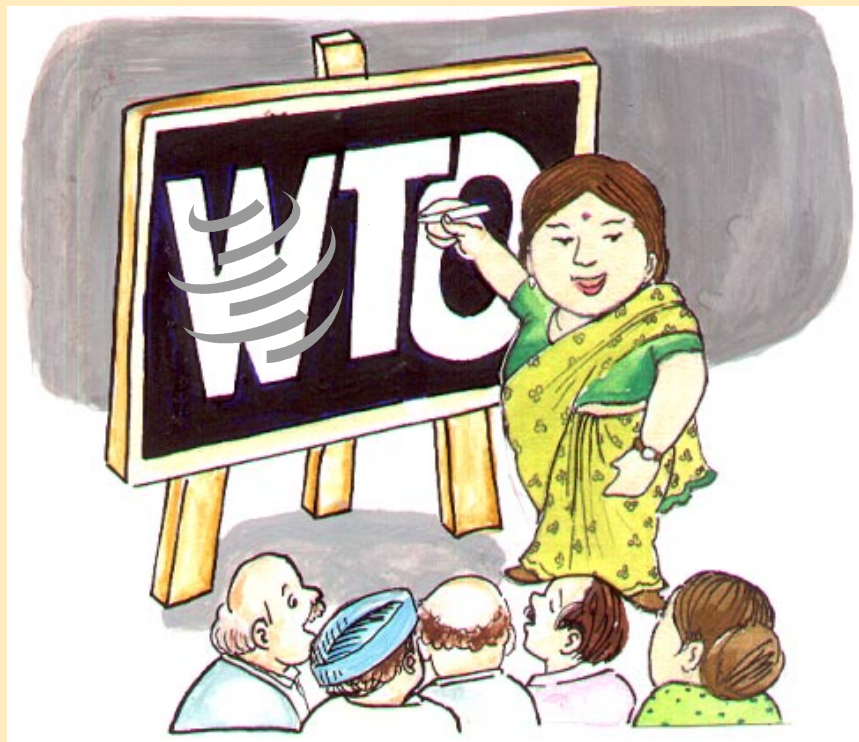


ABC of the WTO



Monographs on Globalisation and India
– Myths and Realities, #2

ABC of the WTO

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कट्स ✕ CUTS

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Monographs on Globalisation and India – *Myths and Realities*, #2

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The forthcoming monographs will cover the following issues

1. Agriculture
2. Trade Related Aspects of Intellectual Property Rights (TRIPs)
3. Trade Remedy Measures-Anti-dumping, Subsidies and Countervailing Measures and Safeguards
4. Non-tariff Barriers
5. General Agreement on Trade in Services (GATS)
6. Standards and Market Access- Sanitary and Phytosanitary Measures & Technical Barriers to Trade
7. Textiles & Clothing
8. Trade & Environment

Preface

We launched this series of monographs on Globalisation and India – Myths and Realities on September 2001. The first one was a big success, as was evident by the accolades and demand that we have been receiving from several quarters. The Prime Minister’s private secretary wrote that he has read it.

However the best letter that we got was from Mr. Kailash Joshi, Member of Parliament and former Chief Minister of Madhya Pradesh. Extracts of this letter:

“Though in recent past many monographs, literatures etc have been published on Globalisation and Liberalisation but they treated the subject superficially advocating only one-sided views and publishing only half-truths.

However for the first time the referred monograph, which has been sent to me, have treated the most important subject impartially bringing out the real challenges India is facing from the World Trade Organisation treaty with its factual analysis to take the advantages for the benefit of our beloved nation.”

This second monograph – and more – is about the World Trade Organisation (WTO) which has become the tool for globalisation. Before we get into the nitty gritty of WTO, it will be useful to narrate the history.

In the famous and historic Bretton Woods (a small conference city in the USA) Conference after the Second World War, the three pillars to manage the world economy, namely the International Monetary Fund (IMF), World Bank and International Trade Organisation (ITO) were conceived. IMF was seen as the world body to facilitate international liquidity. World Bank was conceived as a sectoral lending institution. These two emerged as full-fledged organisations from the Bretton Woods process.

The third baby: ITO could not be launched due to several factors, principally the opposition from the US Congress, which feared that the country will loose its sovereignty to a supra-national body. Following this, bilateral trade

agreements between various western countries were used as a nucleus to enter into a multilateral trade treaty, the General Agreement on Trade and Tariffs in 1947 and remained in the shape of the GATT agreement till 1995. GATT had 'contracting parties'. Notably, India was one of the founding members/signatories among the 23 countries.

The fully formed body took shape only on 1 January 1995 when the organisation was rechristened as the World Trade Organisation (WTO). In the eighth round of multilateral trade negotiations known as the Uruguay Round (UR), many agreements were entered into, leading to the Final Act embodying the results of the UR and establishment of the WTO.

With the establishment of the WTO, the third leg of the Bretton Woods system became a reality. It ushered in a new era of a rules-based multilateral trading system and laid down the parameters for the conduct of international trade relations.

The eight-year long Uruguay Round of negotiations among GATT contracting parties agreed to establish the WTO. Given their contentious nature, in the early 1990s negotiations were about to break down, and might have done but for the timely intervention by the then Director General of the GATT, Arthur Dunkel. Thus, a compromise draft was worked out – popularly known as the 'Dunkel Draft'.

