

# WORLD TRADE ORGANIZATION

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**MINISTERIAL CONFERENCE**  
**Fourth Session**  
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## INDIA

### Statement by the Honourable Murasoli Maran Minister of Commerce and Industry

1. I thank you, Mr Chairman, and your Government for hosting this 4<sup>th</sup> Ministerial Conference and for the excellent arrangements and hospitality.
2. I also welcome the delegations of the Peoples Republic of China and Chinese Taipei in our midst. India has consistently supported the accession of China to WTO and we are happy to see it realized, bringing greater universality to our organization.
3. I am constrained to point out that the draft Ministerial Declaration is neither fair nor just to the view points of many developing countries including my own on certain key issues. It is negation of all that was said by a significant number of developing countries and least-developing countries. We cannot escape the conclusion that it accommodates some view points while ignoring "others". The forwarding letter most surprisingly and shockingly also does not dwell on the substantive differences and focuses more on what are individual assessments. Even after these were reiterated in the strongest possible terms in the General Council on 31 October and 1 November, we recognize that there is a refusal to reflect these points in a substantive manner even in the forwarding letter. The only conclusion that could be drawn is that the developing countries have little say in the agenda setting of the WTO. It appears that the whole process was a mere formality and we are being coerced against our will. Is it not then meaningless for the draft declaration to claim that the needs and interests of the developing countries have been placed at the heart of the Work Programme?
4. After the setback at Seattle, all of us want Doha to be a success. Success, however, does not necessarily require over-reaching objectives or launch of a "comprehensive" round. Also the global unity achieved in the wake of the most unfortunate and tragic event of September 11 should not be undermined by proposing an agenda, which would split the WTO membership. Rather than charting a divisive course in unknown waters, let this Conference provide a strong impetus to the on-going negotiations on agriculture and services, and the various mandated reviews that by themselves form a substantial work programme and have explicit consensus.
5. We cannot be held hostage to unreasonable demands that concessions be made for carrying forward what are already mandated negotiations. Nor can one accept the argument that there is mandate only for commencing certain negotiations and not for completing them. Progressive reform in agriculture now requires elimination of the large-scale domestic support and other trade distorting subsidies and the removal of all unfair barriers facing farm exports of developing countries. At the same time, considering the critical dependence on agriculture by large rural populations in developing countries, we need to adequately provide for their food and livelihood security and for promoting rural development. Similarly, in services, facilitating the movement of professionals, must receive priority attention.

6. WTO has to recognize the existing development deficit in various WTO agreements and take necessary remedial action. WTO has also to recognize that development strategy has to be related to country specific situations. The "one size fits all approach" has clearly failed to deliver.

7. The asymmetries and imbalances in the Uruguay Round agreements, non-realization of anticipated benefits and non-operational and non-binding nature of special and differential provisions have been the basis for implementational issues and concerns raised by a large number of developing countries right from 1998. Expectations rose when the May 2000 decision was adopted by the General Council to find meaningful solutions at the latest by the Fourth Ministerial. The draft decision on implementation related issues and concerns before us have addressed some issues but left many more unresolved. Even among those addressed, the manner of resolution has left many gaps. We must make sincere efforts at this Conference to resolve the outstanding issues or give clear directions on how to deal with them. Notwithstanding our disappointment, we have already indicated in Geneva that we are prepared to join a consensus in favour of adopting the decision proposed as a package. It would be appropriate to take this item first in the Business Session and adopt the decision.

8. In relation to market access, even after all the Uruguay Round concessions have been implemented by industrialized countries, significant trade barriers in the form of tariff peaks and tariff escalation continue to affect many developing country exports. These will clearly need to be squarely addressed. Meanwhile, sensitive industries in developing countries including small scale industries sustaining a large labour force cannot be allowed to be destroyed.

9. New issues or new agreements will obviously extract new prices and developing countries are hardly prepared for the same. This becomes particularly relevant now since negotiations for agreements on several new areas are being proposed even while the study process is on. In the areas of Investment, Competition, Trade Facilitation or Transparency in Government Procurement, basic questions remain even on the need for a multilateral agreement. Most importantly, do the developing countries have the capacity to deal with them? Will we be able to say that they do not impinge strongly on domestic policies that are well removed from trade? Are the basic trade principles like non-discrimination or market access appropriate for dealing with issues like Investment and Competition? Would the Marrakesh remit for WTO which talks only of multilateral trade relations permit these other issues to be covered? We are very doubtful if we can give affirmative replies to all these questions. It is our considered view that we need to carefully study them further before rushing to decisions. In any case, the Singapore Declaration requires an explicit consensus for any decision to move to negotiations. Let us therefore wait till an explicit consensus emerges on these issues.

10. We firmly oppose any linkage between trade and labour standards. The Singapore Declaration had once and for all dealt with this issue and there is no need to refer to it again. Similarly, on environment we are strongly opposed to the use of environmental measures for protectionist purposes and to imposition of unilateral trade restrictive measures. We are convinced that the existing WTO rules are adequate to deal with all legitimate environmental concerns. We should firmly resist negotiations in this area which are not desirable, now or later. We consider them as Trojan horses of protectionism.

11. The Uruguay Round Agreement on TRIPS has invited strong reactions from developing country stakeholders. It is important that negotiations are held for extending geographical indications to products other than wines and spirits which are important to many countries. There should also be no misappropriation of the biological and genetic resources and traditional knowledge of the developing countries.

12. Availability and affordability of essential medicines is a universal human right. WTO should not deny that right. This Conference must send out a clear message to the world that nothing in the TRIPS Agreement shall prevent governments from taking measures to protect public health.

Accordingly, the TRIPS Agreement must be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and ensure access to medicines for all.

13. In conclusion, we are of the view that the issues which are not yet ripe must remain with the working groups for further study. India, including many other developing countries, are not ready to accept a new set of onerous commitments. The road map already charted by the Uruguay Round Agreements should be the future work programme and this crucial Ministerial Conference should provide negotiating mandate for resolving outstanding implementation issues and clear guidance on mandated negotiations and reviews. WTO is for multilateral trading system only. It should not encompass the responsibility for rule making of non-trade-related subjects. Globalization and liberalization have to be addressed at various fora and not in WTO alone. WTO is not a global government and should not attempt to appropriate to itself what legitimately falls in the domain of national governments and Parliaments. WTO's core competence is in international trade and we would strongly urge that it stays that way. Then only we can save and strengthen the multilateral trading system.

14. Mr Chairman, I am confident that you in your capacity as the Chairman of this Ministerial Conference is fully aware of the expectation, aspirations and concerns of developing countries on all the issues. I am absolutely sure that your experience, wisdom and commitment will enable all of us to find collective solutions to difficult issues in such a way that the final declaration really keeps the needs and interests of developing countries as the central theme of all future WTO activities.

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