



Council of the
European Union

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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
Subject:	First Council conclusions at the start of the 12 th World Trade Organization Ministerial Conference

Delegations will find in Annex the first Council conclusions on the 12th World Trade Organization Ministerial Conference, as adopted by the Council on 12 June 2022.

First Council conclusions
at the start of the 12th World Trade Organization Ministerial Conference

1. The European Union is committed to an open and rules-based multilateral trading system, with a modernised WTO at its core. The EU supports an ambitious and realistic package for the 12th World Trade Organization Ministerial Conference (MC12), and expects all WTO Members to make a constructive contribution, according to their needs and capacities.
2. The Council recalls its previous joint statements regarding the war of aggression by the Russian Federation with the support of Belarus against Ukraine. It recalls that it stands in solidarity with the people of Ukraine. Russia is directing attacks against the civilian population and is targeting civilian objects, including hospitals, medical facilities, schools and shelters. These war crimes must stop immediately. Those responsible, and their accomplices, will be held to account in accordance with international law. Russia must immediately stop its military aggression in the territory of Ukraine, immediately and unconditionally withdraw all forces and military equipment from the entire territory of Ukraine, and fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders.

3. The Council recalls the priority it places on WTO reform and the intention of the EU to play a leading role in this regard. It underlines the importance of reforming the WTO in its core functions so that it can continue to deliver effectively on its objectives and tackle the challenges of the 21st Century, including by ensuring a level-playing field. The Council underlines in this regard the importance of anchoring climate and sustainability on the WTO agenda as well as more firmly establishing competitive neutrality within the WTO. The Council highlights, as a priority, the need for a meaningful reform in order to restore a fully functioning WTO dispute settlement system with its core features kept intact, the need to reform the WTO's monitoring and deliberating function, as well as the WTO's role as a negotiating forum to develop new and updated rules. The Council supports the launch of a comprehensive review through a structured process under the auspices of the General Council, of the operation of the WTO with the view to making the necessary reforms to improve its functions by the next Ministerial Conference. Regarding the dispute settlement system and the Appellate Body, the EU underlines the importance of conducting discussions with the view to having a fully and well-functioning dispute settlement system accessible to all Members by MC13.
4. The exacerbating food security challenges resulting from the impact of the Russian war of aggression against Ukraine are critical. The Council will support efforts at MC12 to address the food security crisis. The Council supports balanced outcomes in the area of agriculture, notably improvements to transparency, including in relation to export restrictions, and multilateral decisions to exempt humanitarian purchases by the World Food Programme from export restrictions, and, more generally, to avoid export restrictions on agricultural products. Finally, the Council supports the launch of work programmes, with key elements that would guide the future negotiations, in areas such as trade-distorting domestic support and a permanent solution for public stockholding for food security, among others.

5. The WTO response to the pandemic is one of the most important issues for the forthcoming Ministerial Conference. This response should contribute to a satisfactory solution to increase the availability of COVID-19 vaccines in developing countries. The Council supports an outcome on Trade and Health that enhances the trading system's responsiveness to the challenges raised by the pandemic, covering inter alia the reduction of export restrictions, trade facilitating measures, enhanced transparency, cooperation with international organisations and other relevant elements. This response should also include enhancing and simplifying the use of flexibilities available under the TRIPS agreement.
6. In view of MC12, the Council stresses the need to conclude the fisheries subsidies negotiations with a substantive outcome, in line with the United Nations' sustainable development goal 14.6, which calls on WTO Members to prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, and eliminate subsidies that contribute to Illegal, Unreported and Unregulated (IUU) fishing, and refrain from introducing new such subsidies. The Council underlines the importance of reaching an ambitious and coherent agreement that contributes to the global sustainability of fisheries resources, in line with relevant EU policies ensuring environmentally sustainable fisheries and consistent with the objective of achieving economic and social benefits.
7. The Council recalls the proposals co-sponsored by the EU concerning notifications and trade concerns and calls for progress on these issues at MC12.
8. The Council also looks forward to the renewal of the multilateral e-commerce and TRIPS moratoria.
9. The Council welcomes the conclusion of the negotiations on services domestic regulation on 2 December 2021 and the subsequent finalisation of Members' schedules of commitments.

10. The Council supports the ongoing efforts of WTO Members towards plurilateral cooperation through Joint Statement Initiatives, notably on e-commerce, investment facilitation for development and in the area of trade and the environment, which allow Members to work together more closely on pressing issues.
11. The Council approves the draft Declarations and Statements on:
- . *Ministerial Declaration on Trade and Food Security (WT/MIN(22)/W/17)]*
 - a. *Sanitary and Phytosanitary Measures (“Sanitary and Phytosanitary declaration for the Twelfth WTO Ministerial Conference: Responding to modern SPS challenges”) (WT/MIN(22)/W/3/Rev.1).*
 - b. *Ottawa Group Ministerial statement on WTO reform (ST 10034/1/22 REV1)*
12. The Council supports the Commission in its efforts to make MC12 a success and looks forward to good coordination between Member States and the Commission in this regard. The Council will assess the progress made with a view to reaching a balanced outcome in line with the conditions set out above. To this end, the Council looks forward to the Commission’s proposals in relation to the texts of the draft Declarations and Statements discussed within the WTO.
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