

## **US's Positions on Various Doha Files**

### **1. Agriculture**

The US is generally accused of not being engaged in substantive issues in negotiations, as its negotiators lack political instructions. However, it is active in the technical discussions on scheduling to show some engagement in DDA negotiations.

#### **With regard to positions on substantive for Developed Countries in the Agriculture Negotiations:**

##### **1. Domestic support - Blue Box Headroom for the US**

This issue relates to the maximum amount of blue box support which the US is allowed to provide for each product. The draft modalities text proposes that the landing zone will be between 110-120% the amount allowed under the Farm Bill 2002 for each product. The US supports the maximum amount (120%).

##### **2. Extra- Number of Sensitive Products for Developed Countries**

The number of sensitive products has been agreed in the July 2008 Package. Yet, there have been requests by four countries (Canada, Japan, Switzerland and Norway) to increase the numbers available for them. It is proposed that the number available for such countries will be increased on condition that they pay compensation in the form of additional tariff rate quota expansion commitments. The US requests that the flexibility proposed for the four demandeurs should be extended to all countries who can pay the agreed compensation. The US request is considered one of the signs of backsliding in negotiations.

#### **Substantive Issues for Developing Countries in Agriculture Negotiations:**

##### **1. Cotton:**

The US does not support the C-4 position or the draft modalities text in this regard, yet it has not presented a specific proposal. It conditions any progress in the cotton issue on the overall progress in the Agriculture package. It calls for adding a clause that cotton should not be allowed to be a special product as a means of pressure on China.

##### **2. Special Products:**

The US generally would like to minimize any flexibility allowed for this issue. Currently, it declares that it is in the process of assessing the impacts of the December Draft Modalities text concerning Special Products on its exports.

### **3. Special Safeguard Mechanism (SSM):**

The US generally would like to minimize any flexibility allowed for this issue which has been one of the main declared reasons for not reaching a deal in July 2008. One of the issues the US is concerned about is the conditions that allow the remedies and duties resulting from the SSM to exceed the Uruguay Round bound tariffs.

## **2. Non-agricultural market access negotiations**

### **1. Formula and Flexibilities:**

- The U.S. has not objected to the numbers in the latest draft of the NAMA modalities. They have only expressed that they are not willing to go down with the developed countries coefficient.

- On the anti-concentration clause, the U.S. was not a major proponent of this clause although it stresses the importance of transparency.

### **2. Sectorals:**

The U.S. prefers option 1 in annex 7 as it contains both the participants in the different sectorals that is the proponents themselves, in addition to Members having announced their readiness to participate in the different sectorals. The U.S. wants to ensure the participation of certain members, including India, Brazil, and China, in the different sectorals including chemicals, electronics and electrical equipment.

Major sectors of interest to the United States include chemicals, electronics and electrical products, forest products, gems and jewellery, open access to enhanced healthcare, industrial machinery, and sports equipment.

### **3. Non-tariff Barriers:**

The US has a number of proposals on non-tariff barriers including on electronic goods, automobiles, and labeling of textiles, clothing, footwear, and travel goods.

The US needs to be working with the EU to merge its proposals on electronic goods and automobiles.

The US also is a major opponent of the "Horizontal Mechanism" supported by the majority of countries due to concerns on its effectiveness, and its relation to the Dispute Settlement Mechanism.

### **4. Country Specific Flexibilities:**

The US understands and is sympathetic with the demands of South Africa for extra flexibilities. However, for Venezuela and Argentina it believes that the issue still needs more sound reasoning.

### **3. Trade in Services**

#### **USA general position:**

- Since the beginning of 2009, USA held several bilateral meetings as a way of accelerating the pace of services negotiations as well as reaching concrete outcomes in the negotiations.
- USA is against the idea of assessing the impact of the Financial crisis through the committee on Trade in Financial Services, as it believes that this committee is not the right forum to address this issue, that's why it opposes the proposal raised by a number of countries that assigns the Secretariat to prepare a working paper that includes all GATS articles on Financial services, as well as organizing a workshop during which experts will present the results of their analysis of the financial crisis as a way to document the studies prepared by international organizations concerning "the impact of financial support programs on Trade in Financial Services". It should be noted that all countries including **Egypt** are supporting the aforementioned proposal.