At that time, the media was full of stories on the Dunkel Draft. The overwhelming tone was that India's interests were being compromised. There was some truth in this, but it was also true that India as a founding member of GATT and, as a good international citizen, could not afford to be out of the system. India is not the only country in the world where there is antipathy against the WTO. It exists in equally strong measure in the USA.

Be that as it may, more than seven years have passed and all member countries are engaging themselves in the rules-based multilateral trading system. However and unfortunately, public knowledge on WTO issues in India remains quite low. Debate is still confined to a limited circle, comprising mostly academics. There is a general lack of knowledge among the public and the polity.

However, since the abortive Seattle ministerial conference of the WTO (held in 1999), the Indian media, particularly the business dailies, has started playing a more active role. Increasing coverage in the language press followed this. Unfortunately, the passion of the analysis and reporting was not matched by a clear presentation of the facts in the right perspective.

Thus, mostly for wrong reasons, the WTO has become a subject of intense criticism from civil society organisations. Much of this is mere rhetoric – devoid of facts and realities. Naturally, such biased positions influence the common man’s understanding.

Indeed, the WTO is an unequal agreement, as much as the world we are living in, is also an unequal one. The question of whether we can afford to leave the multilateral trading system, when almost all the major countries in the world (barring Russia) are a part of it, is not relevant. Rather, we should ask ourselves how could we get the best out of the system, i.e. how to avail opportunities and insulate ourselves from its negativities.

Unfortunately, even our polity’s approach towards the WTO is reactionary – describing it as a necessary evil. Then there are self-appointed experts saying that the country’s positions are not adequately heard at the WTO. The fact is that India’s share in world trade is around just half a percent, and the country enjoys a disproportionate position in terms of influencing issues at the WTO. This is largely because of our negotiators’ skills.

In such a situation, the man in the street is perplexed. On and often s/he hears/reads in the news that India should get out of the WTO, as it is not good for the country, but there is no attempt to raise the important questions: why it is not good, what would be the cost/benefit if the country left the WTO, etc?

Muchkund Dubey, former Foreign Secretary of India and an expert on GATT/WTO issues, summarises our dilemma quite well: *“It is neither desirable from the point of view of our international credibility nor necessary to pull out of the new trading system. Armed with a development strategy, we can give our own interpretation to some of the key provisions of WTO agreements and stand firm on that. In this connection, what is needed is transparency. Instead of misleading the people in an attempt to do a hard sell of the WTO agreements, the Government of India should explain both the pros and cons of their main provisions and leave it to the people.”* (An Unequal Treaty: World Trading Order After GATT, 1996)

However, even today, there is a little attempt on the part of the Government to reach out to the people at large and explain matters relating to the WTO and the international trading system. It used to be very poor before 1999. Furthermore, there has been virtually no attempt by the Indian civil society to spell out truths dispassionately. There is no denying the fact that a more open trade regime will bring some shocks, but we have to face them by establishing

appropriate safety nets, rather than by running away from reality. It is also true that there are opportunities, which need to be identified and exploited.

This monograph is an attempt to inform the layperson about the WTO in a simple question-answer format. It is the second in our series of monographs covering WTO-related issues and their implications for India. Its aim is to create an informed society through better public knowledge, and thus enhance transparency and accountability in the system of economic governance.

Instead of relying upon rhetoric and taking reactionary stands, the need of the hour is to take stock of the situation (opportunities and threats) with respect to the WTO acquis, and adopt strategies accordingly. The people of India must be knowledgeable enough to understand and comprehend the issues in the right perspective.

Let the people of India through their representatives in the parliament decide the strategies to take forward the country's interests at the WTO. In this manner we can put forward proactive demands during the new trade negotiations, which have started after the Doha ministerial conference of the WTO.

India has been somewhat successful in achieving its objectives in Doha – in securing primacy for implementation problems, in bringing the anti-dumping agreements to the negotiating table, in getting a waiver from the agreement on TRIPs in times of public health emergencies and creating the opportunity for protection of geographical indications and traditional knowledge, in ensuring exemption for integrated textile tariff peaks, in keeping core labour standards out of the purview of WTO and in postponing negotiations on the four Singapore issues. The only area where it had to compromise to some extent was in respect of trade and environment.

Jaipur
July 2002

Pradeep S. Mehta
Secretary General



What is General Agreement on Tariffs and Trade (GATT)?

The General Agreement on Tariffs and Trade (GATT) was a multilateral treaty, signed by 23 countries on 30th October 1947 at the United Nations building (known as Palais des Nations) in Geneva, Switzerland. Among the founding members, known as ‘contracting parties’, 12 were from the developed world, and the rest were developing countries. Salient features of the GATT, 1947 were as follows.

- It was neither an organisation nor a court of justice, but a multilaterally agreed treaty related to tariffs imposed on goods that covered 80 percent of world trade.
- It was a decision-making body with a set of rules for the conduct of international trade in goods, and formulated mechanisms for trade liberalisation.
- It was a forum where contracting parties met from time to time to discuss and solve trade problems, and also negotiated to enlarge their trade volumes.
- The GATT rules provided for the settlement of trade disputes, called for consultations, waived trade obligations, and even authorised retaliatory measures.

