/news/national/india-pins-hope-on-bali-meet-for-wto-doha-round-talks-to-move-forward/article4966909.ece> (accessed 4 August 2013)
- The New York Times, Opinion, *Cancún Targets Cotton*, 13 September 2003, available online at: <http://www.nytimes.com/2003/09/13/opinion/cancun-targets-cotton.html> (accessed 4 August 2013)
- Thomas, Chantal, 'Should the World Trade Organization Incorporate Labor and Environmental Standards?', 61 *Washington & Lee Law Review*, 2004, p. 347-404
- UN, *Millennium Development Goals*, available online at: <http://www.un.org/millenniumgoals/> (accessed 4 August 2013)
- Van den Bossche, Peter, *The Law and Policy of the World Trade Organization: Text, Cases and Materials*, Cambridge: Cambridge University Press, 2008

- Wallerstein, Immanuel, 'The rise and future demise of the world capitalist system: Concepts for comparative analysis', *16:4 Comparative Studies in Society and History*, 1974, p. 387-415
- Wallerstein, Immanuel, *The capitalist world-economy: Essays*, Cambridge: Cambridge University Press, 1979
- Wallerstein, Immanuel, *World-systems analysis: An introduction*, Durham & London: Duke University Press, 2004
- White House, *President Clinton presents U.S. agenda for a new trade round to trade ministers - calls for efforts to broaden participation in benefits of expanded trade*, December 1, 1999, available online at: <http://clinton3.nara.gov/WH/New/WTO-Conf-1999/factsheets/fs-011.html> (accessed 4 August 2013)
- WHO, *Trade, Foreign Policy, Diplomacy and Health: The Washington Consensus*, available online at: <http://www.who.int/trade/glossary/story094/en/> (accessed 4 August 2013)
- Wolfe, Robert, 'Crossing the river by feeling the stones: where the WTO is going after Seattle, Doha and Cancun', *11:3 Review of International Political Economy*, 2004, p. 574-596
- World Bank, *Methodologies: Change in Terminology*, available online at: <http://data.worldbank.org/about/data-overview/methodologies> (accessed 4 August 2013)
- Wolfe, Robert, 'Sprinting During a Marathon: Why the WTO Ministerial Failed in July 2008', *44:1 Journal of World Trade*, 2010, p. 81-126
- Wolffgang, Hans-Michael & Feuerhake, Wolfram, 'Core Labour Standards in World Trade Law: The Necessity for Incorporation of Core Labour Standards in the World Trade Organization', *36:5 Journal of World Trade*, 2002, p. 883-901
- Worsley, Peter, 'One World or Three: A Critique of the World System of Immanuel Wallerstein', *17 Socialist Register*, 1980, p. 298-338
- WTO, *Dispute Settlement System Training Module: Chapter 1, Introduction to the WTO dispute settlement system*, available online at: [http://www.wto.org/english/tratop\\_e/dispu\\_e/dispu\\_settlement\\_cbt\\_e/c1s4p1\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/dispu_settlement_cbt_e/c1s4p1_e.htm) (accessed 4 August 2013)
- WTO, *Market Access: Negotiations, A Simple Guide: NAMA Negotiations*, available online at: [http://www.wto.org/english/tratop\\_e/markacc\\_e/nama\\_negotiations\\_e.htm](http://www.wto.org/english/tratop_e/markacc_e/nama_negotiations_e.htm) (accessed 4 August 2013)
- WTO, *The Doha Ministerial: culmination of a two-year process*, available online at: [http://www.wto.int/english/thewto\\_e/minist\\_e/min01\\_e/brief\\_e/brief02\\_e.htm](http://www.wto.int/english/thewto_e/minist_e/min01_e/brief_e/brief02_e.htm) (accessed 4 August 2013)
- Zolberg, Aristide R., 'Origins of the Modern World System: A Missing Link', *33:2 World Politics*, 1981, p. 253-281
- Öniş, Ziya & Şenses, Fikret, 'Rethinking the Emerging Post-Washington Consensus', *36:2 Development and Change*, 2005, p. 263-290

