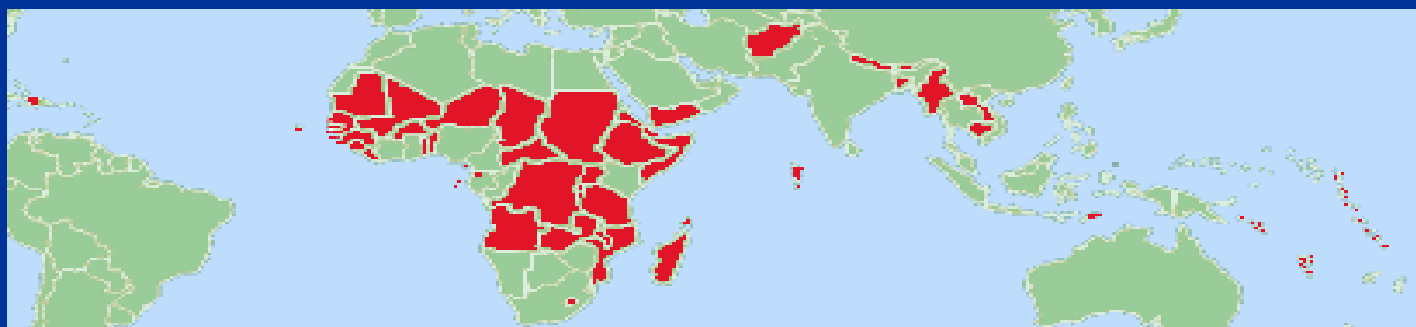




Capacity Building for Graduation Strategies for LDCs
DESA Development Account Project
Briefing for delegations
Geneva, 12 February 2010



Ana Luiza Cortez, Secretary
Committee for Development Policy
UN-DESA

The briefing

1. Committee for Development Policy (CDP) and its Secretariat
2. Special Support Measures for LDCs
3. Capacity building: the development account project
4. Outcome of the Geneva meeting

1. Committee for Development Policy (CDP) and its Secretariat

1. CDP and its Secretariat

CDP : Subsidiary body of ECOSOC (resolution 1998/46)

- Policy advice: High Level Segment
- Identification of LDCs:
 - triennial reviews
 - monitoring of graduating and graduated LDCs

CDP Secretariat (DESA/DPAD):

- substantive support
- dissemination of CDP work

➔ Work on documenting the Special Support Measures for LDCs

Committee for Development Policy

**Handbook on the
Least Developed
Country Category:
Inclusion,
Graduation and Special
Support Measures**



United Nations

DPAD home

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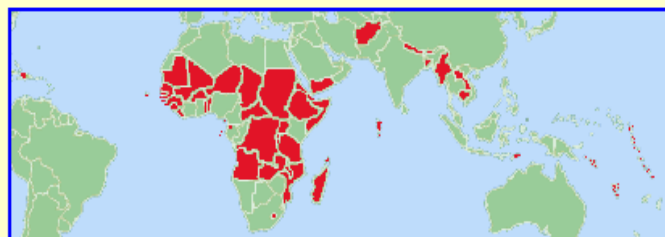
Project LINK

Capacity Building Projects

Development Policy Seminars

Select country factsheet:

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List of Least Developed Countries

Graduated countries

The least developed countries: historical overview

The establishment of a category of least developed countries (LDCs) was first advocated at UNCTAD I in 1964. It was not until UNCTAD II (New Delhi, 1968) that the question of a category of LDCs was examined in detail, when member States accepted by consensus the idea of an LDC category that would attract special measures for the most disadvantaged economies without discrimination

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2. Special Support Measures for LDCs

A. Official Development Assistance:

- ⇒ Financial flows and technical assistance
- ⇒ Bilateral and multilateral donors

B. International trade:

- ⇒ SDT on WTO obligations
- ⇒ Market Access

C. Other forms of support:

- ⇒ Caps in contribution to UN budget, discounts in contributions to PKO
- ⇒ Travel funds
- ⇒ Others

- Since 1981, support by the development partners framed by the Programmes of Action for LDCs

International Trade SSMs: S&DT in WTO obligations

- Increasing trade opportunities for LDCs
- Safeguarding the interests of LDCs
- Increased flexibility in rules and disciplines
- Longer transitional periods
- Provision of technical assistance

International Trade SSMs:

Preferential Market Access: lower tariffs, DFQF

- *“Special treatment of the least developed among the developing countries in the context of any general or specific measures in favour of developing countries.”* [Decision of 28 November 1979 (Enabling Clause), art. 2 (d)]
- *“[...] the provisions of Article 1 of the GATT 1994 shall be waived until 30 June 2009, to the extent necessary to allow developing country Members to provide preferential treatment to products of the least developed countries [...]”* [Preferential tariff treatment of LDCs -Decision on Waiver- 15 June 1999]
 - Generalized System of Preference (GSP)
 - Regional and bilateral agreements
 - Global System of Trade Preferences (GSTP)
 - Developing country trading partners

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Capacity-building for graduation strategies for LDCs in Asia and Africa

Main objectives:

1. Improve LDCs' capacity to access information on the benefits and to be able to take advantage of such benefits.
2. Building capacity in graduating countries in preparing strategies for a smooth transition

1. Information gathering and sharing

Main activities: Surveys

- LDC awareness of the SSMs and the extent of their utilization:
 - Trade-related (WTO disciplines and market access)
 - ODA and other forms of support
- SSM extended by development and trading partners:
 - Bilateral ODA
 - Trading partners
 - Multilateral Organizations
- Information request to WTO

1. Information gathering and sharing

Main activities (cont.)