After the Second World War, steps were taken to regulate world trade by proposing to set up an International Trade Organisation (ITO) along the lines of the International Monetary Fund and the World Bank. Due to various factors, when the ITO did not materialise, 23 nations agreed to continue trade negotiations for concessions that were eventually incorporated in GATT. Interestingly, China was a founding member, but it withdrew from GATT in 1949. On 1st January 1995, GATT passed into history when the World Trade Organisation was formed.

Founding Members of the GATT	
1. Australia	13. Lebanon
2. Belgium	14. Luxembourg
3. Brazil	15. The Netherlands
4. Burma (now Myanmar)	16. New Zealand
5. Canada	17. Norway
6. Ceylon (now Sri Lanka)	18. Pakistan
7. Chile	19. Southern Rhodesia (now Zimbabwe)
8. China	20. Syria
9. Cuba	21. South Africa
10. Czechoslovakia	22. United Kingdom
11. France	23. United States
12. India	



What is Uruguay Round and how it is different from the earlier GATT Rounds?

The eighth round of GATT negotiations, which started in September 1986, began at Punta del Este in Uruguay. This is why it is known as the Uruguay Round. The negotiations were expected to be concluded in four years, but on account of the differences among countries on certain critical areas like agriculture, agreement could not be reached on time.

In the early 1990s, to break this deadlock, Arthur Dunkel, the then Director General of GATT, compiled a detailed document, which was popularly known as the Dunkel Draft. On December 15th 1993, this Draft eventually evolved into the final Act.

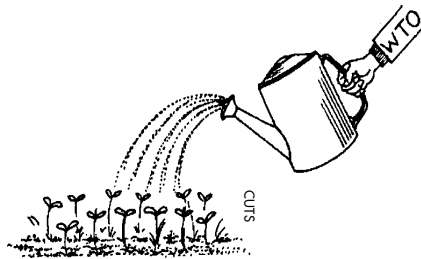
The final Act embodying the results of the Uruguay Round comprises 28 agreements. The original GATT treaty i.e. GATT 1947, covered rules governing international trade in goods only. During the Uruguay Round, negotiations were held in two new areas, viz. intellectual property rights and services.

Between 1947 and 1994, there were eight rounds of negotiations between the GATT contracting countries. The first six rounds were related to the lowering of tariffs. The seventh round included negotiations on non-tariff barriers. The eighth round was entirely different from the previous rounds because it included a number of new subjects for negotiation.

On November 8, 2001, in Doha, Qatar, the ninth round has also been formally launched. It is scheduled to be concluded in three years i.e. in 2003. It is the first WTO round.*

Round	Year	Major Outcomes	Countries
I	1947	Signature on first GATT Round	23
II	1949	Tariff reduction on specific products	13
III	1950-51	Tariff reduction on specific products	38
IV	1956	Tariffs	26
V (Dillon Round)	1960-61	Induction of European community for the first time and 20% tariff reduction	26
VI (Kennedy Round)	1964-67	33% reduction in restrictions on manufactured goods	62
VII (Tokyo Round)	1973-79	Non-tariff restriction, etc.	102
VIII (Uruguay Round)	1986-93	Agriculture, Services, TRIPs, TRIMs	123
IX Doha Round *	2001-	<i>Going on</i> Negotiations on the relationship between trade & environment and new issues may start	144**

** as on May 2002



What is World Trade Organisation (WTO)?

The World Trade Organisation (WTO) is a permanent inter-governmental body governing and regulating international trade in goods and services. Its headquarters are in Geneva, Switzerland. It lays down the parameters for the conduct of international trade. It has a legal basis and enjoys privileges and immunities on the same footing as other inter-governmental organisations like the International Monetary Fund and the World Bank.

The WTO provides a framework for the implementation, administration, operation and means of furthering the objectives of multilateral agreements that are under its purview. It includes:

- the GATT 1947 text, as modified in the Uruguay Round and known as the GATT 1994 text; and
- the complete results of the Uruguay Round (UR) of multilateral trade negotiations.

The WTO is the successor to GATT. In April 1994, GATT members signed an agreement in Marrakesh, Morocco to establish the WTO. On 1st January 1995, it started operations. On 1st January 1995, there were 128 members of the WTO. This number has increased to 144 by 15 April 2002 (WTO Annual Report 2002, WTO). India is a founding member of GATT as well as the WTO.

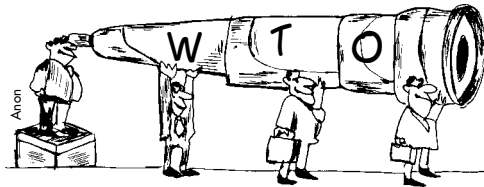
Recently, China joined as 143rd member, while Taiwan as the 144th member. So many are in queue viz. Nepal, Bhutan, Algeria, Cambodia, Kazakhstan,

Lebanon, Russian Federation and many more. The Working Party on the accession of these countries is established and the meetings of the respective Working Party are held from time to time.

