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Pakistan

Report on
General Training on WTO Trade Related Matters and Doha Negotiations

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Project PAK/75/17

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I. INTRODUCTION

The training program was organized under component 1 of the TRTA which relates to raising awareness on WTO related issues. Mr. Alejandro De La Pena, former Mexican Ambassador to WTO was invited to hold a series of seminars in three cities of Pakistan. These were held in Islamabad, Karachi and Lahore in that order and were very well received by the audience which comprised members of the business sector, government and academia. A brief account of the proceedings of these seminars is given below for each city.

II Training Seminar in Islamabad, Sept 21, 22 and 23, Hotel Marriot

Almost the entire participation was from various ministries and departments of the government of Pakistan. Most of the participants represented mid level management from the ministries. The senior most officer of the government was the Commerce Ministry's joint Secretary who showed up for the inaugural session on the first day. However it was a very knowledgeable group of officers who participated interactively during the seminar and put some interesting and intelligent questions to the speaker. The main topics discussed in Islamabad were as follows:

1. **Basic Principles and Horizontal Issues**

- a) Most favoured Nation and National Treatment
- b) Dispute Settlement

2. **Multilateral Trade Agreements**

- a) Agriculture
- b) Sanitary and Phytosanitary Measures
- c) Textiles and Clothing
- d) TBTs and TRIMS
- e) Anti Dumping
- f) Subsidies & Countervailing Duties
- g) Safeguards
- h) Framework to facilitate implementation of agreements, concessions and commitments
- i) Mechanism to exchange member's information on trade policy and trade policy issues
- j) Framework to facilitate the settlement of disputes

3. **Market Access and Schedule of Concessions**

- a) GATT Article II
- b) Negotiating Approaches
- c) Structure of the schedules
- d) Agriculture subsidies- related commitments
- e) Rules of Origin

- f) Custom Valuation

4. GATS Structure

- a) Specific Commitments
- b) Special and Differential Treatment

5. Trade Related Aspects of Intellectual Property Rights

- a) General Provision and Basic Principles
- b) Standards Concerning the availability, scope and use of IPRs
- c) Enforcement of IPRs

6. Doha Work Program

- a) Agriculture, Services, NAMA, TRIPS, Dispute Settlement
- b) Current state of play in Agriculture negotiations.

Most of the questions put by the participants were on advanced aspects rather than the basics which the participants seemed to understand quite well. It was quite evident from the questions that there is still a lot of misunderstanding in the minds of even government officials about the real agenda of WTO. Such questions were welcomed by the speaker because they provided an opportunity to clarify misconceptions. Given the recently concluded roundtable on “Integrated management of IPRs in Pakistan” held under component 3 of TRTA, the interest in IPRs was maximum and most of the questions were in this field.

III Training Seminar in KARACHI, Sept. 26, 27 and 28, Hotel Sheraton

This was the second seminar in the series. The participation was from a wide array of sectors representing private business and the public sector, mainly the Export Promotion Bureau. The main issues presented by the speaker were as follows:

1. Multilateral Trade Agreements

Historical overview of the MTS
Successive Rounds
Structure and Functioning

2. Market Access and Schedule of Concessions

GATT 94
Market Access and Schedule of Concessions
Structure of the schedules
Agriculture subsidies- related commitments

- Rules of Origin
- Custom Valuation
- Import Licensing
- Textiles & Clothing
- Standard and Technical Regulations
- Subsidies and Countervailing Measures
- Anti Dumping and Safeguards
- State Trading Enterprises
- Government Procurement

3. GATS Structure

- General Obligations
- Specific Commitments
- Services and Sectors
- Special and Differential Treatment

4. Trade Related Aspects of Intellectual Property Rights

- General Provision and Basic Principles
- Standards Concerning the availability, scope and use of IPRs
- Enforcement of IPRs
- Dispute Prevention and Settlement
- Dispute Settlement Body
- Coverage and Application

