

**Working Group on the Relationship  
between Trade and Investment**

**TECHNICAL ASSISTANCE ACTIVITIES IN 2002 PURSUANT TO PARAGRAPH 21  
OF THE DOHA MINISTERIAL DECLARATION**

Note by the Secretariat

*This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO*

**I. INTRODUCTION**

1. The Secretariat has reported on the implementation of its technical assistance activities at each meeting of the Working Group in 2002 under Item A of the agenda. Summaries of these reports, and of Members' statements on this issue, are contained in WT/WGTI/M/17, 18 and 19. In addition, the Secretariat prepared and circulated to the Working Group a Note on its technical assistance activities in the first half of 2002 (WT/WGTI/W/135).

2. This Note has been prepared in response to a request made in the Working Group at its meeting on 16-18 September 2002 for a summary and assessment by the Secretariat of its technical assistance activities carried out in 2002 pursuant to Paragraph 21 of the Doha Ministerial Declaration. It provides information also on the Secretariat's planned activities for 2003.

**II. THE 2002 TECHNICAL ASSISTANCE PLAN ON THE RELATIONSHIP BETWEEN  
TRADE AND INVESTMENT**

3. In response to the mandate contained in Paragraph 21 of the Doha Ministerial Declaration, informal consultations were held in the Working Group in January-February 2002 on a Secretariat programme of technical assistance activities on the relationship between trade and investment for 2002, to be undertaken jointly with UNCTAD. The programme was drawn up on the basis of requests from individual WTO Members for technical assistance, informal consultations in the Working Group, consultations in the UNCTAD Commission on Investment, Technology and Related Financial Issues, and collaboration with the UNCTAD Secretariat to identify how joint activities could most effectively and efficiently respond to the needs identified by Members and to the Ministerial mandate. Preference was given to accommodating Members' requests through regional activities where possible, since national seminars are far more resource intensive from the Secretariat's point of view. The resulting plan of technical assistance activities for 2002 was incorporated in WT/COMTD/W/95/Rev.3, and in the Report of the Secretary-General of UNCTAD on "Capacity Building and Technical Co-operation for Developing Countries, especially LDCs, and Economies in Transition in Support of their Participation in WTO Doha Work Programme".<sup>1</sup>

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<sup>1</sup> UNCTAD/RMS/TCS of 1 February 2002.

4. The WTO and UNCTAD Secretariats followed up with individual delegations during the course of the year to confirm or amend the list of planned activities. The majority of activities foreseen in WT/COMTD/W/95/Rev.3 were confirmed. Six of the national seminars that were foreseen for 2002 were cancelled or postponed until 2003, following consultations with the delegations concerned.

### III. TECHNICAL ASSISTANCE ACTIVITIES IN 2002

#### A. ACTIVITIES

5. Annex 1 to this Note lists the technical assistance activities on the relationship between trade and investment that will have been carried out by the end of 2002. All activities are carried out jointly with UNCTAD and fall into four categories:

- **Technical workshops** for Geneva-based delegations and officials visiting from capitals, scheduled to coincide with meetings of the Working Group and designed to help delegations to participate effectively in work under Paragraph 22 of the Doha Ministerial Declaration. The workshops are limited to a maximum of 30 participants each. By the end of the year, four workshops will have taken place: one regular workshop each in English<sup>2</sup>, French and Spanish, and one special workshop for English-speaking African countries for which financing has been provided so as to allow capital-based officials to travel to Geneva to participate in the workshop and in the subsequent meeting of the Working Group.
- **Regional seminars** designed to assist capital-based officials to follow the work of the Working Group under Paragraph 22 of the Doha Ministerial Declaration, and to undertake policy analysis and development so that they may better evaluate the implications of closer multilateral co-operation in the area of the Relationship between Trade and Investment for their development policies and objectives. By the end of the year, six regional seminars will have taken place: one in Central America, one in South America, two in Asia and two in Africa.
- **National seminars** for Member countries that request technical assistance in this area for a large number of capital-based officials, and whose need cannot be satisfied through Geneva-based or regional activities. By the end of the year, eight national seminars will have taken place. It should be noted that the regional seminars also offer an opportunity for officials and private sector participants from the host country to participate in significant numbers.
- **Training courses** for negotiators of international investment agreements. This is a well-established UNCTAD activity. In 2002, a section of each training course has been devoted to the issues listed in Paragraph 22 of the Doha Ministerial Declaration with a view to responding to the needs of WTO Members for training of officials in this area. By the end of the year, four training courses will have taken place, one in Latin America, one in Asia, and two in Africa.