AGREEMENTS COMPRISING THE WTO

MULTILATERAL AGREEMENTS ON TRADE IN GOODS
General Agreement on Tariffs and Trade 1994
Agreement on Agriculture
Agreement on Textiles and Clothing
Agreement on Technical Barriers to Trade
Agreement on Trade-Related Investment Measures
Agreement on Anti-dumping measures
Agreement on Implementation of the General Agreement on Tariffs and Trade 1994
Agreement on Preshipment Inspection
Agreement on Rules of Origin
Agreement on Import Licensing Procedures
Agreement on Subsidies and Countervailing Measures
Agreement on Safeguards
GENERAL AGREEMENT ON TRADE IN SERVICES
AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS
UNDERSTANDING ON RULES AND PROCEDURES GOVERNING THE SETTLEMENT OF DISPUTES
TRADE POLICY REVIEW MECHANISM
PLURILATERAL AGREEMENTS (not all members are signatory to these agreements)
Agreement on Civil Aircraft
Agreement on Government Procurement
Agreement on Dairy Products (terminated in 1998)
Agreement on Bovine Meat (terminated in 1999)

4



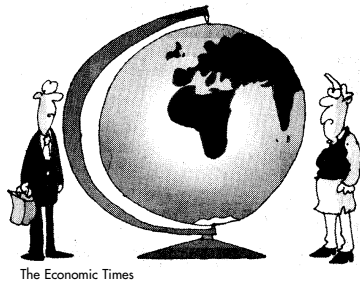
What are the differences between GATT and the WTO?

The differences between GATT and the WTO are as follows.

GATT	WTO
GATT was ad hoc and provisional body	WTO has a sound legal basis, which has been created by an international treaty ratified by the governments and legislatures of member states.
GATT was a set of rules (a text with no legal organisation to back it up) and procedures relating to the multilateral agreements of a selective nature, which were not binding on contracting parties	The agreements that form the WTO are permanent and binding for all members.
The GATT dispute settlement system was slow and not binding for the parties to the dispute.	The WTO dispute settlement mechanism is faster and binding. The saying goes that whereas GATT was toothless, the WTO has teeth.

GATT	WTO
<p>GATT was a forum where the contracting parties met to discuss and solve problems relating to international trade. There were long, protracted negotiating rounds, which took years to complete.</p>	<p>The WTO, on the other hand, is a properly established rules-based body, where decisions on agreements are time-bound. WTO members are required to meet at least once every two years, in a session called the Ministerial Conference, which is the highest decision-making body of the organisation.</p>

The GATT rules were applied to trade in goods only. Technically negotiations on agriculture were possible but contracting parties were mainly interested in cross-border tariff reduction on industrial products. First time during the Uruguay Round, negotiating parties agreed to have a comprehensive multilateral agreement on agriculture and textiles & clothing. The WTO not only covers trade in goods, but also services, intellectual property rights, agriculture and textiles & Clothing.



How does the WTO function?

The Ministerial Conference, composed of representatives of all the members, heads the WTO and is the highest policy making body. It meets at least once every two years. It takes all necessary actions to carry out the functions of the WTO. It also takes decisions on all relevant matters under any of the trade agreements covered by the WTO.

In the WTO, there is a General Council composed of representatives of all the members, which oversees the operation of the agreements and ministerial decisions on a regular basis. It also acts as a Dispute Settlement Body and a Trade Policy Review Body, each with its own chairman.

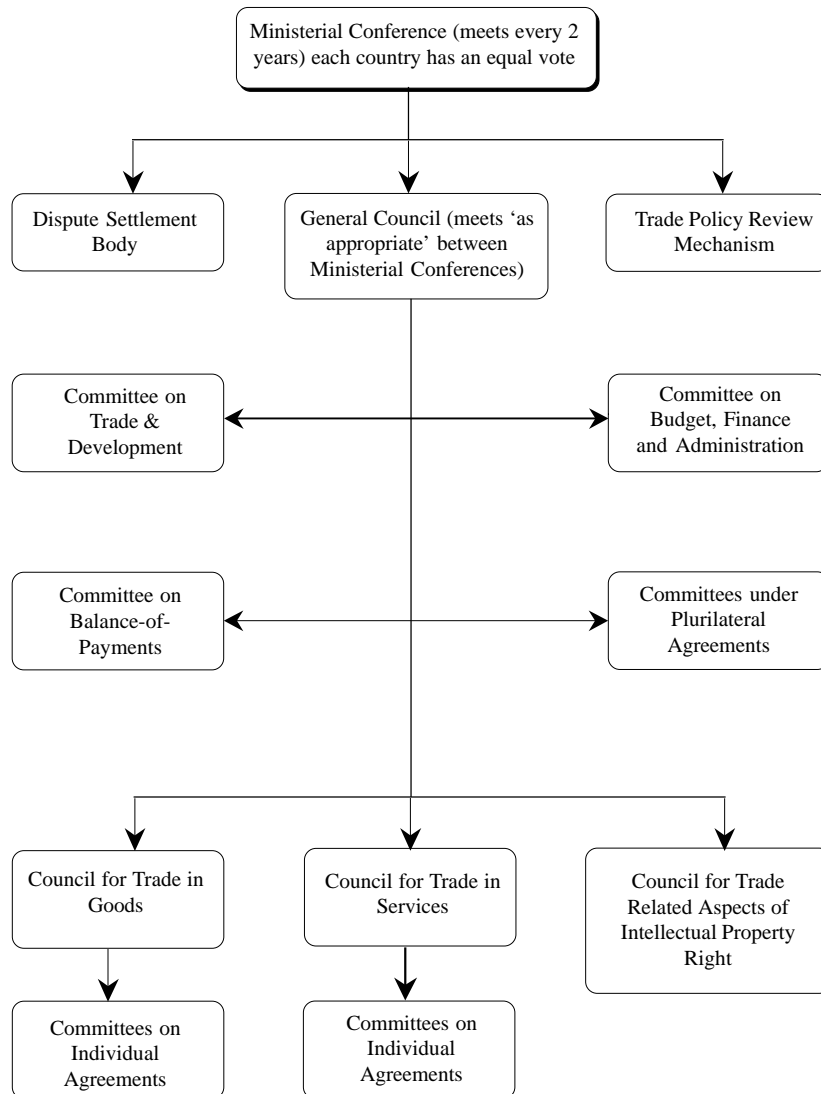
Other main bodies which report to General Council, are the Council for Trade in Goods, the Council for trade in Services, the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPs). These councils, in turn have their subsidiary bodies. The Councils and subsidiary bodies meet as necessary to carry out their respective functions.

