

**General Council Meeting
July 23-24, 2019**

Statement by India

Agenda Item 10: Procedures to strengthen the negotiating function of the WTO: Communications from the United States (WT/GC/W/757/Rev.1 and WT/GC/W/764)

Chair, we are surprised that the United States has resubmitted the WTO documents WT/GC/W/757/Rev.1 and WT/GC/W/764 on the sensitive issue of development without any substantive change or improvement and despite our detailed comments and our explaining at great length earlier the potential this has to deepen the divide amongst the membership.

2. We have on earlier occasions explained the need and rationale of special and differential treatment for developing countries which is an integral part of the basic architecture of the WTO agreement. Let me enumerate reasons for the same again.

- Special and differential treatment [S&DT] is an integral part of the multilateral trading system. It is a non-negotiable right for all developing members. The gap in the standards of living between developing and developed countries has not narrowed to any significant extent since the establishment of WTO. This necessitates the preservation and strengthening of the S&D provisions in both current and future WTO agreements, with priority to outstanding LDC issues.
- While developing Members have achieved progress in some economic indicators since the inception of the WTO, old gaps are far from being bridged. The gaps have widened in many areas, while new divides have emerged, especially in the digital and technological spheres.
- In view of the gaping divide between our levels of development, it would be grossly unfair and iniquitous if developing countries were required to take the same obligations as developed countries. Against this backdrop, attempts by the United States, to cherry-pick and employ selective economic indicators to deny the persistent divide between developing and developed Members, are painfully worrisome. Preserving special and differential treatment for all developing countries and LDCs, which is a core principle of the WTO, as well as addressing the asymmetries in Uruguay Round Agreements should be an overriding priority.

- It is incorrect to blame the self-declaration of development status and S&DT as the reason for the lack of progress in negotiations. In fact, negotiations are stalled in the WTO due to the inability of the developed Members to abide by the agreed negotiating mandates of the Doha Round, subsequent Ministerial Decisions and the progress made under the Doha Round of trade negotiations.
- Further, as assessed by the UNCTAD, most SDT provisions in the WTO covered agreements are imprecise, unenforceable and in the form of 'best endeavor clauses' and therefore the assertion that onerous SDT obligations are making the WTO irrelevant is untenable. Moreover, while Members can declare themselves as developing, their specific rights and obligations are still subject to negotiations.
- Development is a complex, multi-dimensional process and must not be viewed as a zero-sum game. It can be a win-win for all.
- We would once again emphasize that the approach of pushing for a divisive debate on development would only be counterproductive and would further undermine the credibility of the organization. Therefore, it would be best to keep this issue out of our discussions.
