

Informal TNC and HODs Meetings
23rd July, 2021

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

- 1 Good afternoon Chair and good afternoon colleagues. Let me begin by expressing thanks to the DG and the Chairs of the Negotiating Groups for their respective reports.
- 2 Chair, the loss of life and livelihood caused by the pandemic need tangible and meaningful solutions. Solutions that allay the concerns of all and most importantly, address the needs of the developing including Least Developed members. In that regard, we have an important task today, to agree on the key deliverables for MC12, that is expected from this organization.
3. Covid-19 Virus is mutating and producing new deadly variants and unfortunately it is not going on vacation. Vacation/Summer break is needed for healthcare and other frontline workers throughout the globe; not for Geneva diplomats. Can we resume after 2 weeks of break? We need to work and need to deliver.

WTO's Response to the Pandemic:

- 4 Chair, in the wake of the pandemic there have been many proposals on WTO's response to the current pandemic as well our preparedness for future pandemics. We need to work and deliver on some of these proposals quickly. At the same time, we should not try to push market access agenda and take away policy space available for Members and impose cumbersome obligations that serve to benefit a few in the name of pandemic. No doubt, we need to work on supply chain bottlenecks. However, doing away with the legitimate policy instrument of **export restrictions** or aiming for making temporary **elimination of tariffs** a permanent measure or calling for **stringent transparency obligations** will not guarantee access to vaccines, therapeutics or diagnostics, and access to food for the most vulnerable. In fact, such a step is likely to lead to, a flight of these critical final finished products to the highest bidder, making them inaccessible to the resource-poor further aggravating the current divide which we are seeing.
- 5 Chair, the **proposal on Waiver from certain provisions of TRIPS agreement** has been discussed threadbare for the past ten months in the TRIPS Council. Despite the agreement among Members in early June to start the text-based negotiation, it is unfortunate that a few members have failed to engage in the text based negotiation. Few Members ensured that we are unable to meet the deadline set by the TRIPS Council Chair for reaching the necessary landing zone by end-July. During COVID-19, only a robust response by the WTO for the

pandemic, of which the TRIPS Waiver is an integral part, can restore the credibility of this organization. Therefore, it is high time this organization prioritizes saving human lives and livelihoods over all other priorities. Even though there are estimates for manufacturing of 11 billion doses by the year end, the doubts remain. In 21 July event, in order to increase manufacturing, three areas were identified by DG, World Health Organization and these were technology transfer, supply chain resilience and IP waiver. Chair, let me also point out that we have learnt certain lessons during discussions in the TRIPS Council. While we continue to hear importance of rules-based organisation, what we are seeing that the **rules and procedures** are conveniently and selectively interpreted. Doing so, may help few Members on a particular subject, but these selective interpretations are creating precedence which may also be used by other Members.

Agriculture:

- 6 Chair, millions have regressed deeper into poverty during this pandemic and their food security is another critical issue for this organization. A simple, efficient, and permanent solution on extending **PSH for food security purposes** to new programs and new products is therefore a key deliverable. In this regard, I suggest that the new submissions by the Africa Group and the proposal being worked upon by G33 are a good basis for CoASS to take the process forward.

Services:

- 7 Movement of healthcare professionals – A multilateral outcome in this regard will be appreciated, particularly in view of the current pandemic. We need to be aware of new forms of Trade Barriers in the name of ‘selective use of vaccine certificate’.

Special & Differential Treatment:

- 8 Madam Chair, let us give a chance to G90 proposals on S&DT.

Appellate Body:

- 9 We must show progress on restoring the 2-stage Dispute Settlement System.

Fisheries Subsidies:

- 10 The Ministerial TNC on 15 July provided us a good opportunity to take stock of where we are in the negotiations. Listening to the Ministers, it was evident that Members agreed that status quo is not the preferred option because irrational

subsidies and overfishing by many countries is hurting interest of our fishermen; but it was also evident that significant gaps still exist. I am sure delegations would have analysed and taken note of what the Ministers said. Speakers representing more than 80 delegations said they did not believe the draft consolidated text is balanced to call it a landing zone for them. We heard the Minister after Minister calling the text imbalanced and requiring to be reworked to make it a negotiating text. On the issue of S&DT, once again speakers representing more than 80 delegations said that what the text offers on S&DT is grossly inadequate and they rejected the notion that S&DT should be restricted to artisanal fishing and that too within 12 nautical miles. They also demanded the text should provide sufficient policy space for developing their future fishing capacities for achieving equitable growth. Ministers/Members emphasized that, if this agreement is about sustainability, based on the principle of common but differentiated responsibilities, biggest subsidizers who are responsible for the present state of marine resources should take greater responsibility and to reduce their subsidies and fishing capacities.

- 11 Chair, if we truly desire that the WTO should deliver this outcome at MC12, we should admit that it requires huge amount of work to close the gaps and also flexibility on part of Members. Expecting flexibility only from others may not lead us to END. Any narrative that we have an agreed text would be self-defeating and erodes Member's trust in the process. Chair, we request that all the Statement made by the Ministers/Members at the 15 July TNC giving the political guidance should be released quickly as part of the minutes of the meeting and the Chair's concluding reports being added as an addendum to it.

Global Recovery:

- 12 Chair, it is ironical how **differentiated the path to a global recovery** is today. The world seems to be moving on two separates tracks what is being called 'K' shaped recovery. Experts have given the economic rationale for accelerated provision of vaccine to the world population. This could be the highest return on public investment. We have made similar economic arguments earlier, but I hope members will pay heed to the assessment by the experts.
- 13 Finally, Chair, the WTO must act as a catalyst to minimise the loss of life and livelihood and aid in acceleration of global economic recovery. MC12 must deliver on critical areas like permanent solution on PSH, TRIPS waiver and a balanced outcome on fish subsidies. This balanced agenda will ensure that while we rebuild and recover, we also restore the waning credibility of this institution.

Thank You Chair.