## LEGAL TEXTS

- General Agreement on Tariffs and Trade*, signed October 30, 1947, 55 U.N.T.S., 1950, p. 194
- Marrakesh Agreement Establishing the World Trade Organization*, signed April 15, 1994, 1867 U.N.T.S., 1994, p. 154

## MATERIAL FROM THE WTO ARCHIVE (DOCS.WTO.ORG)

- WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *Brazil, Statement by H.E. Mr. Luiz Felipe Lampreia, Minister of Foreign Relations*, WT/MIN(99)/ST/5
- WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *European Communities, Commission of the European Community, Statement by Mr. Pascal Lamy Commissioner for Trade*, WT/MIN(99)/ST/3

WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *Finland, Statement by H.E. Mr. Kimmo Sasi, Minister for Foreign Trade on behalf of the Presidency of the Council of the European Union*, WT/MIN(99)/ST/4

WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *India, Statement by H.E. Mr. Murasoli Maran, Minister of Commerce and Industry*, WT/MIN(99)/ST/16

WTO, Ministerial Conference, Seattle, 30 November–3 December 1999, *Korea, Statement by H.E. Dr. Han Duck-Soo, Minister for Trade*, WT/MIN(99)/ST/34

WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *Message of the Ministers of the Group of 77 to the third Ministerial Conference*, WT/MIN(99)/3

WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *Mexico, Statement by H.E. Dr. Herminio Blanco Mendoza, Minister of Commerce and Industrial Development*, WT/MIN(99)/ST/68

WTO, Ministerial Conference, Third Session, *Opening Remarks, Ambassador Charlene Barshefsky, U.S. Trade Representative*, November 30 1999, WT/MIN(99)/10

WTO, Ministerial Conference, Seattle, November 30-December 3, 1999, *United States of America, Statement by the Honourable Daniel Glickman, Secretary of Agriculture*, WT/MIN(99)/ST/12

WTO, Ministerial Conference, Singapore, December 9-13, 1996, *Singapore Ministerial Declaration*, adopted on December 13, 1996, WT/MIN(96)/DEC

WTO, Ministerial Conference, Doha, November 9-14, 2001, *Ministerial Declaration*, adopted on November 14, 2001, WT/MIN(01)/DEC/1

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 22 June and 3 July 2000*, WT/GC/M/56

WTO, General Council, *Implementation-Related Issues and Concerns, Decision of 15 December 2000*, WT/L/384

WTO, General Council, *Preparations for the Fourth Session of the Ministerial Conference, Nigeria's Comments/Views on the Revised Draft Ministerial Declaration Job(01)/140/Rev.1, Communication from Nigeria*, WT/GC/W/454

WTO, General Council, *Preparations for the Fourth Session of the Ministerial Conference, Communication from India*, WT/GC/W/459

WTO, General Council, *Preparations for the Fourth Session of the Ministerial Conference, Declaration of the Group Of 77 and China on the Fourth WTO Ministerial Conference at Doha, Qatar, Communication from Cuba*, WT/L/42

WTO, General Council, *Preparations for the Fourth Session of the Ministerial Conference, ACP Declaration on the Fourth Ministerial Conference, Communication from Kenya*, WT/L/430

WTO, Council for Trade-Related Aspects of Intellectual Property Rights, *Submission by the African Group, Barbados, Bolivia, Brazil, Cuba, Dominican Republic, Ecuador, Honduras, India, Indonesia, Jamaica, Pakistan, Paraguay, Philippines, Peru, Sri Lanka, Thailand And Venezuela*, 29 June 2001, IP/C/W/296

WTO, Council for Trade-Related Aspects of Intellectual Property Rights, *Special Discussion on Intellectual Property and Access to Medicines, Held in the Centre William Rappard during the meeting of the Council from 18 to 22 June 2011*, IP/C/M/31

