

**Informal TNC and HoDs Meetings
25 February, 2021**

**Statement by India –Delivered by Shri Brajendra Navnit, Ambassador &
PR to the WTO**

Thank you, DDG and good afternoon colleagues. First of all, let me place on record our appreciation to all the DDGs and the GC Chair in ensuring smooth working of the WTO during the transition period in the past few months. It is indeed a matter of great relief and satisfaction that the new DG Dr. Ngozi is assuming office next week.

2. I also thank the DDG for his report and the Chairs of the Negotiating Groups on Rules, Agriculture, Development and the TRIPS Council for their respective reports.

State of Play

3. The selection of new DG along with the possibility of MC12 later this year have given us a good start to 2021. I hope we can sustain this positive momentum for the rest of the year and conclude it on a happy note by delivering a successful MC12. The road ahead, however, has some obstacles. The continued impasse of the Appellate Body and our inability to agree on a package of meaningful measures to address the pandemic is symbolic of the deep divisions. We are also quite far from an agreement on fish subsidy negotiations.

4. WTO has responsibility to facilitate recovery of global economy through trade. In order to do that, we need to do better in 2021. But in our zeal to demonstrate performance, we should not push down issues that did not make any headway in the past 10-15 years. The need of the hour is finding practical solutions that is needed during a pandemic to save human lives, livelihood, bring back consumers' confidence and arrests the losses in the world output and thereby restore growth in trade.

TRIPS Waiver

5. There is no difference of opinion on ramping up manufacturing of covid related products including vaccines. The proposal for temporary waiver from the provisions of TRIPS Agreement is first on our priority list. We need true vaccine internationalism and the Waiver is an effective and pragmatic way to achieve it. An outcome on this will not only help in saving valuable human lives but will also give a comforting signal to bring back consumers' confidence, leading to acceleration in the recovery of global trade and world GDP. Chair, all sectors of economy are equally important for growth, therefore, interest of few companies to the tune of tens of billions of dollar should not come in the way of restoring trillions of dollar of world output and saving hundreds of

thousands of human lives. Imposition of lockdown does not mean that Members have given up on the principle of Right to Life or Right to Freedom of Movement; in a similar manner temporary waiver of certain provision of TRIPS agreement, by following due process does not mean that Members have given up on the principle of Intellectual Property rights.

Movement of health care Professionals

6. The pandemic has highlighted the need for ensuring easier cross-border movement of health care professionals. Members who could have been able to mobilize a greater number of such professionals to save lives were not able to do so due to restrictive trade practices in Services sector. We must start working on having a multilateral initiative in this respect for an outcome in MC-12.

Appellate Body

7. Resolution of the crisis in the Appellate Body is another priority. We must immediately re-engage to restore the two-tier dispute resolution system.

Reform Agenda including Special & Differential Treatment (S&DT), Legal Status of JSIs

8.

(i) We draw Members' attention to the document WT/GC/W/778/Rev 3 that India along with other co-sponsors tabled before the December 2020 GC. The proposal encompasses the priorities of developing countries including LDCs regarding an inclusive and balanced reform agenda for the WTO. It also emphasizes how S&DT is central to the founding principles of the WTO. We strongly support the G90 proposals contained in the document JOB/TNC/79 and are pleased to see progress on textual discussions. We hope for a meaningful outcome by MC12.

(ii) On legal status of JSIs and their negotiated outcomes, India and South Africa has circulated a document WT/GC/W/819. I do believe that Members would find it useful and timely. Seeing the responses from members today, we are thankful that it has generated such interest and attention within a few days of its introduction.

Agriculture

9. The facilitator process is moving forward and we hope very soon we will have their comprehensive reports of consultations and progress. India is actively and constructively participating in these facilitator consultations, but our priorities remain to find a permanent solution to the Public Stock Holding (PSH). We believe any effort to meet the food security challenges must address the structural deficiencies, including removal of FBT-AMS entitlements which is resulting in reverse S&DT. A simple,

efficient, and permanent solution on extending PSH for food security purposes to new programs and new products should be a key deliverable.

Fisheries negotiations

10. I once again reiterate that common but differentiated responsibility and 'Polluter Pays' principle should be applicable in any agreement relating to sustainability. Those who have provided huge subsidies leading to overfishing and over capacity should take higher cuts in subsidy and capacity. We will not accept an outcome that favours those with advanced fisheries conservation and management measures while putting at disadvantage developing countries who have to catch up on these measures. Fishing nations with large number of industrial vessels should set the example by voluntarily reducing their harmful subsidies and capacity; and repay their overdue 'debt', in proportion to what they owe. S&DT in the final outcome must be effective and appropriate, having regard to the development needs, livelihood and food security concerns of millions of small fishers of developing countries including LDCs.

E-commerce

11. The pandemic has shown that the need of the hour is to build capacity in areas such as digital skills and digital infrastructure, rather than negotiating binding rules on e-commerce. It is time to bring clarity on the scope of the moratorium on custom duty on electronic transmission, its potential impact on the sustainability of the domestic industry and negative impact on job creation and revenue generation. We need to reinvigorate the mandated work under the 1998 Work Programme on e-commerce in various Councils.

12. To conclude Chair, in 2021 India stands ready to work cohesively to put in place balanced outcome that addresses both the immediate priorities confronting the WTO and the long-term solutions it needs.

Thank you, Chair.