5. Doha Work Program

- WTO Ministerial Conferences
- Services, NAMA, TRIPS, Dispute Settlement
- Trade and Investment
- Transparency in Government Procurement
- Trade Facilitation
- Trade and Environment

This was a slightly less well informed group of participants and the reason was obviously their limited exposure to the subject. Some of the lawyers present in the seminar maintained a lively debate and so did a couple of individuals from the Export Promotion Bureau. Others were mainly on the receiving end but were very appreciative of the content of speaker's presentation. Like in Islamabad, most of the questions were about customs valuation, subsidies, anti dumping measures and IPRs. The audience also indicated a certain level of misunderstanding about the overall agenda of organizations like the WTO but the speaker was able to give very appropriate responses in most cases. Mr. De La Pena was also assisted sometimes by The TRTA National Program Coordinator in Pakistan.

IV. Training Seminar in LAHORE, Sept. 1, 2 and 4, Hotel Avari.

This was the last of the seminars and attracted people both from the public and private sectors. The latter was mainly represented by private business firms and the public sector was exclusively represented by the Export Promotion Bureau and Small & Medium Enterprise Development Authority, (SMEDA) which has its headquarters in Lahore. Some of the main issues discussed in this seminar as follows:

1. **Multilateral Trade Agreements**

Historical overview of the MTS
Basic and Horizontal Issues
Structure and Functioning

2. **Market Access and Schedule of Concessions**

GATT 94
Market Access and Schedule of Concessions
Agriculture subsidies- related commitments
Rules of Origin
Import Licensing
Pre Shipment Inspection
Textiles & Clothing
Subsidies and Countervailing Measures
Sanitary and Phytosanitary Measures
State Trading Enterprises
Government Procurement

3. **GATS Structure**

Specific Commitments
Services and Sectors
Special and Differential Treatment

4. **Trade Related Aspects of Intellectual Property Rights**

General Provision and Basic Principles
Standards Concerning the availability, scope and use of IPRs
Enforcement of IPRs
Dispute Prevention and Settlement
Special and Differential Treatment
Dispute Settlement Body
Coverage and Application

4. **Doha Work Program**

Services, NAMA, TRIPS, Dispute Settlement
Trade and Investment
Transparency in Government Procurement
Trade Facilitation
Trade and Environment

Participants showed a keen interest and put some probing questions. Interestingly, people were once again concerned about more overarching issues like WTO and the consequences of third world countries participation in it. Specific questions about anti dumping (which is an issue in focus for Pakistan because of EU's recent actions).

In between the sessions in Karachi and Lahore, Mr. De La Pena was in Islamabad once again where he participated in the Project Steering Committee (PSC) meeting in Islamabad on the 29th of September.

He made a brief presentation before the PSC where his observations are recorded in the minutes of the meeting as follows:

“In his presentation the former Ambassador indicated his appreciation of the level of understanding by the senior level officials from the government of Pakistan. He stressed the need for more exposure to such events for middle and lower level officers. He also advised that all the relevant Ministries in the government should be encouraged to participate. Private sector participation was equally important. He noted that such trainings should be demand driven and the prospective audience should first be asked about what they need to learn. This would facilitate the design of the seminars and make them more effective. Mr. De La Pena said that the press and media representatives need a special session on these matters because if they are properly educated about these issues they can better disseminate information among the public.”

ITC field office in Islamabad has the following observations to add:

- For any subsequent training on the subject, the content should be fairly advanced. Pakistan like any other developing country is short of individuals with negotiating skills. It will be useful if one full day could be devoted to the procedure in which a particular issue is raised at the WTO, discussed, how information is obtained or prepared by the contesting parties, what role coalitions play, what disadvantages the developing countries suffer from, how they can be offset and similar other issues pertaining to the actual state of play during the negotiations should be discussed. This will be useful in particular for government officials but also serve the advocacy groups well.

