## GENERAL AGREEMENT ON

## TARIFFS AND TRADE

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## Statement by H.E. Mr. Rubens Ricupero Ambassador, Permanent Representative

In the early twenties, when Britain was seeking international arbitration on the question of the foreign property confiscated by the Bolsheviks, the British delegate to the Conference of the Hague asked in despair after Moscow's persistent refusal: "Is it really impossible to find in the whole world at least one truly impartial judge to decide this matter?" To which the Commissar for Foreign Affairs, Litvinov, dryly replied: "The fact that we all have to recognize is that there is no such a thing as a single world, but two different worlds, the world of the Soviet Union and that of the Western Powers."

Two different worlds, two separate planets, this is what strikes the mind when one compares the recent Declaration of Latin American Presidents in Uruguay with the statement of the last Toronto Summit or the most recent estimates of the OECD. On one side, the frustration of a decade lost for development, of levels of economic output and per capita income plunged back to levels of ten or even twenty years ago. On the other, an understandable self-satisfaction with the buoyant performance of the industrialized economies in weathering the storm of the October 1987 stock-market collapse and in generating growth rates going from 4 per cent this year to an estimated 2.75 per cent in 1990.

It would be wrong to conclude from such contrasting views that one or both are marred by exaggerations or deliberate distortions. Each side is in effect expressing its own reality, its own truth, its own piece of a mosaic which, put together, will show that inequality is still very much the predominant feature.

Two hundred years after the French Revolution, we enjoy much more freedom, no fraternity and very little equality.

Take for instance what is happening with the development process. As the United Nations World Economic Survey poin ed out in 1987, the number of "success stories" of development is constantly dwindling and went from thirty-two fast-growing countries in the seventies to only fourteen in the eighties. The number further shrinks to a meager eight if one considers the countries which were high-performing in both decades. This undisputable trend seems to suggest that successful developing countries are SR.44/ST/11 Page 2

quickly becoming a sort of species in danger of extinction. The happy few which manage to survive should not be taken as evidence of the continuing possibility of development, but rather the other way round.

If we turn to trade, could we hope for a brighter picture to emerge? It is true that, after out-performing by two points the global economic growth in the last three years, world trade is projected to expand 8.75 per cent this year, 7.25 per cent in 1989 and 6.75 per cent in 1990, according to the OECD. Of course, we all rejoice in those rosy trends that bring back memories of the "Trentes Glorieuses", that is, the glorious thirty years of fast and uninterrupted growth between the late forties and the early seventies. But, is it realistic to expect that the expansion of trade will be accompanied by a more equitable share in its benefits? It would be very risky indeed to say so when one reads in the report issued by the GATT last August that, since 1980, the developing countries' share in total exports has been declining, although last year, for the first time in seven years, it had slightly increased. To put it in the right perspective, it is necessary to recall that the percentage of developing countries -- that is, four fifths of the world population -- in the total world exports nowadays, amounts to less than twenty per cent, or one fifth, including oil, and, taking into account the steep fall in oil prices, that share should probably go down further next year.

Thus, if everywhere we look we find inequality and uneveness, is it not surprising, even shocking, that one of the main traits of the present round of negotiations -- ironically named after a Latin American and developing country -- should be the inglorious attempt to nullify and revert one of the scarce conquests of developing countries, that of special and differential treatment? And what a poor conquest it really was, for in practice very little of substance came out of what amounted to not more than a conceptual advance, due to the reluctance of developed countries to give it more concrete implications. What is still worse is that even the few tangible expressions of this principle are being jeopardized by a politically insensitive offensive. This is the case, for instance, of the balance-of-payments provisions of Article XVIII:(b) -- not a privilege at all, but the mere recognition of a factual situation -- now being threatened by those who seem to take literally from the Scriptures the expression: "From him who has little, even this little shall be taken".

It is disheartening to see that, at the same historical moment when the Soviet Union, in beginning to tone down ideology as a basis of diplomatic discourse -- when, for instance, it is no longer claiming that the class struggle should be the guiding principle of its foreign policy -some people in the presumed more pragmatic West should try to revive an even more obsolete and dated ideology than Marx's -- the laissez-faire ideology of the early nineteenth century.

This at least is what we feel when, in the face of mounting inequality and a widening gap between the industrialized and developing worlds, we are told that the abolition of special and differential treatment is the best way to integrate developing countries in the world trading system. This position brings us, from a distance of more than 140 years, the far-away echo of Guizot's advice to those who protested the requirement to pay the then-exorbitant sum of 200 francs to become eligible to vote: "Enrichissez-vous", get rich. To reject special and differential treatment, is the same as refusing to acknowledge factual and objective differences between nations, the same as denying that true equality is to treat in different ways people who are different by nature or circumstance. How should we explain this attitude on the part of those who conquered universal admiration for their readiness to forcefully apply affirmative action on domestic issues, thus correcting through differential treatment, pre-existing differences of opportunity? We should all be reminded that an essential condition for the successful outcome of the Tokyo Round was the acceptance of the Enabling Clause (BISD 26S/203). It will not be different this time. If we want the negotiations to succeed in Montreal and in the remaining two years, we all have to fulfil our responsibilities in converting them into an effective instrument to promote development, as stated in the preamble of the Ministerial Declaration. For that end, it is indispensible to comply fully with the principles embodied in Part B of the Declaration, especially indents (iv) and (v), which have been until now disregarded and undermined in practically all negotiating groups.

