

ORGANISATION DE COOPÉRATION ET DE DÉVELOPPEMENT ÉCONOMIQUES



ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

## **GLOBAL FORUM ON GOVERNANCE**

# **REGULATORY ISSUES AND THE DOHA DEVELOPMENT AGENDA**

## **ANNOTATED AGENDA**

**25 MARCH 2003**

**INTER-CONTINENTAL HOTEL  
7-9 CHEMIN DU PETIT-SACONNEX  
GENEVA, SWITZERLAND**

## I. NOTES

Chairman: Ambassador Luzius Wasescha, Swiss Delegate for Trade Agreements, Chairman of the OECD Trade Committee

Organisation:

The meeting will take place on Tuesday 25 March 2003 in the Inter-Continental Hotel, 7-9 Chemin du Petit-Saconnex, 1211 Geneva, Switzerland.

Objectives of the event:

As tariffs affecting international trade have fallen through the trade liberalisation achieved since World War II, attention has increasingly focused on the trade impediments that can arise from domestic regulations. In this light, the Doha Development Agenda (DDA) agreed to at the 4<sup>th</sup> WTO Ministerial in November 2001 laid out a programme for trade liberalisation that includes a series of objectives for which progress will depend on achieving sound solutions to underlying regulatory issues.

In the lead-up to the stocktaking and decisions expected at the 5<sup>th</sup> WTO Ministerial, scheduled for September 2003 in Cancun, Mexico, the present Global Forum will:

- Provide a forum for a multidisciplinary policy discussion among OECD and non-OECD countries on the interrelationship between good regulatory policy and the successful implementation of the Doha Development Agenda.
- Present and discuss how instruments and institutions of efficient regulatory policies can support progress on trade and market openness objectives.
- Present and discuss how the experiences in OECD's Regulatory Reform Programme can contribute to achieving the objectives of the DDA.

Structure of the event:

This Global Forum is organised around selected aspects of regulatory governance conducive to reaping the benefits for OECD and non-OECD countries of further trade and investment liberalisation. Following the welcome and opening remarks, the first, stage-setting session focuses on the links between regulatory issues and the Doha Development Agenda. Specific examples may be raised, drawing *inter alia* on issues in the Doha Development Agenda, e.g. trade in services, trade facilitation, government procurement, trade and investment, trade and competition policy, capacity-building for developing countries, etc. Sessions two and three will concentrate on practical capacities, strategies and tools that countries can implement to face the new evolving trade agenda: either in terms of a specific sector such as trade in services, or in terms of specific problems concerning border and behind the border barriers.

Format of the discussions:

Each of the three main sessions indicated above will be launched by two-three short presentations. The short presentations will allow maximum time for discussion on the presented topic.

Participation:

Participants will be high-level officials from OECD and non-OECD countries active in fields of regulatory and trade policies. In addition, experts from other international organisations, the private sector, trade unions and academia will be invited.

Proceedings:

The OECD Secretariat will produce a report on the event, which will be available on the OECD Web site, [www.oecd.org/regreform](http://www.oecd.org/regreform).

Up-dated agenda and further information

Please check [www.oecd.org/reg.reform](http://www.oecd.org/reg.reform) for an up-dated agenda and further information, or contact [catherine.airiaud@oecd.org](mailto:catherine.airiaud@oecd.org) or [peter.ladegaard@oecd.org](mailto:peter.ladegaard@oecd.org)

## II. AGENDA

09:00 - 09:30

### Registration

9:30 – 10:00

### Welcome and opening remarks

#### Speakers:

- **Mr. Jean-Marie Metzger**, Director, Trade Directorate, OECD, Paris
- **Ambassador Luzius Wasescha**, Swiss Delegate for Trade Agreements, Chairman of the OECD Trade Committee
- **Mr. Rolf Alter**, Deputy Director, Public Governance and Territorial Development Directorate, and Head of OECD's Regulatory Reform Programme

10:00 – 12:30

### *Session 1: The link between Regulatory Issues and the Doha Development Agenda*

This session will provide an overview of the regulatory issues that explicitly or implicitly form part of the Doha Development Agenda.

First, the general links will be drawn between domestic regulation, on the one hand, and trade and foreign direct investment, on the other. Governments face increasing public calls to regulate – particularly in areas such as health, safety and the environment. At the same time, measures in these areas may also have effects on trade and investment flows, possibly leading to disputes and frictions between trade partners. Foreign suppliers of goods and services who wish to be present on the markets of countries with significantly different standards may face extra costs; on the other hand, domestic producers in such countries may feel they are at a disadvantage on international markets compared to producers not subject to the same strict regulatory environment.