- It is unfair to expect one man to accomplish all this over two or three days. We will have to look for a local expert as well. Topics can be distributed like was done in the services training.
- We should aim at partnering with a good educational institution this time; the LUMS in Lahore, the IBA in Karachi and with the Foreign Trade Institute in Islamabad perhaps.
- Duration should not be more than two days but depending on the content it may be extended to three days as done previously. Duration can also vary in different cities, for example It is suggested that only one or max two days be spent in Islamabad where the level of understanding among likely participants is already fairly high.

Annex I

Overview and General Comments National Programme Coordinator

Basic data of the assignment

The objective of the project is to enhance awareness among Government officials, the business sector and civil society about the implications of the World Trade Organization (WTO) Agreements on the economy of the country and to assist the country in building the necessary capacity to address issues relating to its participation in the WTO.

Component 1 of the project is co-financed by the International Trade Center (ITC) and has the purpose of creating awareness and building capacity in Pakistan to benefit fully from its participation in the WTO Agreements. ITC is the overall coordinating and executing agency for the project as a whole.

The objectives of the assignment are to assist Pakistan to:

- Enhance government officials and Pakistan stakeholders awareness and knowledge on the international trading system;
- Exercise its rights and comply with its obligations under the WTO as they apply to Pakistan; and
- Enhance participation of government officials in the Doha Round of multilateral trade negotiations.

The assignment comprises one of the two rounds of back-to back WTO related seminars of three days each in the following designated cities of Pakistan: Islamabad, Karachi and Lahore. This interim report concerns the first two back-to-back seminars of the first round only.

The second round of seminars will follow the same format of the first round but with different subjects and timing. The subject will be defined on the basis of the experience gained during the first round, the views of the international expert, and the suggestions of the Government of Pakistan.

The Agenda of the first round of the assignment comprises two main subjects and several sub-subjects as follows:

Main subjects/sub-subjects:

- General Introduction to the WTO:
 - *Introduction to the MTS and Basic Principles of the WTO*
 - Historical overview of the MTS since the inception of the GATT

- Overview of the successive rounds of negotiations until de Doha Round
- Explanation of the basic principles of the WTO and horizontal issues
- Structure and functioning of the WTO
- *Overview of the main WTO agreements concerning goods*
 - Introduction to and structure of the GATT 1994
 - Market access and schedules of concessions
 - Procedures relating to goods (rules of origin, customs valuation, pre-shipment inspection, import licensing procedures, and Part IV of GATT 1994)
 - Standards and technical regulations (TBT and SPS measures)
 - Sectoral agreements (agriculture and textiles and clothing)
 - Rules and government intervention (subsidies and countervailing duties, antidumping, safeguards, state trading enterprises and government procurement)
- *Overview of the main WTO agreements concerning services*
 - Introduction to and structure of the GATS
 - The delivery modes
 - National schedules of specific commitments and rules and procedures
 - The rule-making agenda (emergency safeguards, government procurement and subsidies)
 - Domestic regulation
 - Sectoral protocols (telecommunications, information technology, financial services, professional services)
- *Trade related Intellectual Property Rights (TRIPs)*
 - Introduction to and structure of the TRIPs agreement
 - Introduction to copyrights and to industrial property law (patents, trademarks, industrial design, geographical indications)
- *WTO Dispute Settlement*
 - The DSU provisions, systemic implications and importance for developing countries
- Overview of the Doha Round of multilateral trade negotiations:
 - The development dimension.
 - The state of play in Agriculture, NAMA, services and trade facilitation.
 - Other issues for the WTO Hong Kong Ministerial Conference (rules, trade and environment, dispute settlement)

Each back-to-back seminar has consisted of six half a day sessions. The first two main subjects (Introduction and Trade in Goods) were dealt-with on the first day, the second two (Trade in Services and TRIPs) on the second day, and the last two (Dispute Settlement and Doha Round) during the third day.

The trade expert based the introduction of each main subject on a power point presentation comprising several slides. The total number of slides presented and discussed during the three days seminars is attached as Annex I, a to f.

General Comments

The Agenda of the first round of the assignment proved to be adequate to accomplish its purposes, in particular to 'Enhance government officials and Pakistan stakeholders awareness and knowledge on the international trading system'. Although the audience in Islamabad was basically composed of Pakistani government officials, businesses representatives basically composed the audience in Karachi and Lahore.

