

9th February, 2017

Civil Society Letter to Roberto Azevedo, Director General, WTO

Dear DG Azevedo,

Greetings!

This letter is addressed to you as DG, WTO on the occasion of your visit to India. This is being sent collectively from civil society groups, including farmers, workers, people living with cancer, HIV and HCV, health groups, retailers, and grass-root constituencies in India who are calling on you for a change in approach in the WTO negotiations, by advancing its development mandate rather than pursuing a trade agenda essentially for increasing the stranglehold of the dominant corporations.

Since its inception, the WTO has not addressed the legitimate developmental concerns even when it was mandated to do so. In the past two decades during which WTO has implemented the Uruguay Round Agreements, there has been an unacceptable level of increase in the inequalities between the rich and poor both across and within countries, because the trade rules have ensured benefits for a few at the cost of millions of people world-wide.

Development Round

The recent deliberations in the WTO raise grave concerns about further worsening of conditions of the people across the global south. Though the Doha Development Round (DDR) is far from perfect in terms of its conceptualisation, ambitions and achievements, the push for the “new issues”, even before the minimalist mandate of the DDR has been met, is a major cause for concern.

New Issues

In particular, the push for multilateral agreements covering e-commerce and investment, both in their ambition and approach, will be extremely damaging for the interests of large constituencies in India; including farmers and small producers, workers, patients, small traders and many others. These will also have detrimental impact on our government’s ability to regulate in public interest and to implement social protection measures.

E-commerce

Prohibiting custom duty on e-commerce, for example, will force our government to forego much needed tariff revenues that could have been used for key social services such as health & education, and advancing development objectives including the Sustainable Development Goals (SDGs). Incentives for the growth of e-commerce by allowing physical import of goods into our country will threaten the livelihoods of small traders, as well as the small and medium enterprises, which are the backbone of India’s manufacturing sector. Further, it can compromise India’s security considerations. Cross-border transfer of information through e-commerce subordinates privacy to profits and could override privacy laws and permit corporations to challenge such laws under ISDS. We are shocked to learn that the framework of the WTO talks on e-commerce goes even beyond that of the Trans Pacific Partnership (TPP), the TISA, and sneaks in TRIPS plus provisions as well as those related to the Singapore Issues. We would like to emphasise that a binding agreement on e-commerce could hurt not only countries like India but all the poorer members of the WTO.

Investment Provisions

Globally there is a growing questioning of bilateral investment treaties (BITs) in the light of evidence that corporations are abusing the ISDS mechanism to undermine the rights of sovereign states to regulate key areas including agriculture, environment and health, even as they are proving insufficient to attract foreign investment. They pose enormous threat to government's ability to regulate, change and implement policies in public interest, public health & environment, and uphold human rights. A large number of countries, which includes South Africa, Indonesia and India, are terminating their current BITs. India has terminated 57 of its BITs and is currently engaged in amending the text of remaining 25 treaties to introduce safeguards against abuse. At a time when there is a growing public opinion and apprehension among policy makers that the existing investment treaty regime undermines the efforts being made by sovereign states to address emerging social, economic, environmental and developmental challenges, no attempts should be made to revive the long-rejected principles of multilateral agreement on investment for launching negotiations for an investment agreement under the WTO framework.

Farm & Food Security

We are deeply worried to learn that while these new issues are being pushed under your leadership, key issues on agriculture such as the permanent solution on the food security proposal and the Special Safeguard Mechanism (SSM) are being pushed to the background. In fact, issue of the disproportionately large domestic subsidies maintained by several OECD members has not received serious consideration in the four years of your leadership. We want to draw your attention to the immense importance of agriculture, food production and farmers' livelihoods in a country such as India and to tell you what a travesty it is that the huge developed country agricultural subsidies continue unabated while minimum subsidies given to poor farmers in India are coming under close scrutiny at the WTO. We also want to add that we cannot support any move on fisheries subsidies without ensuring special & differential treatment, which will help to protect poor and small fisher-folk in India.

Future Course

We would urge you to re-orient the WTO, which will enable the organization to fulfil its development mandate. The WTO was set up to help developing countries catch up. It needs to fulfil that mandate to justify its sheer existence. We call upon you to respect the spirit of multilateralism in the negotiations, and not resort to processes that push decisions by a few rich members while leaving out the voices of the poorer members and the vast majority of their people in these processes.

Globalisation including on WTO's terms, is leaving large numbers of countries and people behind while it enriches a privileged few worldwide. Unless institutions like the WTO takes the voices of this vast majority seriously, its existence will justifiably be in jeopardy.