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<sup>2</sup> As indicated in WT/WGTI/INF/2, because of the large number of delegations whose preferred working language is English it has been necessary to provide two workshops in English; the second workshop in English is scheduled to take place in conjunction with the first meeting of the Working Group in 2003.

## B. PROGRAMME

6. A standard WTO/UNCTAD programme, consisting of the seven elements identified in Paragraph 22 of the Doha Ministerial Declaration, has been used for all four categories of activity carried out in 2002. The background documentation distributed to participants has consisted of the Secretariat Notes prepared for the Working Group, Members' submissions to the Working Group, and relevant UNCTAD publications in the series "Issues in International Investment Agreements". Presentations to participants have been shared between the WTO and UNCTAD Secretariats. For certain activities academic consultants with expertise in the field of international investment agreements have also been invited to make presentations. Time is set aside for question and answer periods, and an effort is made to encourage a discussion among participants on their own national and regional experiences with international investment agreements and on the implications of closer multilateral co-operation in this area for their development policies and objectives.

7. Some modifications have been made to the programme during the course of the year, in light of comments received by participants and the experience gained by both Secretariats. A general presentation on Paragraph 22 of the Doha Ministerial Declaration has been introduced so as to inform participants of the context in which the Working Group is discussing the seven specific elements mentioned, and of other issues that have been raised (e.g., FDI and the transfer of technology). Also, a session has been included in the regional seminars and training programmes on the broad, development implications of international investment agreements, which go beyond the factors covered in the presentation on the specific issue of "Development Provisions". Recently, the practice has been introduced of circulating questions to participants in advance of each activity so as to help focus and facilitate a more interactive discussion.

## C. PARTICIPATION

8. The WTO and UNCTAD Secretariats are aiming to ensure that the largest number of activities possible, given the resources available, is offered to the least-developed countries and other low income countries whose needs in this area are felt to be the greatest. By the end of 2002, four regional activities will have taken place in Africa, and three each in Asia and Latin America. The special technical workshop for English-speaking, capital-based African officials is intended to respond to the particular need of African countries for enhanced support to participate effectively in the Working Group. A second workshop of this kind, for French-speaking African countries, will be organized in 2003. Also, the current programme of regional seminars and training courses will be repeated for African countries in the first half of 2003.

9. The activities undertaken in 2002 have not covered all WTO Members. Activities that respond to the needs of countries in the Caribbean, West Asia, and Central and Eastern Europe are therefore being proposed as a matter of priority in the technical assistance programme for 2003.

10. By the end of 2002, the Secretariat estimates that about 500 officials and a substantial number of private sector representatives will have participated in one or more of the technical assistance activities in this field. Over 80 officials will have participated in the Geneva-based workshops, and over 400 officials will have participated in one or more of the regional and national seminars and training courses. About half of these officials represent African countries, around 150 represent Asian countries, and around 100 represent countries in Latin America.

## D. FINANCING

11. A special effort has been made throughout to maximise the cost-effectiveness of the programme of technical assistance activities. In this regard, the WTO Secretariat benefited greatly from UNCTAD's previous experience of organising regional events in this field. The Secretariat is

grateful also for the generous support it has received from the governments that have hosted the activities.

12. By the end of 2002, twenty-three separate technical assistance activities will have been completed (see Annex 1). Aside from cost of participation of WTO staff in these activities, the WTO will have been involved in financing four of the twenty-two activities in 2002, in whole or in part, from the Global Trust Fund. The WTO is covering in full the costs of the seminars in Thailand, Gabon and Botswana, at a total cost of about SwF300,000. The WTO is also partially financing from the Global Trust Fund the special technical workshop in Geneva for officials from English-speaking African countries, at an estimated cost to the WTO of about SwF50,000.