It seems that the upper level of the Pakistani Government officials in charge of WTO regular work and the Doha multilateral trade negotiations is quite knowledgeable of Pakistan's WTO rights and obligations. That is evident by the level of participation and influence of Pakistan in the WTO day-to-day work and in the Doha Round where the Pakistani mission has submitted important proposals in several negotiating groups.

Therefore, the need to provide technical assistance to those officials is not as relevant as the need to assist the middle and lower level officials of the Ministry in charge of WTO matters. Reinforcing the middle and lower level officials comprehension of WTO matters will allow them to provide the appropriate technical support and necessary groundwork to the upper level.

In this context it is also relevant to point out that other Ministries affected by the WTO and the Doha Round (Agriculture, Telecommunications, Finance, etc.) in general lack the necessary human resources and knowledge to prepare positions and consult them with its stakeholders in their respective areas of responsibility. In consequence, when preparing future seminars it would be very convenient to keep in mind the need to include those other officials in the audience and to address the issues of their interest in the agenda.

Depending on the level of knowledge of non-governmental stakeholders the latter should be included in seminars with a general agenda such as that used on the first round of the assignment or agendas more oriented to the specific subjects of their interest. The WTO dispute settlement system presentation, for example, should be limited to the minimum necessary because such system is not open for private sector proceedings but restricted to WTO Members, i.e. governments.

For both types of audience, governmental officials and stakeholders, it would be suitable to present the subjects not only by a single international expert but by a governmental official also

and, if possible and available, a national expert so as to provide the audience with a more diversified and interesting view of the different perspectives and experiences with respect to the same topic.

After reading some trade related articles in the local press it seems that a seminar to the press is needed. Such a seminar would help the local media to increase its understanding of the WTO daily work, the evolution of the Doha Round, the international and national positions, the issues at stake and the interest involved. A well-educated media would have a great impact on rising and spreading the public awareness of the Doha Round and its implications to the Pakistani consumers and the civil society as a whole. The same could be said about the academe sector.

Finally, it is also worth noting that the Chairperson of the Women's Chamber of Commerce and Industry and Life President of Pakistan Association of Women Entrepreneurs asked for an increased participation of women in this kind of seminars.

Further information on each seminar is attached as Annex II (Islamabad), III (Karachi) and IV (Lahore) of this Report.

Recommendations

In accordance with the Terms of Reference

- “[T]he second phase should take place sometime to be defined after the first phase but not later than October or November 2005”.
- The Report should contain the “Team Leader’s suggestions with respect to the subjects that should be included in the subsequent seminars.”
- It was on this basis that in the original Report it was suggested that:
 - The agenda of the second round of seminars should be focused on the four subjects suggested by the Pakistani Government:
 - Agriculture
 - Non-agricultural market access (NAMA)
 - Services, and
 - Trade facilitation.
- These subjects shall be addressed with a view to support Pakistan negotiating needs to prepare and fully participate in the Sixth WTO Ministerial Conference that will take place in Hong Kong, China on December this year.
- The seminar in Islamabad should be addressed to governmental officials rather than stakeholders in general.
- Invitations to participate should be addressed to all governmental ministries involved, not only the Ministry of Commerce.

However, the earthquake that hit Pakistan immediately after the end of the first round of the assignment made it impossible to maintain the schedule for the second phase. After the earthquake it became clear that the second phase could not be held before the Six WTO

Ministerial Conference in Honk Kong, China. Now it is recommended that the second round of seminars should take place not later than the first half of 2006.

The postponement of the second phase also implied that the main purpose of the second round of seminars had to be changed. Now it is recommended that while the subjects proposed by the Government should be maintained as central elements of the presentations, the main purpose of the seminars should be shifted from “supporting Pakistan preparation for the Sixth Ministerial Conference” to the following three components:

- Inform stakeholders the results of the Sixth WTO Ministerial Conference and the perspectives of the Doha Round;
- Analyze with governmental officials the results of the Sixth WTO Ministerial Conference and their implications to Pakistan, and
- Reinforce the negotiating skills of the Pakistani officials in charge of WTO and the Doha Round matters.

