

Informal TNC/HODs
July 19, 2019
Statement by India

1. Thank you, DG, for convening this meeting and for your report and assessment as the Chair of the TNC. We also thank the Chairs of the Negotiating Groups for their reports.

State of Play

2. As we approach the summer break, it is time to look back on the state of the WTO from two important perspectives. First, what is the state of the rules based system that has served us well in the past ? Second, how are the important negotiations moving forward ?

3. On both these counts, the situation does not appear to be encouraging. The WTO is facing formidable challenges due to a spate of unilateral measures that are WTO inconsistent, and an unprecedented attack on its cherished principles of non-discrimination, decision making by consensus and special and differential treatment for developing countries. Further, the ongoing impasse in filling vacancies of the Appellate Body remains, with no response from the objecting Member, in spite of a dozen proposals to address concerns related to its functioning. With only three months to go after the summer break, the Membership needs to act before the Appellate Body moves from the ICU to the mortuary !

4. In the negotiating arena as well, while there is life in the fisheries subsidies negotiations, the same cannot be said for any other area, including agriculture, which is of core interest to most Members including developing countries.

5. Against this background, let me briefly share some thoughts on important issues and areas of work.

On Fisheries Subsidies Negotiations

6. India is committed to engage constructively. However, while negotiating the subsidy disciplines, we must be mindful of the mandates of SDG 14.6 and the MC11 decision on fisheries, both of which clearly state that there should be appropriate and effective special & differential treatment for developing countries. These mandates need to be honoured in letter and in spirit. S&DT should not be replaced or derailed by new proposals citing inbuilt flexibilities for all. In this regard, any abridgement of the mandate to provide S&DT to developing countries including LDCs can jeopardize an outcome in this important area of negotiations. Further, we need to clearly understand that any suggestion which rewards Members, who are major subsidizers and are largely responsible for the current state of affairs, by protecting their harmful subsidies and restricts policy space for others to improve the state of their subsistence fishers, will neither help the negotiations nor protect the health of our oceans.

7. Agriculture remains the priority area of work for a large part of the membership. It is therefore important that we engage in right earnest to build upon

and advance the work of the last several years and to implement existing decisions and mandates. Finding a permanent solution for public stockholding for food security should be a priority as it is critical to address fundamental issues of poverty, hunger and malnutrition and for achieving SDGs 1 and 2. We also need to work meaningfully to address the historic asymmetries in the Agreement on Agriculture.

Delhi Ministerial

8. I would like to inform that a group of developing countries met in Delhi on 13-14 May, 2019. 17 Members issued a statement outlining their desire to work collectively to strengthen the WTO to promote development and inclusivity. They urged that the process of WTO reform must keep development at its core, promote inclusive growth and fully take into account the interests and concerns of developing Members. They agreed to consult on various issues of common interest, including comprehensive and effective disciplines on fisheries subsidies with effective S&D provisions.

WTO Reforms

9. WTO reforms are now at the centre stage of our deliberations. However, the agenda for reforms is highly unbalanced, which is making it increasingly difficult for developing countries to engage constructively. It is with the objective of giving a voice to our priorities, which in turn, will offer a choice to Members, that India along with some other developing members has made two submissions. One, on an inclusive approach to transparency and notifications, and two, on WTO reforms for strengthening WTO for development and inclusivity. Our paper on WTO reforms has elements related to preserving the core principles of the WTO, according priority to resolving the impasse in the Appellate Body, safeguarding the interest of developing countries, adopting a cooperative approach to transparency and notifications and preserving the centrality of development at the WTO. But more on that at the General Council next week.

Conclusion

10. Chair, to conclude, we are at a critical juncture, as challenges have amplified and the multilateral rules-based trading system is facing existential threats. Keeping in view the aspirations of the large majority of Members, our priority should be to balance our agenda and make it inclusive, transparent and development oriented. Foremost, we must work to preserve the system by ending the impasse on the Appellate Body appointments with a sense of utmost urgency and address the historic asymmetries in the WTO agreements. It would also be best that we avoid divisive debates, such as the one on differentiation, which would only further undermine the credibility of the system and deepen the divide amongst members.

11. Let me reassure you DG, we will use the summer break to pack for a long journey, each step of which, hopefully, will strengthen the WTO.