Endorsed by:

1. Access to Right and Knowledge Foundation, Nagaland
2. All India Coordination Committee of Farmers Movements
3. All India Drug Action Network (AIDAN)
4. All India Kisan Sabha (AIKS)
5. All India Trade Union Congress (AITUC)
6. ANANDI
7. ASHA-Kisan Swaraj Alliance, India

8. Asia Floor Wage Alliance, India
9. Badayl, Goa
10. Basudha, West Bengal
11. Beej Bachao Andolan, Uttarakhand
12. Beyond Copenhagen, India
13. Bharatiya Kisan Sangh (BKS), India
14. Bhartiya Kisan Union (BKU), India
15. CARITAS, Goa
16. CECOEDECON, Rajasthan, India
17. Centre for Equity Studies, Delhi
18. Centre for Internet & Society, India
19. Centre for People's Forestry, Secundrabad, Karnataka
20. Centre of Indian Trade Unions (CITU)
21. Citizen News Service (CNS), India
22. Community Network for Empowerment, Manipur
23. Delhi Network of Positive People
24. Desiya Karshaka Samajam, India
25. Farmcare Foundation, Kerala
26. Feminist Learning Partnerships, Delhi
27. Forum on FTAs, India
28. Gramya Resource Centre for Women, Karnataka
29. Hepatitis Coalition of Nagaland
30. India FDI Watch
31. Indian Social Action Forum (INSAF), Delhi
32. Initiative for Health & Equity in Society (IHES)
33. Intercultural Resources, Delhi
34. IT for Change, Karnataka
35. Jammu and Kashmir Kisan Tehreck
36. JANANEETHI, Kerala
37. Janpahal, India
38. Just Net Coalition, India
39. Karnataka Prantha Raitha Sangha
40. Karnataka Rajya Raitha Sangha
41. Karshaka Munnettam, Kerala
42. Kerala Karshaka Sangham
43. Kerala Paristhithi Aikya Vedhi
44. KHANA (Khaadhya Nyaya Abhiyan), Delhi, India
45. Kheti Virasat Mission, Punjab
46. Lawyers Collective, India
47. Low Cost Standard Therapeutics (LOCOST)
48. Madhyam, Delhi
49. Malia Mahila Shakti Sangathan
50. Malanad Karshaka Raksha Samithi, Kerala
51. Medico Friends Circle, India
52. Nagaland Users Network

53. Nalla Soru, Tamil Nadu
54. National Working Group on Patent Laws and WTO, India
55. New Trade Union Initiative, India
56. Organic Farmers Market, Chennai, Tamil Nadu
57. Odisha Krishak Sabha
58. Pairvi, Delhi
59. Palestine Updates, Goa
60. Panam Mahila Bachat Ane Dhiran Sahkari Mandli
61. Paschim Banga Krishak Sabha
62. Programme on Women's Economic, Social and Cultural Rights (PWESCR), India
63. Public Services International, South Asia
64. Rashtriya Kisan Mazdoor Sangh, India
65. Rashtriya Kisan Sanghadan, India
66. Rashtriya Swabhiman Andolan, India
67. Ratanmahal Adivasi Mahila Sajiv Khet Utpadak Mandli
68. Restore Gardens, Chennai, Tamil Nadu
69. Right to Food Campaign, India
70. Safe Food Alliance, Tamil Nadu
71. Samanvaya Consulting, Tamil Nadu
72. Sankalp Rehabilitation Trust, Mumbai, Maharashtra
73. Save Our Rice Campaign, India
74. South Asia Alliance for Poverty Eradication (SAAPE)
75. South Indian Co-ordination Committee of Farmers Movements (SICCFM)
76. South Solidarity Initiative, ActionAid India
77. Sunray Harvesters, Madhya Pradesh
78. Swadeshi Andolan, India
79. Tamil Nadu Vivasayigul Sangham
80. Telengana State Rythu Sangham
81. Thalanamai Uzhavar Iyakkam, Tamil Nadu
82. Thanal, Kerala
83. Tharcharbu Iyakkam, Sirkali
84. The Alliance for Right to Early Child Development, India
85. The Hawkers Federation, India
86. Third World Network, India
87. Tree Farms, Tamil Nadu
88. Zinda Dilli, Delhi

Cc:

Hon'ble Prime Minister of India, Shri Narendra Modi
Hon'ble Minister for Commerce and Industry, Ms. Nirmala Sitharaman
Secretary, Ministry of Commerce and Industry, Ms Rita Teotia