There are other forums, known as committees, which cover specific issues and carry out the functions assigned to them by the General Council.

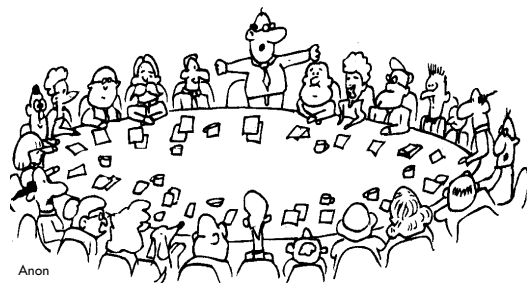
The Director General (DG), appointed for period of four years by the Ministerial Conference, heads the Secretariat of the WTO. The DG appoints the members of the staff of the Secretariat and determines their duties and conditions of service in accordance with the policy guidelines adopted by the General Council.

The WTO continues the practice of decision-making by consensus, as followed under GATT 1947. Where a decision cannot be arrived at by consensus, the matter is to be decided by 2/3rds majority voting on the basis of 'one country, one vote'. To date, all decisions at the WTO have been taken and adopted by consensus.

The Structure of the WTO



6



How does the WTO select an area/issue to deal with?

The WTO is a rules-based system. Whatever agreements are in place have been brought in by consensus among the member countries. As such, there are no set norms or list of defined subjects/issues to be taken up.

Any new issue to be introduced in the WTO has to go through discussions among the members. If members reach a consensus, then negotiations start. However, it should comply with the Preamble to the WTO Agreement that pledges to raise standards of living and ensure full employment and large and steadily growing real incomes.

In general, the following steps are taken when a new issue enters the WTO.

- A country or a group of countries put forward a submission on the subject to the WTO General Council. They may request the General Council to set up a working group/party on the subject, which then discusses related and relevant issues.

For instance, there is no multilateral agreement on competition policy, but a working group looking into the issues of the interaction between trade and competition policy was set in 1994. On the relationship between trade and investment, there is a separate working group functioning since 1994.

The 4th Ministerial Conference, held at Doha, Qatar, decided to set up two new working groups – on trade, debt and finance, and on trade and transfer of technology.

- The working group is required to prepare and submit a report to the General Council. The WTO Ministerial Conference will then take a decision, after discussions, on proceeding with negotiations or otherwise.
- Negotiations start if there is a consensus. It is not necessary for an agreement to be reached after negotiations conclude.

WTO Ministerial Conferences			
Particulars	Date/Year	Venue	Major Outcomes
1 st Conference	9-13 December 1996	Singapore	Agreement on Information Technology and introduction of new issues
2 nd Conference	18-20 May 1998	Geneva	Standstill Agreement on Electronic Commerce
3 rd Conference	1999	Seattle (could not be concluded)	Market Access, Agriculture, Services, Trade Facilitation, E-commerce
4 th Conference	9-14 November 2001	Doha, Qatar	Implementation problems, Environment, Investment, Competition, TRIPs, Transparency in Government Procurement, Trade Facilitation. Two new working groups on Trade, Debt and Finance and Trade and Transfer of Technology were set up.



What are the special concessions for poor countries under the WTO Agreements?

The WTO has certain special provisions to deal with the specific needs of poor (developing and least developed) countries:

- Extra time for developing and least developed countries to fulfil their commitments under most of the agreements;

Developed countries were required to reduce their Aggregate Measure of Support (AMS) by 20 percent over the six years from 1995. For developing countries, the reduction was 13.3 percent, over ten years. Least developed countries were not required to make any reduction.

- Provisions designed to increase developing and least developed countries' trading opportunities through greater market access in developed countries;

For those products whose trade was extremely restricted earlier, countries were required to give Minimum Access Opportunity commitments. The

commitments stipulate establishment of tariff quota equal to 3% of domestic consumption and raising to 5% by 2001 for developed countries and 2005 for developing countries.

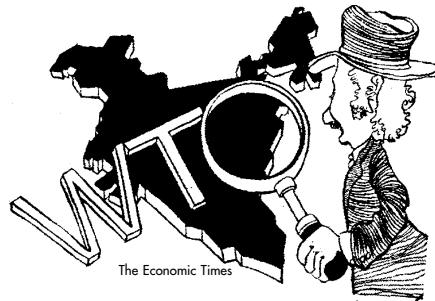
- Provisions requiring WTO members to safeguard the interests of developing and least developed countries while adopting domestic measures;

The developed countries are to cut their agriculture tariffs by an average of 36 percent over six years while developing countries are committed to slash the same by 24 percent in ten years. The least developed countries are not bound to effect any tariff cut under the agreement.

