

General Council Meeting
October 13-14, 2020

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

Agenda Item 6: ‘Procedures to strengthen the negotiating function of the WTO statement by the US’ – (WT/GC/W/757/REV.1 and WT/GC/W/764/REV.1)

We thank the United States for their statement under this agenda item.

2. At the outset, we would like to refer to the submission WT/GC/W/765 by India and some other Members, where we have dealt with most of the issues raised by the US in their paper. We have underlined that Special & Differential Treatment (S&DT) is a treaty-embedded right at the WTO, an entitlement which developing countries have paid for, and that it cannot be taken away from us, based on certain arbitrary assumptions. Certainly not in creative interpretations of the basis of G20 membership. G20 membership was not conceived as a determinant of development status of a country. G20 was for financial stability, in an interconnected world. Developed members recognized the need to have a group also consisting of emerging market economies to bring financial stability, particularly after the debt crisis of late 1990s. Continuing with such narrative on differentiation would only widen the trust deficit amongst Members.

3. The basis of S&D is to give Members flexibility to integrate into the rules-based system. Members with huge differences in economic and social development cannot be put in the same category. For instance, to put India, which has an annual per capita income of less than USD 2500, in the same development category as the United States, with a much higher per capita GDP (may 25 times), would be unfair. Recent studies have highlighted that the gap that existed between developed and developing countries in 1940s, has actually widened, and new gaps in the form of digital divide have emerged.

4. Chair, the strain of Covid19 on economic, food and livelihood security is disproportionately impacting developing countries and LDCs with large populations. I repeat we may be facing the same storm, but certainly, we are not in the same boat. As the developing economies and LDCs are set to experience their worst economic setback since the 1930s thanks to the uneven impacts of pandemic, Special & Differential Treatment becomes all the more relevant today than ever before.

5. We are firm in our conviction that S&DT provisions should be part of any current and future negotiation in WTO, and we cannot agree to a case-by-case approach. We also believe that it is high time that developed country Members consider foregoing flexibilities available to them under various existing Agreements and Decisions. These include AMS and green-box subsidies, Special Safeguard Mechanism and flexibilities

under the Nairobi Decision on Export Competition, which provide them with reverse S&D treatment, none of which are generally available to developing countries, and in fact badly hurt developing country exports. WTO Membership needs to consider case by case approach for such reverse S&DT unjustifiably enjoyed by developed countries, en masse.

6. In conclusion, Chair, we believe that the only mandate that exists on S&DT is to review the S&D provisions in the existing WTO disciplines, with a view to make them more precise, effective and operational, as entailed in paragraph 44 of the Doha Ministerial Declaration. In this context, we strongly support the G90's Agreement Specific S&D Proposals as contained in Document JOB/TNC/79- JOB/DEV/60. We are at pains to see that the biggest votaries of the foundational principles of WTO are not willing to engage on these concrete proposals that narrow down on strengthening just 10, out of more than 155 odd S&DT provisions in various WTO Agreements. We sincerely hope that Members can gather enough will required to work towards a meaningful outcome on these proposals by MC12.