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Address by the Director-General, Mr. Mike Moore at the Inaugural Session*, WT/MIN(01)/12

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Australia, Statement by the Honourable John Fahey, MP, Minister for Finance and Administration*, WT/MIN(01)/ST/19

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Brazil, Statement by H.E. Mr Celso Lafer, Minister of Foreign Relations*, WT/MIN(01)/ST/12

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Canada, Statement by the Honourable Pierre S. Pettigrew, Minister for International Trade*, WT/MIN(01)/ST/13

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *European Communities, Commission, Statement by Mr Pascal Lamy, Commissioner for Trade*, WT/MIN(01)/ST/4

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *India, Statement by the Honourable Murasoli Maran, Minister of Commerce and Industry*, WT/MIN(01)/ST/10

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Indonesia, Statement by H.E. Mrs Rini M.S. Soewandi, Minister of Industry and Trade*, WT/MIN(01)/ST/39

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Mexico, Statement by H.E. Mr Luis Ernesto Derbez Bautista, Secretary of Economy*, WT/MIN(01)/ST/17

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Opening Address by H.E. Mr Youssef Hussain Kamal, Minister Of Finance, Economy and Commerce, Chairman of the Fourth Session of the Ministerial Conference of the WTO*, WT/MIN(01)/11

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *South Africa, Statement by H.E. Mr Alexander Erwin, MP, Minister of Trade and Industry*, WT/MIN(01)/ST/7

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *United States, Statement by H.E. Mr. Robert B. Zoellick, United States Trade Representative*, WT/MIN(01)/ST/3

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Zambia, Statement by the Honourable Yusuf A. Badat, Minister of Commerce, Trade and Industry*, WT/MIN(01)/ST/12

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Ministerial Declaration, Adopted on 14 November 2001*, WT/MIN(01)/DEC/1

WTO, Ministerial Conference, Fourth Session, Doha, 9-13 November 2001, *Declaration on the TRIPS Agreement and Public Health, Adopted on 14 November 2001*, WT/MIN(01)/DEC/2

WTO, General Council, *Implementation of Paragraph 6 of the Doha Declaration on the Trips Agreement and Public Health, Decision of 30 August 2003*, WT/L/540

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 25, 26 and 30 August 2003*, WT/GC/M/82

WTO, Council for Trade-Related Aspects of Intellectual Property Rights, *Minutes of Meeting, Held in the Centre William Rappard on 25-27 and 29 November, and 20 December 2002*, IP/C/M/38

WTO, General Council, *Singapore Issues, The Question of Modalities, Communication from the European Communities*, WT/GC/W/491

WTO, General Council, *Comments on the EC Communication (WT/GC/W/491) on the Modalities for the Singapore Issues, Communication from Bangladesh, Cuba, Egypt, India, Indonesia, Kenya, Malaysia, Nigeria, Pakistan, Venezuela, Zambia and Zimbabwe*, WT/GC/W/501

WTO, General Council, *Preparations for the Fifth Session of the Ministerial Conference, Draft Cancún Ministerial Text, Revision, 24 August 2003, JOB(03)/150/Rev.1, available online at: [http://www.wto.org/english/thewto\\_e/minist\\_e/min03\\_e/min03\\_e.htm](http://www.wto.org/english/thewto_e/minist_e/min03_e/min03_e.htm) (accessed 4 August 2013)*

WTO, Trade Negotiations Committee, *The Doha Agenda: Towards Cancún, Communication from Argentina, Bolivia, Botswana, Brazil, Chile, China, Colombia, Cuba, Dominican Republic, Ecuador, El Salvador, Gabon, Guatemala, Honduras, India, Malaysia, Mexico, Morocco, Nicaragua, Pakistan, Paraguay, Peru, Thailand, Uruguay, Venezuela and Zimbabwe*, TN/C/W/13