13. The regional seminar for Asia was financed by the Government of Singapore. The regional seminars for Central and South America were financed by the Inter-American Development Bank (IDB/INTAL). The special technical workshop in Geneva for officials from English-speaking African countries is partially financed by the Japanese International Co-operation Agency (JICA). The financial support that has been received from these sources was not anticipated at the time the technical assistance programme was planned and agreed on earlier this year, and there can be no expectation that it will necessarily be repeated in 2003.

14. The training courses in Africa, Latin America and Asia were financed by, or through, UNCTAD. This was anticipated at the time the technical assistance programme was planned and agreed on earlier this year. While it is now expected that UNCTAD will indeed be able to proceed as planned in financing these activities for 2002, UNCTAD has experienced serious difficulties during the year in securing additional financing for activities based on Paragraph 21 of the Doha Ministerial Declaration. These difficulties have been brought to the attention of the Working Group as well as the UNCTAD Commission on Investment, Technology and Related Financial Issues.

#### **IV. PROGRAMME FOR 2003**

15. On the basis of requests received from WTO Members, and bearing in mind the need to give priority to regional activities where possible in the interest of using scarce resources efficiently, the Secretariat has drawn up a tentative plan of technical assistance activities in this area to be carried out jointly with UNCTAD in 2003. In addition to UNCTAD, the Secretariat will continue to collaborate with other relevant intergovernmental organizations.

16. The plan is included in the proposed overall programme of WTO technical assistance activities for 2003. Annex 2 lists the specific technical assistance activities on Trade and Investment, as contained in WT/COMTD/W/104/Rev.1. The list is based on the same four types of activity undertaken in 2002. It includes regional activities for African, Asian, Caribbean, Central and Eastern European, Latin American and Middle-Eastern countries, a certain number of national seminars, and workshops for Geneva-based delegates and officials visiting from capitals. Priority will continue to be given to meeting the needs of least-developed and other low-income country Members.

#### **V. ASSESSMENT**

17. The planned schedule of activities for 2002, as modified mid-year through contacts with delegations, will have been fully carried out by the end of the year. The plan for 2003 envisages a similar number and structure of activities. All requests to the Secretariat from Members for technical assistance activities in this area have been factored into the plan of activities for 2002 and/or 2003. By the middle of 2003, all regions and several sub-regions will have been covered by the technical assistance programme: eight regional activities will have been carried out for officials from Africa, five for officials from Latin America and the Caribbean, four for officials from Asia, and one each for officials from East Asia and the Middle East and from Central and Eastern Europe.

18. The WTO and UNCTAD Secretariats carry out assessments of each technical assistance activity based on written comments by participants, and adjust the programme of future events in light of the comments made. By and large, the response of participants to the activities carried out to date has been positive, and the level of satisfaction of participants has improved over the course of the year, as reported in the Participants Evaluation Form. On the basis of the forms received to date, 76 percent of participants felt the technical assistance activity delivered had achieved its objective, and 78 percent said they were satisfied with the results. 90 percent felt the activities had been carried out competently and effectively by the WTO and UNCTAD Secretariats. Generally, the activities have been viewed as relevant and useful to the responsibilities of participating officials.

19. However, as stated in WT/WGTI/W/135, two issues have been flagged consistently: the duration of the seminars and workshops is considered insufficient to cover the ground in detail, and requests have been made for more references to specific regional and national experience with foreign investment and international investment agreements. As regards the first of these issues, time is a constraining factor for both the WTO and UNCTAD Secretariats and for participating officials. Efforts have been made to address the second issue in the last two regional seminars, and in the Geneva Workshop for English-speaking African countries, by nominating a regional expert to make a presentation and to participate in the discussion.

