



WORLD TRADE ORGANIZATION  
ORGANISATION MONDIALE DU COMMERCE  
ORGANIZACIÓN MUNDIAL DEL COMERCIO

H.E. Mr. Yousef Hussain Kamal  
Minister of Finance, Economy and Commerce  
Ministry of Finance, Economy and Commerce  
P.O. Box 3322  
Doha  
Qatar

Geneva, 5 November 2001

Dear Minister,

As you know, on 8 February 2001, the WTO's General Council accepted the generous offer by Qatar to host the Fourth Session of the Ministerial Conference and, at the same time, authorized the Chairman of the General Council, in cooperation with the Director-General, to start consultations on both organizational and substantive matters related to preparations for that meeting. The substantive preparatory process under this mandate was conducted in informal meetings in which we made transparency and inclusiveness a top priority.

On the basis of the consultations held from the beginning of the process, it was clear that the overwhelming majority of Members did not wish to repeat the method of preparation followed prior to the Seattle Ministerial Conference. The latter was a process driven by formal proposals which resulted in an unwieldy compendium which could not be refined. Instead, Members clearly preferred a method whereby the Chairman and the Director-General would produce, on the basis of consultations, their best approximation of a compromise solution among the differing positions of the membership.

Following our early consultations in this process, we circulated on 20 April a checklist of possible issues to be included on the agenda of the Conference, which formed the basis for the intensive discussions in the subsequent months. At the end of June, an informal meeting of the General Council at the level of Senior Officials was convened. A further informal meeting at the end of July provided an opportunity for a collective stocktaking or "reality check", and prior to that meeting we circulated a report which provided a sobering assessment of the results of the work until then.

On the basis of a further series of intensive consultations held during the month of September we circulated a first draft text of a Ministerial Declaration on 26 September. As you know, certain areas of that text were more fleshed out than others, which reflected the level of development of our work in each area at that time. In some areas, such as agriculture and intellectual property and access to medicines/public health, fuller texts remained to be developed, and we indicated that this needed to be undertaken with a sense of urgency. In others – specifically, the extension of protection of geographical indications to other product areas, the relationship between trade and investment, and the interaction between trade and competition policy – we included options for further consideration.

We indicated that the draft text of 26 September was a starting-point, a basis on which we would work with delegations to produce a revised version for submission to Ministers. In the weeks since then, we consulted intensively with delegations in various formats, including very frequent open-ended informal meetings at the Heads-of-Delegation level.

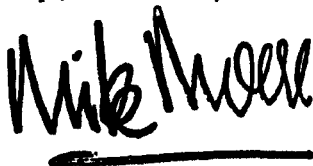
Although delegations showed a willingness to engage constructively and made considerable efforts to bridge gaps and increase comfort levels on key issues, the distance between positions in some critical areas remained significant. Therefore, in line with the approach adopted from the beginning, on 27 October we put forward, on our own responsibility, a draft text of a Ministerial Declaration and a Declaration on Intellectual Property and Access to Medicines/Public Health, in an effort to provide a basis for eventual consensus. It was made clear that neither the 26 September nor the 27 October texts claimed to be agreed in whole or in part.

The preparatory process in Geneva effectively concluded with a formal meeting of the General Council held on 31 October-1 November. At that meeting, while few Members expressed full satisfaction with the draft text of the Ministerial Declaration, many felt that it represented a sound basis for decision by Ministers at Doha. Others held the view, however, that the options in the text of 26 September should have been retained. Yet others expressed a preference for a text which would have reflected more fully the diversity of views on the various elements.

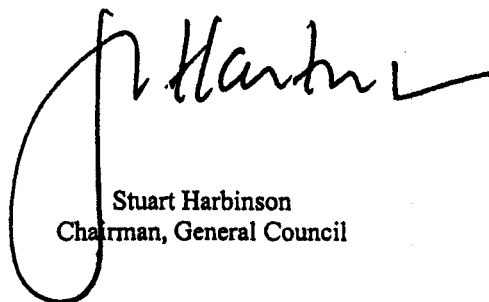
However, in view of the operating method we have followed consistently, we are satisfied that the draft Ministerial Declaration dated 27 October which we are transmitting to you under cover of this letter, and under our own responsibility, represents the best possible basis for Ministers to build on at Doha. The separate text on Intellectual Property and Access to Medicines/Public Health is in a different state of evolution. While many Members appear to see this also as a sound basis for further consideration by Ministers, there are still very clear differences of view as represented by the two options for paragraph 4 of that text. We did not feel able in this instance, and at this stage, to propose a compromise solution.

As we have said before, these texts clearly do not purport to represent agreed elements in any way at this stage, although we may be much closer to agreement in some areas than in others. In transmitting these texts to Ministers on our own responsibility, it is our hope and expectation that Ministers will be able to build on the good work that has been done in Geneva, and reach agreement at Doha. We are also circulating this letter to all Members for information.

Accept, dear Minister, the assurances of our highest consideration.



Mike Moore  
Director-General



Stuart Harbinson  
Chairman, General Council