

WTO General Council meeting
(22-23 July 2024)

Statement by Hong Kong, China

Item 5. Incorporation of the Investment Facilitation for Development Agreement into Annex 4 of the WTO Agreement - Draft Decision

- Welcome aboard, Timor-Leste and Comoros. Both new colleagues have pledged in words and demonstrated in actions their resolve to be a constructive WTO member despite being a least developed country. Their exemplary move reflects a true understanding on how one could reap the real benefits of being a WTO member.
- Second, I would like to welcome the newly arrived colleagues and convey my best wishes to the departing ones. Etienne (France), Bettina (Germany), Dandy (Indonesia) and Braz (Brazil), you will be sorely missed.
- Now on item 5, Ambassador Boza of Chile has already very eloquently laid out the reasons why the IFD Agreement contributes to the WTO and the world economy. She has also very eloquently explained why seeking incorporation under Article X.9 is proper. I see all these as her dedicated efforts in engaging the few holding divergent views in her attempt to drive progress.
- As a member party to the IFD Agreement, I would like to tackle, once again, the query about whether our request to invoke Article X.9 of the Marrakesh Agreement to incorporate the IFD Agreement is proper or not. First, the point of departure is that Article II.3 and Article X.9 exist for reasons. Article X.9 provides a legal path for a WTO member to add or delete a plurilateral trade agreement. If Annex 4 to the Marrakesh Agreement were meant to be a closed list upon the inception of the WTO in 1995, Article X.9 would not have been part of the Agreement. Article II.3 provides non-parties to a plurilateral agreement the assurance that their rights and obligations will not be affected. In the case of the IFD Agreement, given the *erga omnes* nature of this agreement, even when you are not a party to this agreement, you will benefit from it.
- In the last TNC meeting, I said that for the WTO to make progress, we would need to go back to the basics and negotiate in good faith with the big picture

in mind. The big picture of this request is the intrinsic value of this agreement in moving foreign direct investment around and the multiplying effect that it will have on the economies of many of us. If it is not already clear in itself, I think the appeals made time and again by developing and the least developed members about how crucial it is to their development should be heard. The participation of so many developed, developing and least developed members in the negotiation and their repeated appeals here underline why the few learned friends not yet in the position to support the draft decision should fully understand the importance of their supporting this consensus of an overwhelming majority.

- Thank you.

Item 6. Appointment of the WTO Director-General - Request from the African Group

- I would like to thank the African group and Chad for making the proposal to advance the appointment process.
- DG, you should know better than any one of us how painstaking and time-consuming it is to drive consensus in this room. So there is the practical need, if not necessity, for us to advance the appointment process.
- I bet you are very used to the shower of praises which we heard today. At the same time, as required by the appointment procedure, before the process starts, the incumbent has to indicate whether he or she would like to serve another term. I hope that you will see it as a sacrifice to make for the WTO to be more effective in the next MC.
- Thank you.

Item 11. Fisheries Subsidies

- The disappointment is shared by many of us, if not all. I will not repeat what I have said in the TNC about the urgency and importance of our concluding this negotiation. The weight of our failure to conclude the negotiation today is already very well said by our colleague from Antigua and Barbuda.

- The only silver lining I can see in the whole process is the golden standard set by Ambassador Gunnarsson (NGR Chair) in brokering the deal in a most transparent and inclusive manner.
- What he has done with these relentless fish weeks, fish months, informal consultations in various configurations and, most important of all, the effort he has made to stay transparent with those not in a small group, give us confidence that the Retreat we had a couple of weeks ago is useful in some way. That is to say small group is good, all we need to do is to marry it with buy-in such that everyone in this Organization is on the same page.
- Like in MC13, the Fish II outcome is so close, so close, and yet so far. I ask myself: when we say we will continue after the summer break, I just wonder what more and what else we can do in Geneva to move the needle. Frankly, I am quite clueless.
- I take comfort in having the very strong and steadfast commitment from Ambassador Gunnarsson that he will still press on. He can count on Hong Kong, China to continue working with him in the most constructive manner – in the real sense of the word – as always.
- Thank you.

Hong Kong Economic and Trade Office in Geneva
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