20. From the point of view of the WTO Secretariat, one of the main challenges to satisfying the needs of participants that has emerged is the fact that, given the nature of the subject-matter, participating officials come from a range of different government departments other than the Ministry of Trade (e.g., Central Banks, Ministries of Finance, Commerce, and Industry, and Investment Promotion Agencies) and many of them have very little familiarity with the WTO and its Agreements. Efforts are being made to address this issue, by providing participants with information on the functions and features of the WTO and its Agreements and how they relate to the relationship between trade and investment.

21. Several issues related to the Secretariat's technical assistance activities have been raised in the Working Group by Members during the course of the year. The following few paragraphs aim to respond to Members' concerns or comments in this regard.

22. The WTO Secretariat's ability to staff the programme of technical assistance activities in this area was reinforced through the recruitment of one professional staff member in June 2002, to work solely on the issue of technical assistance. Nonetheless, staffing remains a problem, and it is a clear constraint for the Secretariat in envisaging any expansion of the current programme of activities.

23. The Secretariat has co-operated closely with UNCTAD in carrying out jointly the programme of activities for 2002 and in drawing up the plan of activities for 2003. Co-operation has been excellent. In view of the difficulties UNCTAD has encountered in financing its share of the cost of the joint activities in 2002, the WTO Secretariat is supporting UNCTAD's efforts to ensure that similar difficulties do not recur in 2003.

24. The WTO and UNCTAD Secretariats have co-operated in 2002 with the following international and regional organizations: Agence de la Francophonie, APEC, Inter-American Development Bank (IDB/INTAL), Secretaria General de la Comunidad Andina, Banco Centroamericano de Integracion Economica, and SADC.

25. To the extent possible, the WTO/UNCTAD technical assistance programme has been designed to avoid duplication or overlap with similar initiatives undertaken by Members and other inter-governmental organizations. However, the Secretariat still lacks comprehensive information on these initiatives, and it would welcome information from Members on any activities they have already planned for 2003.

26. The Secretariat has increased the involvement of practitioners and national and regional experts in its programme of activities in 2002, and intends to continue this practice in 2003. For example, a COMEX representative participated in the activity in Costa Rica, and the Director General of the Secretaría General de la Comunidad Andina and the Head of the Investment Unit of CEPAL participated in the activity in Lima.

Annex 1

Technical Assistance and Capacity-Building Activities held in 2002

<b>Topics</b>	<b>Doha TC/CB Mandate</b>	<b>Activity</b>	<b>Cooperation with</b>	<b>Dates</b>	<b>Venue</b>
Intensive Training Course for English-speaking Africa	21, 22	Training Course	UNCTAD	18-29 March 2002	South Africa (Pretoria)
Regional Seminar for Asia	21, 22	Regional Seminar	UNCTAD/Singapore	6-8 May 2002	Singapore
Trade and Investment	21, 22	National Workshop	UNCTAD	13-14 May 2002	China (Beijing)
OECD Technical Workshop	21, 22	Technical Workshop	OECD	15-20 May 2002	Hong Kong, China
Trade and Investment	21, 22	National Seminar	UNCTAD	16 May 2002	Indonesia (Jakarta)
APEC Workshop on Regional and Bilateral Investment Rules/Agreements	21, 22	Technical Workshop	APEC	17-18 May 2002	Mexico (Mérida)
Intensive Training Course for French-speaking Africa	21, 22	Training Course	UNCTAD/Agence de la Francophonie	27 May-6 June 2002	Egypt (Alexandria)
Regional Seminar for French-speaking Africa	21, 22	Regional Seminar	UNCTAD	19-21 June 2002	Gabon (Libreville)
Regional Policy Seminar	21, 22	Regional Seminar	Thailand	27 June 2002	Thailand (Bangkok)
Trade and Investment	21, 22	National Seminar	Thailand	28 June 2002	Thailand (Bangkok)
Training for Geneva Delegations/Officials visiting from capitals, coinciding with WGTI meeting	21, 22	Technical Workshop (English)	UNCTAD	2 July 2002	Switzerland (Geneva)