WTO, Committee on Agriculture, *Special Session, Joint EC-US Paper – Agriculture*, JOB(03)/157

WTO, Committee on Agriculture, *Initial Remarks by the African Group to the Joint EC-US Paper on Agriculture, Communication from Morocco on behalf of the African Group*, TN/AG/GEN/8

WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *India, Statement by H.E. Mr Arun Jaitley, Minister of Commerce and Industry and Law and Justice*, WT/MIN(03)/ST/7

WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Japan, Statement by H.E. Mr. Takeo Hiranuma, Minister of Economy, Trade and Industry*, WT/MIN(03)/ST/22

WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Korea, Statement by H.E. Mr Hwang Doo-yun, Minister for Trade*, WT/MIN(03)/ST/15

WTO, Ministerial Conference, Fifth Session, Cancún, 10-14 September 2003, *Agriculture - Framework Proposal, Joint Proposal by Argentina, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, India, Mexico, Pakistan, Paraguay, Peru, Philippines, South Africa, Thailand and Venezuela*, WT/MIN(03)/W/6

WTO, General Council, *Doha Work Programme, Decision Adopted by the General Council on 1 August 2004*, WT/L/579

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 27 and 29 July 2005*, WT/GC/M/97

WTO, Trade Negotiations Committee, *Minutes of Meeting, Held in the Centre William Rappard on 14 September 2005*, TN/C/M/20

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 19 October 2005*, WT/GC/M/98

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Doha Work Programme, Ministerial Declaration, Adopted on 18 December 2005*, WT/MIN(05)/DEC

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Communication from the Informal Group of Developing Countries*, WT/MIN(05)/32

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *European Communities, Statement by Right Honourable Peter Mandelson, Commissioner for Trade*, WT/MIN(05)/ST/5

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Brazil, Statement by HE Mr Celso Amorim, Minister of External Relations*, WT/MIN(05)/ST/8

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *G-90 Declaration on the Sixth WTO Ministerial Conference*, WT/MIN(05)/8

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *India, Statement by HE Mr Kamal Nath, Minister of Commerce and Industry*, WT/MIN(05)/ST/17

WTO, Ministerial Conference, Sixth Session, Hong Kong, 13-18 December 2005, *Indonesia, Statement by HE Dr Mari Elka Pangestu, Minister of Trade*, WT/MIN(05)/ST/21

WTO, Trade Negotiations Committee, *Minutes of Meeting, Held in the Centre William Rappard on 30 July 2008*, TN/C/M/28

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 18 December 2008*, WT/GC/M/117

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 26-27 May 2009*, WT/GC/M/120

WTO, General Council, *Seventh Session of the Ministerial Conference, Decision of 26 May 2009*, WT/L/760

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 28 July 2009*, WT/GC/M/121

WTO, General Council, *Minutes of Meeting, Held in the Centre William Rappard on 29 July 2010*, WT/GC/M/127

WTO, General Council, *Minutes of Meeting Held in the Centre William Rappard on 21 October 2010*, WT/GC/M/128

WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *South Africa, Statement by Dr. Rob Davies, Minister of Trade and Industry*, WT/MIN(09)/ST/137

WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *Brazil, Statement by HE Ambassador Celso Nunes Amorim, Minister for Foreign Affairs*, WT/MIN(09)/ST/11

WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *India, Statement by HE Mr Anand Sharma, Minister of Commerce and Industry*, WT/MIN(09)/ST/35

WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *European Communities, Statement by Ms Catherine Ashton, European Union Trade Commissioner*, WT/MIN(09)/ST/12

WTO, Ministerial Conference, Seventh Session, Geneva, 30 November-2 December 2009, *Seventh Ministerial Conference, Chairman's Summary*, WT/MIN(09)/18

WTO, Ministerial Conference, Eighth Session, Geneva, 15-17 December 2011, *Eighth Ministerial Conference, Chairman's Concluding Statement*, WT/MIN(11)/11