#### **Specific Commitments Negotiations:**

**Requests and Offers:** USA has submitted its initial and revised offers. Yet, although its offer includes commitments in almost all sectors and sub sectors, still there are restrictions that apply on both its sectoral and horizontal commitments. In addition, the offer doesn't reflect improvements in mode 4 commitments (movement of natural persons), which is of main interest to Egypt.

**In the context of the Plurilateral negotiations,** US has submitted 10 plurilateral requests to Egypt as follows: (Financial services, Postal and couriers, Telecommunication services, Environmental services, Energy services, Computer services, Construction services, Legal services, Distribution services, Mode 3-Commercial Presence)

**During signaling conference:** U.S highlighted its intention to increase the number of H1B visas permitted to enter the USA for "Independent Professionals".

### **4. Development Issues**

#### **I. Cross Cutting Issues:**

## **1. Monitoring Mechanism (MM)**

- US: Double function of the MM: (i) reviewing implementation, utilization and effectiveness of existing special and differential treatment on the basis of submissions and reports; and (ii) make recommendations to the General Council for appropriate action. MM should be convened once a year and prior to this session, a report shall be compiled by the WTO secretariat on the implementation of S&D provisions.

## **5. Trade and Environment**

### **I. Multilateral environmental agreements (MEAs)**

- Analytical approach.
- Specific Trade Obligations (STO)s should include only those measures in which parties to an MEA agree to be bound (the mandatory requirement). After having identified a list that could be considered as STOs the US provided information concerning its national and international experiences in respect with negotiating and implementing MEAs..

### **II. Information Exchange**

- The US wants the MEAs to be granted automatically the observer status.

### **III. Trade barriers on environmental goods and services**

The US calls for a broad list-based approach. The US position deals with 2 lists, i.e., a core list and complementary list.<sup>1</sup> As regards the core list, only products for which a general consensus amongst WTO Members is found would be considered for further negotiations. In the event, however, that consensus is not found for a particular product or groups of products, each WTO Members would then have to include it in a complementary list set up separately and opened for further considerations. As the US pointed out recently its approach does not take into account PPMs.

Egypt refuses the US's proposal.

## **6. Rules**

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<sup>1</sup> For example, the core list would include products used to clean the environment (Environmental Remediation and Pollution Prevention), whereas the second category would include products designed for a particular industrial or consumer action the use or disposal of which results in lesser impact on the environment than alternative products designed for similar functions (Clean Technologies).

## **I. Annex A: Anti-Dumping**

### 1. Zeroing:

- Less restrictive view than proposed text, considers that zeroing should be permissible.

### 2. Substantive requirements:

- Opposes amendments that will not result in any added clarity and that will be impossible or very difficult for investigating authorities to implement.

### 3. Procedural requirements:

- Generally supportive of new procedural requirement, if these enhance transparency and do not render the investigations more complex and costly.

### 4. Special and differential treatment:

- Supportive of strictly defined special and differential treatment provisions, but cautious approach.
- Similar to FANs' position.

## **II. Annex C: Fisheries Subsidies:**

- Supportive of specific rules on fisheries subsidies (along with several Members such as the so-called "Friends of the Fish").

## **7. Trade facilitation**

The US wants advance administrative rulings on specified customs matters, internet publication of customs procedures and documents, procedures for expedited shipments and elimination of consularization requirements.

## **8. Dispute Settlement**

The US Requests the open meetings of the dispute settlement body and the allowing of amicus curiae submissions to each of the panel and the appellate body. Considers that the appellate body should issue an interim report containing all of the narrative parts and findings and that the party has a right to ask the review for some aspects in the report before circulating the final report.

## **9. Intellectual Property Rights**

- Brazil, EC, Switzerland and India: Submitted the position TN/C/W/52, which states that text based negotiations need to take place, in Special Sessions of the TRIPS Council and as an integral part of the Single Undertaking, to amend the TRIPS Agreement to (i) establish a register of geographical indications (GIs) for wines and spirits protected by any of the WTO Members; (ii) include a mandatory requirement for the disclosure of the country providing/source of genetic resources, and/or associated traditional knowledge for which a definition will be agreed, in patent applications; (iii) extend the additional level of GI protection currently granted to wines and spirits to all products, including the extension of the Register; and (iv) include CBD and GI issues in the Horizontal Modalities as part of the Single Undertaking through text based negotiations.
- The US fully opposes this joint proposal.