

General Council Meeting
July 27-28, 2021

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Statement by India – Delivered by Ambassador & PR to the WTO

Agenda Item 22: Appointment of officers to the subsidiary bodies of the Council for Trade in Goods - Report by the Chair of the Council for Trade in Goods

First of all, we thank the efforts of all the parties – the Chairs of various bodies and the Members - to finalize the appointment of the officers for the WTO subsidiary bodies.

2. India was fully engaged every step of the way in this process with a constructive approach. We acknowledge the opportunity we received to engage and consult with all concerned during this process. However, the disagreement over the slate of Chairs is not of our making, but is a product of the non-inclusive and non-transparent process that was followed this year.

3. In this regard, it is with great disappointment that we wish to bring the following issues regarding the selection process for the benefit of Members:

- i. Our experience this year revealed that the selection process is non-transparent and opaque. Often the process is left to the respective regional coordinators to decide, whom we can understand may have to follow their own approach, in the absence of a harmonized practice or a basic frame-work.
- ii. Both during the selection of Chairpersons to the main and subsidiary WTO bodies, our experience was that the role of the Regional Coordinators was non-transparent and non-inclusive, throughout the process. Often our position on the matter was not relayed to the concerned interlocuters, creating further confusion and contradictions.
- iii. It is also a normal practice for the Regional Coordinators to inform members at every step of the process. We are deeply disappointed to note that this has not been followed diligently during the process.
- iv. The slate of names should be drawn up taking into account the principle of balance, rotation and fairness – not just between the Groups but also among the Members of the group. It is not adequate for the coordinator to satisfy himself or the Group that certain number of slots have been secured for the year, but rather see how many of the contested slots between the Groups were secured through negotiations, following the system of rotation and the balance needed.

- v. We notice that the conventional practice of rotation of Chairs to WTO bodies is not being followed diligently and our analysis reveals that a transparent system of rotation among the four groups has been lacking. It is also a matter of concern that Chair shopping, future trading, short-selling etc., take place, as a matter of routine in selection of Chairs in this organization. This is not a happy situation.
- vi. Our concern is also on the rotation sequencing system. While the system of rotation implies that the Chairmanship rotates sequentially among the four groups, we do not understand the basis why the rotation has been designed to be sequencing between the 3 developing countries groups vis-à-vis one developed country group alternately. With this practice, the developed countries get the opportunity to chair a WTO Body every alternate year, whereas other regional groups will have to wait for six years for their turn! By no measure such a practice is fair and balanced or it is one more form of “reverse special and differential treatment” taken up by developed Members.
- vii. Finally, we believe that time has come for us to reflect on the practices and the process of selection of Chairs, so that the process becomes transparent. In this regard India notes the directive by the General Council Chair to both the CTG & CTS Chairs during the informal GC on 22 July, to work on the selection process, so that the situation we find ourselves today is not repeated in the future. However, Chair, we believe that what is required is a complete overhaul of the selection process for both selection of main and subsidiary bodies. That can be realized only with a rigorous exercise under your oversight that will result in a revised and detailed guideline that will replace the current document WT/L/510. Only then, we can hope to ensure timely and smooth selection process each year.

4. Chair, we have noted your assurance to take the complete overhaul of process under General Council Chair oversight and the outcome of which should replace current document WT/L/510.

5. We would also like to thank all coordinators and Members who had offered chairmanship of TBT Committee for India in 2022. However, we politely decline this offer as we are against this practice of side deals and forward trading without involving all stakeholders.

Thank you, Chair.