- **Compilation** of WTO SDT provisions
- **Toolkit** offering an analytical review of potential and effective benefits associated with least developed country status.
- **Web-based** knowledge-sharing platform
- **Technical assistance** for the collection, compilation and dissemination of information on the measures.

2. Making use of the SSM and developing smooth transition strategies.

Main activities:

- **Case studies:** to analyse how and to what extent the benefits obtained are contributing to development progress and how to get prepared for a smooth transition.
- **Toolkit:** analytical review of possible changes in the support received from development partners as a result of graduation; policy options, practical measures and concrete actions for the implementation of smooth transition strategies.
- **Macro-economic model framework:** assessment the benefits and the likely impact of their phasing out upon graduation

Using the results of the Surveys:

→ Information portal fact sheets

→ WTO provisions data base

Use of survey results - Information portal fact sheets

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Survey **Least Developed Countries (LDCs)**
on the Special Support Measures
related to LDC status

Survey **Trading Partners**
Special Support Measures for LDCs related to
WTO and Preferential Market Access

Survey **Donor Countries**
ODA related Special Support Measures
related to LDC status

World Trade Organization (WTO)
Special Support Measures
Related to LDC Status

Information Request

Survey **International Organisations**
Special Support Measures
related to LDC status

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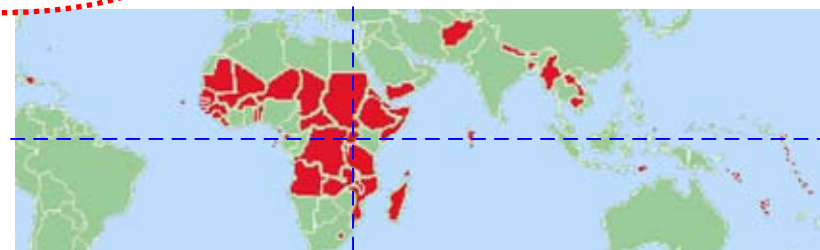
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- Select LDC -

Rwanda
Samoa
Sao Tome and Principe
Senegal
Sierra Leone
Solomon Islands
Somalia
Sudan
Timor-Leste
Togo
Tuvalu
Uganda
United Rep. of Tanzania
Vanuatu



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Uganda

LDC SPECIFIC ODA

Bilateral donors

LDC specific ODA from bilateral donors:

- Special funds and programmes: none
- Technical cooperation:

Multilateral donors

Trust Funds

- NAPA: received \$199,790.GEF grant for implementation of action plan in 2003.
- UNCDF: District Development Programme, 2008 - 2012: \$2,000,000.

[more](#)

Market Access

Exports not covered by duty free, quota free treatment in trading partners:

Some of the products of export interest to Uganda are excluded: i.e. coffee, cotton, beans FMP 10%, cut flowers FMP 25% for the preferences granted by ----.

Rules of origin - Difficulties confronted and specify countries involved:

With EBA, the use of 3rd country materials are not allowed. AGOA similar facility to be phased out, countries will be required to source raw materials from AGOA receiving countries or US. Uganda with other EAC partners states are negotiating for a similar exemption within the EPA with EU.

[more](#)

WTO Provisions

Accession

Date of accession: 1 January 1995.

Difficulties in compliance with WTO agreements

- In 2005, Uganda together with other LDCs realised that they were not able to implement the TRIPS agreement within the required grace period that had been granted to them. They requested WTO TRIPS Council to extend the transitional period for another 15 years.
- TBT and SPS agreements implementation particularly regarding the changing regulations of different Member countries.

Exports rejected due to SPS

Fish to EU, Coffee, Dried mangos and bananas to Austria due to mold, Sesame seed to Canada due to aflatoxin, Sesame seed to Syria

Agreement on Agriculture

Decision on measures concerning possible negative effects of the reform programme on LDCs and net Food-Importing Developing Countries

Food Aid:

WFP is the main donor. Purchases are made locally – \$50 million on local purchases in 2009.