Second, consideration will be given in this session to the importance of underlying regulatory approaches to ensure realisation of the market opening results expected from the Doha Development Agenda (DDA). In particular, the DDA makes explicit or implicit reference to need for procedural approaches that incorporate such WTO concepts as transparency, non-discrimination, avoidance of unnecessary trade restrictiveness, and the promotion of competition.

#### Speakers:

- **Ambassador Edouardo Pérez Motta**, Mexican Delegation to the WTO in Geneva
- **Mr. Nobuo Tanaka**, Director General, Multilateral Trade System Department, Ministry of Economy Trade and Industry, Japan
- **Mr. Anthony Kleitz**, Head of Division, Trade Directorate, OECD, Paris

12:30 – 14:00

**Buffet – Lunch – offered at premises**

14:00 – 15:30:

***Session 2: Services liberalisation and domestic regulation***

This session will explore how regulatory quality can support and underpin services liberalisation

Services tend to be highly regulated, reflecting a variety of important public policy objectives. The quality of regulation also has a strong impact on the social and economic effects of trade and investment liberalisation. Liberalisation of trade in services, far from being synonymous with de-regulation, requires appropriate regulatory underpinnings if the expected gains are to be achieved (e.g., if liberalisation is going to result in genuine competition) and important public policy objectives safeguarded. Indeed, achievement of objectives such as universal service or consumer protection may require different regulatory approaches in a liberalised market. As part of the current services negotiations, WTO Members are also mandated to develop any necessary disciplines to ensure that licensing requirements, qualification requirements and procedures and technical standards do not become unnecessary barriers to trade in services. Discussions to date have included consideration of possible additional GATS disciplines on regulatory transparency, as well as of a possible test of whether regulatory measures were "more burdensome than necessary". Effective consultation and communication between regulators and trade negotiators will be essential to ensure both the development of an appropriate framework of rules, and that liberalisation of trade in services undertaken is accompanied and underpinned by appropriate regulatory reform.

*Speakers:*

- **Mr. Sebastian Saez**, Head of the Foreign Trade Department at the Ministry of Economy, Chile
- **Mr. Baozhong Du**, Deputy Division Director in the Department of Treaty and Law, Ministry of Foreign Trade & Economic Co-operation, China

15:30 – 16:00

**Coffee break**

16:00 – 17:30:

***Session 3: Regulatory approaches to reducing border and behind-the-border barriers***

This session will explore how regulatory quality can support and underpin the liberalisation of border and behind-the-border barriers to trade.

Barriers related to regulation represent a significant subset of border and behind-the-border non-tariff barriers. Concerns about their impact on market access and trade liberalisation has led to the inclusion of non-tariff-barriers and trade facilitation considerations in the DDA. The first step in addressing such regulatory barriers is to identify and evaluate the factors generating them, before taking the appropriate remedial steps. Regulatory authorities have developed a series of assessment tools in order to help inform regulatory decision-making, including regulatory impact analysis (RIA) mechanisms, notice-and-comment procedures and business panel tests. Other common practices include setting up registries of regulation and formalities, systematic reviews of regulatory regimes around competition or market friendliness principles, establishment of sunseting and other automatic review clauses. To date, these tools have seldom been conceived or formulated in terms of market openness considerations per se. Yet, the experience gained in using such assessment tools can usefully underpin and sustain simplification and streamlining endeavours called for in the DDA.

*Speakers:*

- **Mr. Claudio Valle**, Director, Technical Barriers and Regulations with Foreign Affairs and International Trade, Canada.
- **Mr. Ernesto Fernandez**, Permanent Delegation of Costa Rica to the WTO in Geneva.

17:30 – 18:00:

**Summary: What's next?**

This session will explore further possibilities for a continuing dialogue on regulatory issues linked to the Doha Development Agenda in the context of OECD's Global Forum on Governance, which provides the framework for co-operation with non-member countries. Specific issues could be identified as well as forms of co-operation with other international institutions. The timetable would need to be set in conjunction with progress made in the Doha Development Agenda.

*Speaker:*

- **Mr. Rolf Alter**, Deputy Director, Public Governance and Territorial Development Directorate, and Head of OECD's Regulatory Reform Programme