

**General Council Meeting
(27 and 28 July 2021)**

Hong Kong, China's Statements

Item 14: Paper Titled "The Legal Status of Joint Statement Initiatives and Their Negotiated Outcomes" – Request from India and South Africa (WT/GC/W/819)

- Thank you, Chair.
- Hong Kong, China would thank India and South Africa for raising this item again. At the General Council meetings held in March and May, Hong Kong, China already expressed our views on the issues raised in the communication on the legal status of Joint Statement Initiatives (JSIs). I am not going to repeat them today, but would just reiterate our view that these JSIs will help modernise and strengthen the multilateral trading system and demonstrate that WTO is capable of handling new trade topics in response to the latest developments in the global trading environment.
- Since the General Council meeting in March, several seminars and discussions focussing on the issues of JSIs' legal structure have been organised by Members and the WTO Secretariat to facilitate informed discussions with experts, academics and experienced diplomats in the relevant areas.
- I would like to share with Members briefly some of the key points highlighted at these discussions. First, plurilateral discussions have all along been a part of the WTO framework. Second, multiple pathways exist for incorporating these initiatives into the WTO framework. Third, some of these pathways require consensus of the whole membership, whereas others rely on the prerogative of individual Members to improve their commitments unilaterally under the relevant WTO agreements.
- All of these pathways are consistent with the WTO framework. We therefore cannot agree with the proponents of this agenda item that the outcome of the JSIs would diminish or affect the existing rights and obligations of Members under the WTO agreements, including those of non-participants of the JSIs.
- Hong Kong, China continues to encourage all interested Members to join the discussions on the JSIs so that their views could be taken into account fully and accurately.
- Thank you very much.

Item 21: Chairmanship of the Committee on Government Procurement – Australia; Canada; the European Union; Japan; New Zealand; the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; United Kingdom; and the United States

- Thank you, Chair.
- I would thank the United Kingdom and other proponents of this agenda item for sharing with us their observations and views relating to the matter of chairmanship of the Committee on Government Procurement (CGP), I would like to set out our observations and views from Hong Kong, China's perspective.
- Early this year, when we learned that there is a need to select a new CGP Chair because the then incumbent Chair was leaving Geneva this summer, I personally met with the two candidates to discuss their candidacies.
- After thorough internal deliberations, Hong Kong, China informed the Committee Chair during the first round of consultations that we would only support the EU candidate as the next Chair and would object to the Chinese Taipei candidate.
- Although the EU candidate subsequently withdrew from the race, we informed the Chair before the informal consultative meeting held in late May that we were unable to join any consensus to designate the Chinese Taipei candidate as the next Committee Chair.
- We have explained to all GPA Parties at a formal CGP meeting in June that Hong Kong, China's position was formulated with the WTO's broader interests in mind. Let me explain.
- The Agreement on Government Procurement (GPA) is a plurilateral agreement. Hong Kong, China, as a GPA Party, has all along been actively engaged in the businesses of the CGP and always has the best interests of the GPA at heart.
- Hong Kong, China does not support designating the Chinese Taipei candidate as the next Committee Chair because we believe this proposal will not be conducive to advancing the various work programmes of the CGP and accession of new GPA Parties.

- GPA Parties may recall that this is not the first time Hong Kong, China does not follow the herd. A few years ago, when a Member had to seek a separate membership in the GPA as it was leaving a regional trade group, Hong Kong, China was the first to lend our strong support to that Member, notwithstanding the different views held by some other GPA parties.
- Back then as in the present case, Hong Kong, China's position is formulated based on our strong belief that smooth and early accession of interested economies, big or small, is in line with the interests of all existing and potential GPA Parties.
- There is also a broader consideration – we note there has been a much better working environment in the WTO since appointment of the new Director-General early this year, and Members have been working earnestly on various fronts since then to pursue progress and deliverables by MC12. We strongly believe that we should strive to avoid introducing further divisions and unnecessary conflicts among Members at this critical time, which would inevitably distract us from our on-going efforts in the WTO.
- In the spirit of constructive engagement, Hong Kong, China has suggested to other GPA Parties earlier this month that we should try to identify another candidate on whom a consensus can be forged as the next Committee Chair, and invite the Deputy Director-General or the Division Director responsible for government procurement matters to stand in as an interim arrangement until the next Committee Chair is designated. Unfortunately, both suggestions were rejected by other GPA Parties without much discussion.
- Hong Kong, China all along upholds WTO's long-established and important principle of making decisions by consensus. Although Hong Kong, China may be holding a minority view in this matter, we believe it is WTO's core value that even minority view should be respected. We will not accept other GPA Parties imposing their preferences on us, doing so would mean yielding to the notion that a small economy's view is unimportant and that it should just step aside when its views are at odds with those of bigger players.
- Hong Kong, China stands ready to work with other GPA Parties in the coming months to select the next Committee Chair in accordance with WTO's long-established tradition of making decisions by consensus.
- Thank you very much, Chair.

Hong Kong Economic and Trade Office in Geneva
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