- Provisions for technical assistance to developing and least developed countries, e.g. helping them to deal with commitments on standards, etc.

The new trade round that launched last November 2001 at Doha, initiated the Global Trust Fund with a target amount of core funding totalling CHF 30 million. This fund aims to provide resources to developing countries, opportunity to initiate an urgent and necessary policy dialogue on several issues at the core of technical co-operation/assistance and capacity-building.

The same will also focus the least developed countries, and countries without representatives in Geneva.



Why should India be a member of the WTO?

There are arguments both for and against India's membership of the WTO. Ideally the answer should depend on the perception of what India needs from the multilateral trading system and what will be beneficial for the people of the country. India has to fulfil two basic tasks for the betterment of living standards:

- an improvement in the industrial and agricultural base, and
- the alleviation of mass poverty.

For India, a rules-based inter-governmental body like the WTO seems to be more of a necessity than an option. However, negative opinions have been expressed about the WTO, and some have advocated leaving it. The moot question is what would the country achieve if it were not a member of the WTO. It would perhaps be falling out of the frying pan into the fire.

If it were to leave, the country would have to negotiate every provisions of each agreement which it deemed fit with all its other trading partners. Moreover, unlike Mexico and certain small European countries, India is not a member of any large regional trading blocks like NAFTA, European Union, ASEAN etc. So far, India's effort to form a regional trading arrangement at the South Asian level have not taken off. On the other hand, as a member of a rules-based multilateral trading system, India can save precious human and monetary resources on negotiations.

If India came out of the WTO, it would become isolated in the international political arena. Can our country afford to be a 'bad' international citizen? Why

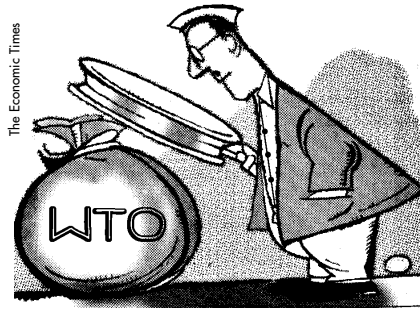
countries like China have joined the WTO? In 1947, GATT started with 23 nations. The number rose to 128 when the WTO was established in 1995. Today it has 144 members.

Furthermore the following countries are in the queue to join the WTO. In this process they are going through much bargaining with each of the existing members. Till date, not a single country member of the WTO is contemplating leaving the WTO.

The table below indicates the countries and time involved while the initial requests to become a member of the WTO was made by the respective countries

S No.	Government	Date of Initiation
1.	Algeria	17 June 1987
2.	Andorra	22 October 1997
3.	Armenia	17 December 1993
4.	Azerbaijan	16 July 1997
5.	Bahamas	18 July 2001
6.	Belarus	27 October 1993
7.	Bhutan	6 October 1999
8.	Bosnia Herzegovina	15 July 1999
9.	Cambodia	21 December 1994
10.	Cape Verde	17 July 2000
11.	Kazakhstan	6 February 1996
12.	Lao People's Democratic Republic	19 February 1998
13.	The Republic of Lebanon	14 April 1999
14.	Former Yugoslav Rep. of Macedonia	21 December 1994
15.	Nepal	21 June 1989
16.	Russian Federation	16 June 1993
17.	Samoa	15 July 1998
18.	Saudi Arabia	21 July 1993
19.	Seychelles	11 July 1995
20.	Sudan	25 October 1994
21.	Tajikistan	18 July 2001
22.	Tonga	15 November 1995
23.	Ukraine	17 December 1993
24.	Uzbekistan	21 December 1994
25.	Viet Nam	31 January 1995
26.	Yemen	17 July 2000
27.	Federal Republic of Yugoslavia	8 February 2001

Source: www.wto.org



Is the WTO a threat or an opportunity for India?

The WTO is a democratic organisation with a set of rules to be followed by all member countries. Therefore it should not pose any hidden threat for India or any other country.

The more relevant question is whether or not it is useful to be part of such a rules-based system. A yes or no answer to the question would not really be appropriate since the issue is not one of threats, but one of advantages and disadvantages.

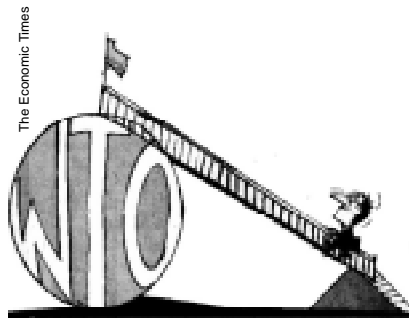
We cannot ignore the fact that the formation of the WTO was a historical necessity. Without the WTO, the multilateral trading system would have been in huge trouble.

When developing countries were liberalising their economies, they felt the need for better export opportunities. Despite the reluctance shown by big powers for the formation of the WTO, middle-level trading countries (like South Korea and Singapore) and developing countries (particularly India and Pakistan) were in favour of it.

It must be understood that the opening up of global trade/competition is not a substitute for economic development. It is an outcome.

The WTO does provide opportunities for countries to grow and realise their export opportunities, provided appropriate domestic policies are in place.

Instead of commenting on the inherent flaws or biases in the WTO, India needs to work within the existing framework. Negotiations are guided by give-and-take principles, so India must work out a strategy to obtain maximum benefits.



