
SINGAPORE MINISTERIAL DECLARATION*
[excerpts]
AND
**REPORT (1998) OF THE WORKING GROUP ON THE RELATIONSHIP BETWEEN TRADE
AND INVESTMENT TO THE GENERAL COUNCIL**
[excerpts]
(WORLD TRADE ORGANIZATION)

Investment and Competition

20. Having regard to the existing WTO provisions on matters related to investment and competition policy and the built-in agenda in these areas, including under the TRIMs Agreement, and on the understanding that the work undertaken shall not prejudice whether negotiations will be initiated in the future, we also agree to:

*establish a working group to examine the relationship between trade and investment; and

* establish a working group to study issues raised by Members relating to the interaction between trade and competition policy, including anti-competitive practices, in order to identify any areas that may merit further consideration in the WTO framework.

These groups shall draw upon each other's work if necessary and also draw upon and be without prejudice to the work in UNCTAD and other appropriate intergovernmental fora. As regards UNCTAD, we welcome the work under way as provided for in the Midrand Declaration and the contribution it can make to the understanding of issues. In the conduct of the work of the working groups, we encourage cooperation with the above organizations to make the best use of available resources and to ensure that the development dimension is taken fully into account. The General Council will keep the work of each body under review, and will determine after two years how the work of each body should proceed. It is clearly understood that future negotiations, if any, regarding multilateral disciplines in these areas, will take place only after an explicit consensus decision is taken among WTO Members regarding such negotiations.

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[excerpts]

D. RECOMMENDATION

* *Source:* World Trade Organization (1996). "Singapore Ministerial Declaration", WT/MIN(96)DEC; available on Internet (<http://www.wto.org/govt/mindec.htm>).

* *Source:* World Trade Organization (1998). "Report (1998) of the Working Group on the Relationship between Trade and Investment to the General Council", WT/WGTI/2, 8 December 1998, (98-4920).

Paragraph 20 of the Singapore Ministerial Declaration provides, inter alia, that the General Council will keep under review the work of the Working Group on the Relationship between Trade and Investment established under that provision and will determine, after two years, how the work of the Working Group should proceed.

The Working Group recommends that the General Council decides as follows:

The Working Group shall continue the educational work that it has been undertaking on the basis of the mandate contained in paragraph 20 of the Singapore Ministerial Declaration. The Work of the Working Group, which shall be reviewed by the General Council, shall continue to be based on issues raised by Members with respect to the subjects identified in the Checklist of Issues Suggested for Study¹. It is understood that this decision is without prejudice to any future decision that might be taken by the General Council, including in the context of its existing work programme.

ANNEX 1

CHECKLIST OF ISSUES SUGGESTED FOR STUDY

Non-Paper by the Chair

Revision

It was widely recognized that the Working Group's work programme should be open, non-prejudicial and capable of evolution as the work proceeds. It was also emphasized that all elements, not only category I, should be permeated by the development dimension. Particular attention should be paid to the situation of least-developed countries. In pursuing the items of its work programme, the Working Group should avoid unnecessary duplication of work done in UNCTAD and other organizations.

I. Implications of the relationship between trade and investment for development and economic growth, including:

- economic parameters relating to macroeconomic stability, such as domestic savings, fiscal position and the balance of payments;
- industrialization, privatization, employment, income and wealth distribution, competitiveness, transfer of technology and managerial skills;
- domestic conditions of competition and market structures.

In this work, the Working Group should seek to benefit from the experience of Members at different stages of development and take account of recent trends in foreign investment flows and of the relationship between different kinds of foreign investment.

II. The economic relationship between trade and investment:

¹ See Annex 1.

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- the degree of correlation between trade and investment flows;
 - the determinants of the relationship between trade and investment;
 - the impact of business strategies, practices and decision-making on trade and investment, including through case studies;
 - the relationship between the mobility of capital and the mobility of labour;
 - the impact of trade policies and measures on investment flows, including the effect of the growing number of bilateral and regional arrangements;
 - the impact of investment policies and measures on trade;
 - country experiences regarding national investment policies, including investment incentives and disincentives;
 - the relationship between foreign investment and competition policy.

III. Stocktaking and analysis of existing international instruments and activities regarding trade and investment:

- existing WTO provisions;
- bilateral, regional, plurilateral and multilateral agreements and initiatives;
- implications for trade and investment flows of existing international instruments.

IV. On the basis of the work above²²:

- identification of common features and differences, including overlaps and possible conflicts, as well as possible gaps in existing international instruments;
- advantages and disadvantages of entering into bilateral, regional and multilateral rules on investment, including from a development perspective;
- the rights and obligations of home and host countries and of investors and host countries;
- the relationship between existing and possible future international cooperation on investment policy and existing and possible future international cooperation on competition policy.

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² The question of the timing of work under section IV was the subject of a decision taken by the Working Group at its meeting of 2-3 June 1997.