The first component should be of a comprehensive and general nature to allow stakeholders, which are not experts on WTO matters to understand the main subjects and issues at stake in the Doha Round.

The second component should be addressed to officials of the different Ministries involved in the Doha negotiations on agriculture, NAMA, services and trade facilitation in order to increase their level of understanding on the state of play of the negotiations in these areas and their implications to Pakistan.

The third component should be addressed to a selected group of governmental officials, which are and are expected to continue to be directly involved in the Doha Round negotiations in their respective Ministries.

Due to the differences in the expected attendance in the cities concerned, it is recommended that the seminars in Karachi and Lahore comprise the first two components only while the seminar in Islamabad covers the three components.

In the case of Islamabad, the first component would take one day and be open to stakeholders other than governmental officials. However, the second and above all the third component would be limited to governmental officials only.

The third component would be targeted to trade negotiators and include issues such as decision-making, information gathering, the single undertaking, role of coalitions, regional and issues groupings, the green room, preparation of proposals, etc. that would provide participants a precise picture of how things work in the WTO and the Doha Round.

It is also recommended that the seminars' lectures be offered by at least two experts: one foreign and one local, to provide participants different perspectives and experiences on the same topics and to encourage interaction between the participants and the speakers.

In this context, it would be interesting to explore with the Government of Pakistan if a member of its Permanent Mission to the WTO in Geneva could participate in the seminars as the local expert.

It is also advisable to explore if some kind of partnering could be established with good educational institutions in Pakistan such as the LUMS in Lahore, the IBA in Karachi and the Foreign Trade Institute in Islamabad, for example.

Other topics for future seminars

In addition to the above, on the basis of consultations and answers of the participants in the first round of seminars to the question of which issues they would like to be addressed, the following topics have been identified as subject of interest for future seminars:

WTO:

- TRIMs and beyond: Implications for the auto industry in Pakistan.
- NAMA.
- Technical Barriers to Trade and Non Tariff Barriers.
- Agriculture.
- Rules:
 - Antidumping.
 - Subsidies and Countervailing Duties.
 - Safeguards.
- Technical Assistance and Capacity Building.
- Trade and environment.
- Least Developed Countries.
- Regional Trade Agreements and implications for developing countries.
- TRIPs:
 - Patenting higher forms of life.
 - Genetic resources.
 - Traditional Knowledge Protection.

- Access to medicines.
- Dispute Settlement.
- The effect of the WTO Agreement on the Pakistan economy on a macro and micro economic levels.

Non-WTO:

- Technical Assistance to create secondary markets in developing countries.
- Infrastructure development assistance (i.e. education, health, sanitation, transport, electricity, etc.).

Annex II: List of participants**20-09-2005****General Training Programme on WTO/Trade Related Matters and
Doha Negotiation for Pakistan – 20-22 Sept. 05, Marriot Hotel, Islamabad**

	Name	Organization	Designation & Contact details
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23.	Asif Ali Rai	Ministry of Information & Broadcasting	D.D.
24.	Mr. Manzoor Ali Bozdar	Ministry of Health	
25.	Mr. Kaiser M. Naseem	AMZ-KHN Consulting	

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21-09-2005**General Training Programme on WTO/Trade Related Matters and
Doha Negotiation for Pakistan – (20-22 Sept. 05), Marriot Hotel, Islamabad**

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22-09-2005**General Training Programme on WTO/Trade Related Matters and
Doha Negotiation for Pakistan – (20-22 Sept. 05), Marriot Hotel, Islamabad**

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GENERAL TRAINING ON WTO TRADE RELATED MATTERS & DOHA NEGOTIATIONS
26-28 SEPTEMBER 2005, SHERATON HOTEL KARACHI

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1ST DAY

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