Why should an individual be aware of the WTO?

An individual should be aware of the WTO because s/he is a consumer. Trade and trade policies are of the great importance to consumers everywhere. Consumers are the ultimate beneficiaries of freer trade. They get better access to and choice of products to be consumed, and increased competition results in the availability of better quality goods at fair prices.

In a world dominated by increasingly complex markets, consumers should ensure that their rights are fully protected and are not abused. For this they will need to know what their rights are and their implications. The market, in its pursuit of profit, is forging ahead with newer ways of cashing in on consumer vulnerabilities.

With a minimum level of knowledge on the international trade system as governed by the WTO, an empowered consumer will be able to protect his/her rights and interests in areas as diverse as medicines, vehicles and financial services.

Realising all this, the Doha Declaration in its Para 10 and Para 45 states:

“Recognizing the challenges posed by an expanding WTO membership, we confirm our collective responsibility to ensure internal transparency and the effective participation of all Members. While emphasizing the

intergovernmental character of the organization, we are committed to making the WTO's operations more transparent, including through more effective and prompt dissemination of information, and to improve dialogue with the public. We shall therefore at the national and multilateral levels continue to promote a better public understanding of the WTO and to communicate the benefits of a liberal, rules-based multilateral trading system”.

“The negotiations to be pursued under the terms of this Declaration shall be concluded not later than 1 January 2005. The Fifth Session of the Ministerial Conference will take stock of progress in the negotiations, provide any necessary political guidance, and take decisions as necessary. When the results of the negotiations in all areas have been established, a Special Session of the Ministerial Conference will be held to take decisions regarding the adoption and implementation of those results”.

Further information on the WTO can be obtained from WTO website www.wto.org or from CUTS, either by visiting www.cuts.org or asking for any of the publications. CUTS and many other organisations are organising seminars and workshops on WTO issues for generating better awareness among the people.

‘CUTS’ PUBLICATIONS

TRADE AND DEVELOPMENT

1. Implication of Non-Co-operation (Event Report)

This is a report of the proceedings of the South Asia Conference on International and Regional Trade held at Kathmandu, Nepal, during December 11-12, 1995. The event, held just after the signing of South Asian Preferential Trading Agreement (SAPTA), was inaugurated by the Prime Minister of Nepal, while the Secretary General of SAARC delivered the Keynote address. The event focussed the attention of the Region on the huge costs of non-cooperation among the countries in the region, including the need to take a common stand at the WTO. *pp 25, # 9514, Rs.10/US\$5*

2. Agenda for India at the WTO – Need to be Proactive (Event Report)

This is a consolidated report of four seminars on international trade policy organised by CUTS in May and October 1996 and March and October 1997. The report is a step towards informing and consensus-building on India's approach to the new world trade order. It is a reader-friendly document for policy-makers, business representatives, social activists and the media. *pp 39, #9711, Rs.20/US\$5*

3. International Trade Policy and Negotiations (Event Report)

This is a summary report of the South Asian Regional Training Seminar organised by CUTS-CITEE (Centre for International Trade, Economics & Environment) from July 25-27, 1997. *pp 20, #9712*

4. Tariff Escalation –A Tax on Sustainability (Research Report)

This study reveals that the existence of escalating tariff structure, particularly in developed countries, results in “third-best” allocation of resources. It also harms environment, development and the balance of trade.
pp 25, #9707, Rs.100/US\$30, ISBN: 81-87222-00-X

5. Trade, Labour, Global Competition and the Social Clause (Research Report)

The social clause issue has remained one of the most heated areas of international debate for a number of years. This study reveals that the quality of that debate has not addressed the real issues. It attempts to string the various debates together. *pp 40, # 9708, Rs.100/US\$30, ISBN: 81-87222-01-8*

6. TRIPs, Biotechnology and Global Competition (Research Report)

This study shows, with some evidence, that the provisions in the TRIPs agreement concerning bio-technology are of great concern to the developing world. According to the new GATT agreement, all bio-technology products may be patented. Nearly 80 percent of all bio-technology patents are currently held by large multinationals. *pp 19, #9709, Rs.100/US\$30, ISBN: 81-87222-02-6*

7. Non-trade Concerns in the WTO Agreement on Agriculture (Research Report)

This research report, written by Dr. Biswajit Dhar and Dr. Sachin Chaturvedi of the Research and Information System for the Non-Aligned and Other Developing Countries, New Delhi, provides a detailed analysis of non-trade concerns, covering the various dimensions indicated by the Agreement on Agriculture of the World Trade Organisation. *pp 29, #9912, Rs.100/US\$30, ISBN: 81-87222-30-1*

8. The Functioning of Patent Monopoly Rights in Developing Economies: In Whose Interest? (Research Report)

Advocates of strong international protection for patents argue that developing countries would gain from increased flow of trade, investment and technology transfer. The paper questions this view by examining both the functioning of patents in developing economies in the past and current structural trends in the world economy in these areas. This research revealed no positive links between a strong patent regime and Foreign Direct Investment (FDI) and technology transfer. Current trends are largely limited to exchanges amongst the industrialised countries and, to some extent, the newly industrialising countries. While increased North/South trade flows are expected, negative consequences are possible. *pp 49, #0004, Rs.100/US\$30, ISBN: 81-87222-36-0*