If the negotiations have so far failed to meet even minimum standards from the point of view of development, the outlook is hardly more encouraging when one seeks to assess their contribution to the strengthening of the multilateral trading system. What is more striking is that, in contrast to the prevailing mood during most of the Tokyo Round, the up-beat predictions about trade expansion in the near future should have provided us with an exceptionally favourable environment to rollback protectionism, leaving no excuses for the disappointing results we are witnessing.

Contrary to those expectations, what one sees is, in reality, an irrational escalation of unilateral measures and growing threats of punishing so-called recalcitrant partners with the possibility of resorting to bilateral or regional schemes, in utter negation of the multilateral approach. This, unfortunately, is not an academic issue for us. In fact, as is well known, Brazil was recently the victim of unilateral and illegal actions by the United States Government, through the unjust imposition of prohibitive restrictions on Brazilian exports to the American market. These measures, besides being a clear violation of existing rules and disciplines, also -- and what is equally important to note -- constitute an undeniable breach of the standstill commitment not to take any trade restrictive measures or to use them, and I quote from Part C of the Ministerial Declaration: "in such a manner as to improve its negotiating position", an objective the United States has clearly set out with respect to the negotiations on intellectual property rights and Brazil's position on that issue. After seeking in vain to consult on the damage done to our export interests since the announcement of the measures, we were finally able to secure, once the restrictions were applied, the acceptance of consultations. Consequently, we informed the United States Government that we were ready to proceed with consultations as soon as possible. Through this and through all other means available to us under the General Agreement, we are firmly determined to pursue the matter and to redress and restore our rights nullified and impaired by the unilateral United States action.

SR.44/ST/11 Page 4

In that respect, I would like to quote the following passage of the Declaration signed in Uruguay only a week ago, on 29 October, by the Presidents of Argentina, Colombia, Mexico, Peru, Uruguay, Venezuela and Brazil: "We reiterate that no coercive measures or retaliation incompatible with the international legal order should be applied and we reaffirm our determination to defend our rights and to protect our interests in the competent international fora". At the same time, the declaration stresses "the importance that the Ministerial meeting in Montreal, in December, arrive at a firm commitment to advance the fulfilment of the principles and objectives of the Uruguay Round, preserving the global character of the negotiations and securing balanced results acceptable to all participants. In that sense, we consider a priority the full observance of the commitments on standstill and rollback of obstacles to trade incompatible with GATT; the definition of the scope and forms of application of the principle of special and more favourable treatment to developing countries in all areas and modalities of the negotiations; that the recognition of the link that exists between foreign debt and trade finds an expression in concrete actions; and the expansion and stabilization of access of all products of developing countries to the world markets".

Although we have no reason to share in the triumphalistic attitude that is sometimes confused with the responsibility of sending positive signals to the real world, we are committed, however, to the expansion and improvement of the multilateral trading system, for we recognize that one of the fundamental instruments for development and growth is the predictability and stability of international commercial exchanges, based on the principles of equality and fair competition. In this respect, Brazil has tabled a number of proposals in the Uruguay Round, which, in our opinion, will make a positive contribution to the attainment of these objectives. These proposals and submissions have been put forward in the areas of dispute settlement, tariffs, subsidies, tropical products, safeguards, the new areas of negotiations in services and trade-related aspects of intellectual property rights, as well as for the effective implementation of the rollback commitment. This diverse array of proposals has been complemented, on our part, by the taking of a series of unilateral measures designed to increase the transparency and access of the Brazilian export sector, which reinforces our faith in the multilateral trading system.

Despite all the ominous signals that have been accumulating, both around the various negotiating tables and in the real world, there is still time to restore the balance and to engage in a genuine common endeavour with full respect for the different situations and interests of each party. Not, of course, the kind of negotiation that took place between the head cook and the chickens (and you will forgive me if I now switch to French to keep the original flavour of the fable): "A quelle sauce voulez-vous être mangés? leur demande le cuisinier". "Mais, Monsieur, nous ne voulons pas du tout être mangés". "Vous sortez de la question".\*

<sup>&</sup>quot;What sauce would you like to be eaten with?" the cook asked them. "But we don't want to be eaten at all!" "That's beside the point".

If we are prepared to put aside this kind of attitude, then nothing is lost. We must therefore grasp the opportunity we have before us to create a truly strong and stable international trading system, one in which the interests of all countries are taken into account. Failure to do so would compromise not only our present round of negotiations but the very basis of the international commercial system that has been built up over the past forty years.