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WTO agreements and decisions

All treaty provisions and decisions on SDT
- Multilateral Agreements on Trade in Goods
- Ministerial and Council Decisions

GATT 1994

Understanding Balance of Payments of GATT 1994

Agreement on Agriculture

Agreement on SPS

Agreement on TBT

Agreement on TRIMS

Agreement on implementation Article VI of GATT

Agreement on implementation Article VII of GATT

Agreement on import licensing procedures

Agreement on subsidies and countervailing measures

Agreement on Safeguards

General Agreement on trade in services

Agreement on TRIPS

Understanding on rules and procedures of disputes

Select

Unselect

Clear

Next

Selected provisions

Agreement on TRIPS

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☐ Country groups

- ☐ provisions specific for LDCs only
- ☐ provisions specific for LDCs AND other groups

☐ Monitoring

☐ Notifications required

- ☐ by WTO secretariat
- ☐ by WTO Members
- ☐ by LDCs

☐ Mandatory provisions

- ☐ mandatory for WTO Secretariat
- ☐ mandatory for WTO Members
- ☐ mandatory for LDCs

☐ All provisions

- ☐ Provisions aimed at increasing the trade opportunities of LDC Members
- ☐ Provisions under which WTO Members should safeguard the interests of LDC Members
- ☐ Provisions related to flexibility of commitments, of actions, and use of policy instruments
- ☐ Provisions related to transitional time periods
- ☐ Provisions related to technical assistance
- ☐ Provisions related to special and differential treatment, non specified

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WTO provisions – Requested Report

AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS (TRIPS)

Article 66.2

Developed country Members shall provide incentives to enterprises and institutions in their territories for the purpose of promoting and encouraging technology transfer to least developed country Members in order to enable them to create a sound and viable technological base.

WTO monitoring: yes

Notification required: yes (developed country Members)

Mandatory: yes (developed country Members)

Provision related to: Technical assistance

Utilization:

Uganda: Assistance provided through the UTP project developed from the needs assessment. Only two activities out of cluster 1 namely legislative review and studies and holding of a national and regional IP forum for 2009. Much of the activities have not been implemented. It has been difficult to assess whether developed countries have been able to fulfill Art 66.2. There is a need to have a common reporting mechanism to help us ascertain whether Art 66.2 has been fulfilled. A template should be developed.

Assistance received from: EC under BizClim project and Trade Com for the UTIP project.

Nepal: One Scholarship for Master Degree and few observation tours from Australia.

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Objectives of this expert group meeting

- Discuss and improve content of surveys
 - Focus is on **existing** trade related measures
 - Surveys to LDCs including pilot surveys of Nepal and Uganda
 - Survey to Trading Partners
 - Information request to WTO
 - The document should facilitate replies from respondents to the surveys
- Discuss the implementation strategy for the surveys

LDCs Survey

Section I:

Contact information

Section II:

WTO accession and membership obligations

Section III:

Preferential market access

LDC survey Part II: WTO accession and obligations

1. Setting the stage: complying with WTO disciplines
2. Agreement on Agriculture
3. Agreement on SPS regulations
4. Agreement on TBT
5. TRIMs
6. Customs valuation
7. Import Licensing procedures
8. Subsidies and Countervailing duties
9. GATS
10. TRIPS
11. Dispute settlement, TRM
12. Accession

LDC Survey Part III

Preferential market access

- Product coverage and a priori exclusions
- Utilization:
rules of origin, TBT, SPS
supply side constraints:
-capacity building and EIF
- FTAs
- Graduation implications

Information request to WTO

WTO and SDTs:

- monitoring, follow-up and reporting requests
- provision of technical assistance
- information available: vast number of documents, reports, etc
- wealth of information in the WTO website

The request:

- avoiding overlaps
- exploring comparative advantages and synergies
- need of updated and comprehensive data to verify DESA's requests to countries

Trading partners Survey

- WTO disciplines and waivers:
 - various WTO agreements and decisions
- Preferential market access schemes for LDCs

Main Conclusions

- ⇒ Useful exercise:
Increased awareness and action at the domestic front
Base for other exercises/processes
- ⇒ Existing S&Ds
- ⇒ Results not to be used for negotiations and graduation considerations
- ⇒ Full LDC participation but with staggered implementation:
 - ⇒ Learning from each other: S-S cooperation
 - ⇒ Group composition

Main Conclusions

- Country driven: LDCs to nominate focal points/coordinators
- Use Geneva missions where appropriate, but also engage New York Missions
- Coordination/information sharing with: LDC IV and EIF focal points, and UNDP Res REPs

Main Conclusions: UN/DESA to do list

- ⇒ Additional background information necessary
- ⇒ Hard copy of all information
- ⇒ Need of manual, prototype answers
- ⇒ Workshops:
Before: training the focal points/coordinators
After: peer review, quality control, lessons learnt
- ⇒ Fine-tuning of questions: language and content, sequence, grouping, open questions. Time frame for statistical data necessary
- ⇒ Schedule of activities to be provided

New York – Geneva CDP – LDC Groups

- ⇒ Briefing LDC Group New York
- ⇒ Regular updates to WTO LDC Group
- ⇒ Contact: Roland Mollerus mollerus@un.org
 - ⇒ + 1 212 963-4752