

TNC/ Informal HODs
July 20, 2020
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Statement by India – Delivered by Ambassador & PR to the WTO

1. Thank you, DG, for convening this meeting of the TNC and HODs, for your report and assessment as the Chair of the TNC. We also thank you for the efforts made during this pandemic to ensure continuation of the WTO's work and to make WTO premises a safe place for the delegates. I also thank the Chairs of the Negotiating Groups on Rules and Development for their reports.

State of Play

2. Many parts of the world, continue to witness rapid growth in COVID-19 infections and death. We continue to bear the enormous socio-economic fall out of the pandemic. While the primary focus of our government remains health and safety of our citizens; revival of the economy, ensuring stable markets, supply chains and job creation are some of the other bigger challenges that demand our immediate attention back home. Despite these challenges at home, we have been mindful of the importance of our work here in the WTO and have maintained active engagement in WTO' work. However, as we move forward, the Membership and the heads of various Committees need to be mindful of the constrains under which we are operating. The expectation, therefore, needs to be calibrated with the evolving pandemic situation.

3. Now, let me touch upon some of the issues of our concern and priority :

First is the **Appellate Body**

4. As we have said earlier, India is a major user of the WTO's dispute settlement system. We believe that the resolution of the Appellate Body crisis deserves the utmost priority and it should precede all other reforms.

Second is regarding **Fisheries Subsidies Negotiations**

5. We appreciate the efforts of the NGR Chair for the draft consolidated text for a balanced outcome. We consider this draft to be a basis for negotiations. We have lost four crucial months due to the pandemic and there are continued challenges back home due to the prevailing pandemic. Having said so, we are committed to resuming the negotiations in a constructive manner to narrow down the gaps, in formats that are transparent and inclusive. We must work to conclude the negotiations on ending "harmful fisheries subsidies". Disciplines should focus on distant water and large-scale industrial fishing, provide exemption and carve outs for the needs of small and subsistence fishermen who operate in the territorial seas and EEZs and seek greater contribution from those who provide large subsidies,

both in value and on per capita basis. We also need to quickly converge the various approaches for Overfishing and Overcapacity (O&O) on the table and start negotiating on the consolidated text covering all pillars. Further, we need to be mindful that concluding this negotiation would be difficult without S&DT for developing countries who need it and for LDCs as agreed to by our Leaders in SDG 14.6 and by our Ministers at MC11. This is a very sensitive issue involving livelihood of millions of marginal fishermen.

Third is regarding **E-commerce Work Programme**

6. The COVID-19 pandemic has accelerated the shift to a digital economy and has once again brought out the existing digital divide between developed and developing countries. It is important to significantly update the 1998 Work Programme on e-commerce and to understand the scope of the moratorium, its potential impact on the sustainability of the domestic industry and job creation in developing Members and on revenue generation. Without an updated Work Programme which can provide clarity on these issues, any decision on the moratorium, much like rulemaking on e-commerce, will be a leap in the dark, something we cannot commend to the Membership.

Fourth is regarding **Agriculture**

7. We welcome the new Chair of COASS Ambassador Gloria of Costa Rica and also thank the outgoing Chair Ambassador Deep Ford of Guyana for his contribution in advancing the Committee's work. We hope that the new COASS Chair will work to build consensus among Members for advancing a fair and balanced agenda, in an independent, open and transparent manner. My delegation will extend our full support to that effort.

8. Chair, there has been a recent push for advancement of negotiations on domestic support with the narrative of capping and reducing all forms of trade and production distorting domestic support. Our views on this issue remains very clear. The focus should be first on eliminating the asymmetries in AMS entitlements in the Agreement on Agriculture. We support a sequential approach where FBT AMS entitlements are capped, reduced and eliminated first. Only once the playing field is levelled, should we have a discussion on disciplining other forms of domestic support. Similarly, there can be no question of accepting any limits or reduction in Article 6.2 support, which by definition itself is minimally trade-distorting. The domestic support disciplines also need to be guided by per capita numbers as well. Other mandated issues in Agriculture, like the permanent solution on public stockholding for food security, for which we have missed deadlines, need to be prioritized. These are, in our view, the more effective and lasting way of ensuring food and livelihood security of the most vulnerable, bearing the brunt of the current pandemic.

Conclusion

9. Chair, to conclude, we are at a critical juncture. MC12 is an opportunity to showcase that WTO matters. The results we achieve at MC12, especially on fisheries subsidy disciplines, resurrection of the Appellate Body, a way forward on WTO reforms and agricultural negotiations, can increase the trust in the rules-based multilateral trading system. I hope that all delegations will seize the opportunity. On behalf of my county, I wish to thank you DG for your efforts over the years, as the Chair of TNC, in moving the WTO negotiations forward.

10. I thank you, Chair.
