

India's Statement at HoDs Meeting on 7th July 2022

India: Thank you, Madam DG and Good afternoon colleagues. First of all, and I would like to thank Government of Kazakhstan and Government of Switzerland for successful conduct of MC12. I would also like to join our colleagues in congratulating you, the GC Chair, the Ministerial Conference Chair, all the members, and last but not the least, the WTO Secretariat for successful completion of MC 12 which indeed delivered unprecedented outcomes. Notwithstanding the sleep deficit all of us had, I think all of us have recovered from that. And thank you, I think I forgot to mention the good hospitality, of Office of DG during those three or four nights when we were like missing, not missing our homes. And that green room or the room D was our second home with food, unlike WTO, food being offered inside and outside the room so that we can sustain long nights. So, thank you for that Madam DG. We would like to emphasise the importance of post MC 12 work, both to implement the mandate delivered by our Ministers and also to expedite the work on those mandated areas in which unfortunately decisions could not be reached. And on top of that list for India is Permanent Solution to Public Stock Holding (PSH) and SSM in agriculture, and G90 proposal on a special and differential treatment. On specific outcomes all the 10 documents are work in progress because we have not yet reached the final stage of most of these 10 documents.

On fishery subsidies, let me state that we delivered. India would be looking forward towards the legal scrubbing, joining with other members who have raised this issue of the legal scrutiny without getting into debate and putting a timeline on legal scrubbing so that before summer break we can complete the legal scrubbing and move the process forward for the ratification of agreement in an accelerated manner by members. On the commencement of negotiation for comprehensive agreement in fisheries, including through further disciplines on certain subsidies that contribute to overcapacity and overfishing, my delegation would like to emphasise the need for appropriate and effective special and differential treatment for developing country members, including LDCs members to be an integral part of these negotiations.

On World Food Programme (WFP) decision, Madam, we would call upon WTO Secretariat to start getting information from WFP and to start reporting on the procurements made after this declaration to let us understand better the effectiveness and utility of this decision. On food insecurity declaration, we would remind members that we should work in a time bound manner to fulfil the mandate given on the basis of proposals from Egypt and Sri Lanka so that the problems or challenges of Least Developed and net food importing developing countries are

taken care of. On WTO reform Madam, we look forward to commencement of the process by the General Council. We emphasise once again that the reform process should be conducted by the GC and its subsidiary bodies as mandated by our Ministers. Let me also take this opportunity to reiterate to the members that the footnote with respect to WTO reform paragraph is not meant to be used as an opening for the joint statement initiatives. Instead, it is for members to submit proposals to the General Council and its subsidiary bodies on WTO reforms. So, we do hope that members will respect this understanding reached during the final stages of negotiations on this matter, during those late night discussions. On special and differential treatment as mandated by our Ministers, we look forward to expediting the work with respect to issues in the CTD SS as these have been long pending, and my delegation is ready to actively contribute to help move the work forward in this area.

On the response to the pandemic, the way forward is cross cutting, since the Declaration distils our experiences and points to the areas in which work has to be done. There are areas for specific action that have been identified throughout the Declaration. For instance, Para 20 provides the scope for further cooperation within the mandate of the WTO and its rules to boost post-pandemic recovery and trade flows, including on testing requirements and results, recognition of vaccination certificates and interoperability and mutual recognition of digital health applications. In Para 28, members have noted the importance of the WTO working, along with the World Health Organization and other international organizations, on an international pandemic response including inter alia on mutual recognition norms related to goods and services.

Members have identified the importance of understanding the role of WTO rules, and how these rules can better support future responses. There has been some work done by the Secretariat on compiling the various actions taken by different countries in the context of the pandemic. We need to analyse the responses of the various countries within the legal framework of the WTO. And based on that, members need to examine the manner in which WTO rules have been applied in the context of these measures and to modify the rules to enable a faster, more effective response.

On E-Commerce moratorium and work programme the process to understand the scope of moratorium needs to begin now. Members need to work in a concerted and time bound manner in the General Council and other regular WTO bodies to arrive at a common understanding on the scope of this moratorium. We have also underscored the importance of reinvigoration of work programme in all mandated councils and

committees. And we do repeat that India along with other members have already submitted in the Council for Trade and Development a paper in November 2021 and encourage members to engage on this issue.

On TRIPS waiver madam, we need to expedite the Decision with respect to paragraph 8 of the Ministerial decision WT/MIN (22)/30. The submission made on 6th July by co-sponsors of Waiver proposal, which South Africa has also mentioned in their intervention, is having an indicated timeline to assist with scheduling and prioritizing this mandated work within the stipulated time period. At the TRIPS Council meeting, held on 6th July some delegations indicated that they wish to engage in more evidence-based discussions on this issue and would need time for extensive domestic consultations. We urge those members to expedite such consultations and avoid going into circular discussions on this issue, as it has been discussed thoroughly over the past several months.

On process issues during MC 12, Madam many delegations have reiterated here and have stated their grievances. We also faced considerable challenges due to the limitations on the number of delegates who could enter and attend meetings at the same time in the WTO premises. And since you know that multiple meetings were taking place simultaneously, some time we also felt left out of some of the meetings. So, we would request that we should review the process of green room, room D or any small group processes, so that members should have proper representation. And in this regard, we request that catalogue of suggestions received from members may be prepared by WTO Secretariat and India is willing to contribute to that. Lastly, lack of sufficient time given to members to go through the final negotiating text is an issue and which comes repeatedly in various Ministerial Conference. So, I'm sure members will collectively look at this and these issues could be looked well before MC 13. So that we learn from the experiences of MC 12.