9. Negotiating the TRIPs Agreement: India's Experience and some Domestic Policy Issues (Research Report)

This paper shows particularities about the subject that distinguished the TRIPs negotiations from the other agreements that make up the Uruguay Round results and, analysed the way in which the TRIPs Agreement was actually negotiated and handled. *pp 45, #0111, Rs.100/US\$30, ISBN: 81-87222-50-6*

10. Social Clause as an Element of the WTO Process (Monograph)

The central question is whether poor labour standards result in comparative advantage for a country or not. The document analyses the political economy of the debate on trade and labour standards. *pp 14, #9804, Rs.50/US\$10, ISBN: 81-87222-10-7*

11. Is Trade Liberalisation Sustainable over Time? (Monograph)

Economic policy is not an easy area for either the laity or social activist to comprehend. To understand the process of reforms, Dr. Kalyan Raipuria, Adviser, Ministry of Commerce, Government of India, wrote a reader-friendly guide by using a question/answer format. *pp 29, #9805, Rs.50/US\$10, ISBN: 81-87222-11-5*

12. Ratchetting Market Access (Discussion Paper)

In this paper, Bipul Chatterjee and Raghav Narsalay analyse the impact of the GATT Agreements on developing countries. The analysis takes stock of what has happened at the WTO until now and flags issues for comments. *pp 93, #9810, Rs.100/US\$25, ISBN: 81-87222-19-0*

13. Existing Inequities in Trade – A Challenge to GATT (Discussion Paper)

A much-appreciated paper written by Pradeep S Mehta, presented at the GATT Symposium on Trade, Environment & Sustainable Development, Geneva, 10-11 June, 1994, which highlights the inconsistencies in the contentious debates around trade and environment. *pp 10, #9406, Rs 30/US\$5*

14. Unpacking the GATT – Bilingual (Guide)

This publication provides an easy guide to the main aspects of the Uruguay Round agreements in a way that is understandable by non-trade experts. It also contains enough detail to make it a working document for academics and activists. *pp 107, Rs.60/US\$5*

15. Consumer Agenda and the WTO – An Indian Viewpoint (Guide)

This analyses strategic and WTO-related issues under two broad heads, international agenda and domestic agenda. *pp 21, #9907*

NEWSLETTER

Economiquity

This is a quarterly newsletter of the CUTS-CITEE (Centre for International Trade, Economics & Environment) for private circulation among interested persons/networks. This main focus is on trade-related issues, economic issues, market access, development dimensions, environment, economics and intellectual property rights, especially in the context of World Trade Organisation. *Rs.100/US\$20 p.a.*

ELECTRONIC NEWSLETTER

CUTS-CITEE Linkages Update

This is a widely circulated bi-monthly e-newsletter of CUTS-CITEE, which keeps the readers updated about our Global Programme for Capacity Building on Linkages and also about the latest developments in the area of linkages between trade and non-trade issues at the WTO. The Global Programme on Linkages addresses the vexed issues of linkages between trade and environment, trade and labour standards and trade and poverty.

BRIEFING PAPERS

1995

1. GATT, Patent Laws and Implications for India
2. Social Clause in the GATT – A Boon or Bane for India
3. Trade & Environment: the Inequitable Connection
4. Anti-Dumping Measures under GATT and Indian Law
5. No Patents on Life Forms!

1996

1. The Freezing Effect – Lack of Coherence in the New World Trade Order
2. WTO: Beyond Singapore – The Need for Equity and Coherence

1997

1. The Uruguay Round, and Going Beyond Singapore
2. Non-Tariff Barriers or Disguised Protectionism
3. Anti-Dumping Under the GATT – The Need for Vigilance by Exporters
4. Subsidies & Countervailing Measures
5. Textiles & Clothing – Who Gains, Who Loses and Why?
6. Trade in Agriculture – Quest for Equality
7. Trade in Services – Cul de Sac or the Road Ahead!

8. TRIPs and Pharmaceuticals: Implications for India
9. Movement of Natural Persons under GATS: Problems and Prospects

1998

1. TRIPs, Bio-technology and Global Competition
2. Tariff Escalation – A Tax on Sustainability
3. Trade Liberalisation, Market Access and Non-tariff Barriers
4. Trade, Labour, Global Competition and the Social Clause
5. Trade Liberalisation and Food Security

1999

1. The Linkages: Will It Escalate?
2. Dispute Settlement at WTO – From Politics to Legality?
3. TRIPs and Bio-diversity
4. Overdue Reforms in European Agriculture – Implications for Southern Consumers
5. The Non-trade Concerns in the WTO Agreement on Agriculture
6. Negotiating History of the Uruguay Round
7. Professional Services under the GATS – Implication for the Accountancy Sector in India

2000

1. Implementation of the WTO Agreements: Coping with the Problems
2. Trade and Environment: Seattle and Beyond
3. Seattle and the Smaller Countries

2001

1. Human Rights and International Trade: Right Cause with Wrong Intentions
2. Framework for Fair Trade and Poverty Eradication
3. Implementation of the Uruguay Round Agreements: Need for a front-loaded Agenda
4. Proactive Agenda for Trade and Poverty Reduction
5. WTO Transparency & Accountability: Need for Reforms

2002

1. *Amicus Curiae* Brief – Should the WTO Remain Friendless?

Each Briefing paper is available at Rs.20/US\$5

For more details, visit our website at www.cuts.org.