<b>Topics</b>	<b>Doha TC/CB Mandate</b>	<b>Activity</b>	<b>Cooperation with</b>	<b>Dates</b>	<b>Venue</b>
Regional Seminar for Central America	21, 22	Regional Seminar	UNCTAD / IDB	12-13 August 2002	Costa Rica (San José)
Training for Geneva Delegations/Officials visiting from capitals, coinciding with WGTI meeting	21, 22	Technical Workshop (French)	UNCTAD	13 September 2002	Switzerland (Geneva)
Regional seminar for South America and Intensive Training Course for Latin America	21, 22	Training Course	UNCTAD / IDB	7-8 October 2002	Peru (Lima)
Trade and Investment	21, 22	National Seminar	UNCTAD	24-25 October 2002	Venezuela (Caracas)
Trade and Investment	21, 22	National Seminar	UNCTAD	28-29 October 2002	Guatemala (Guatemala City)
Trade and Investment	21, 22	National Seminar	UNCTAD	21-22 November 2002	Sri Lanka (Colombo)
Training for Geneva Delegations/Officials visiting from capitals, coinciding with WGTI meeting	21, 22	Technical Workshop (Spanish)	UNCTAD	29 November 2002	Switzerland (Geneva)
Intensive Training Course for Asia and the Pacific	21, 22	Training Course	UNCTAD	Nov/Dec 2002	India (New Delhi)
Workshop on the Relationship between Trade and Investment for English-speaking African countries	21, 22	Technical Workshop	UNCTAD / JICA	1-2 December 2002	Switzerland (Geneva)
Trade and Investment	21, 22	National Seminar	UNCTAD	December 2002 (provisional)	Colombia (Bogota)
Regional Seminar for English-speaking Africa	21, 22	Regional Seminar	UNCTAD	December 2002 (provisional)	Botswana (Gaborone)
Trade and Investment	21, 22	National Seminar	UNCTAD	17-19 December	Tunisia (Tunis)



Annex 2

Provisional List of Activities Scheduled for 2003

<b>Region</b>	<b>Venue</b>	<b>Topics</b>	<b>Activity</b>	<b>Dates</b>
Global	Geneva	Trade and Investment for Geneva-based delegates	Workshop	1 <sup>st</sup> quarter 2003
Global	Geneva	Trade and Investment for Geneva-based delegates	Workshop	2 <sup>nd</sup> quarter 2003
Global	Geneva	Trade and Investment for Geneva-based delegates	Workshop	3 <sup>rd</sup> quarter 2003
Global	Geneva	Trade and Investment for Geneva-based delegates	Workshop	To be confirmed
Africa	Egypt	UNCTAD Intensive Training Course on Trade and Investment for French-speaking Africa	Training Course	To be confirmed
Africa	South Africa	UNCTAD Intensive Training Course on Trade and Investment for English-speaking Africa	Training Course	To be confirmed
Africa	Djibouti	Trade and Investment Issues for English-speaking African countries	Regional Workshop	To be confirmed
Arab and Middle East	Qatar	Trade and Investment for Arab and Middle East Countries	Regional Workshop	To be confirmed
Asia / Pacific	Pakistan	Trade and Investment for Central and Western Asia	Regional Workshop	To be confirmed
CEECACs	Lithuania	Trade and Investment for Central and Eastern Europe	Regional Workshop	To be confirmed
Latin America and the Caribbean	Jamaica	Trade and Investment for Caribbean Countries	Regional Workshop	To be confirmed
Latin America and the Caribbean	Mexico	Trade and Investment for Latin American Countries	Regional Workshop	To be confirmed
National	Argentina	Trade and Investment	National Workshop	To be confirmed
National	Cuba	Trade and Investment Issues	National Workshop	To be confirmed
National	Kuwait	Competition Policy and Trade and Investment Issues	National Workshop	To be confirmed
National	Morocco	Trade and Investment	National Workshop	To be confirmed
National	Romania	Trade and Investment	National Workshop	To be confirmed
National	Yemen	Trade and Investment Issues	National Workshop	To be confirmed