

## **Chapter – Six**

### **The negotiations & Outcomes of 11<sup>th</sup> WTO summit at Buenos Aires and the Implications of it on agricultural sector of Developing Countries including India**

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## **Chapter VI**

### **The negotiations & Outcomes of 11<sup>th</sup> WTO summit at Buenos Aires and the Implications of it on agricultural sector of Developing Countries including India**

#### **Introduction**

The 11<sup>th</sup> ministerial conference of WTO took place from 10<sup>th</sup> to 13<sup>th</sup> December 2017 in **Buenos Aires**, Argentina. The last WTO ministerial conference was held in Nairobi, Kenya in 2015, where the discussion on Doha Round was ended with a setback and no proper solution or joint agreement could be reached by the Developed and Developing countries. That is why the Developing Countries raised the old unresolved issues of Doha Round related to agriculture, **Market Access, Domestic Support & export Subsidy** in this Round and tried to make solutions out of it with the hope that this 11<sup>th</sup> conference has the potential power to resolve these issues. Many new issues have emerged in this meeting and got mandate by most of the countries to debate & negotiate on that for example **facilitation to issues like E. Commerce & Investment**. These types of new multilaterally applicable policies will definitely impact on agriculture on all over the world. Many international organisations were formed on trade before the conference held in 2017, for example **TPP (Trans pacific partnership), TISA (Trade & Services agreement) and TTIP (Transatlantic Trade & Investment Partnership)** etc recently. These organisations were formed (after the failure of agreements among the members of WTO in the Geneva conference in 2011) among European nations, the US and many other developing nations but the TPP was formed with Switzerland and 10 other countries without United States of America. The intentions were to raise many unresolved issues of Nairobi conference and bring many new issues to the international platform along with dealing sensitively the issues of Developing countries and sending these issues to the 11<sup>th</sup> round ministerial conference of WTO was on the agenda of these institutions. There were vast disagreements exists among the members regarding issues to be tabled for negotiation, particularly between the United States and other member countries which was pushing aside the very important unresolved negotiations on agricultural trade & tariff raised in Doha round which raises many issues. These include the issues related to sustainability of development and socio- economic problems of Developing countries. The Developed nations particularly the US, some members of the EU and Japan have submitted their agreement in favour of liberalising E Commerce & Investments in agriculture and many other places which may have serious long run implications on (Developing countries in particular) the world if no serious effective regulations are made on tech giants (Apple, Google, Amazon etc) prior to implement these policies. There existed vast differences among the member countries of WTO in staring negotiation and facilitation on E commerce and investments, where some member opposed it and some member including the Switzerland, USA, Israel, UK etc have supported it and demanded it to be mandated and implemented after passing in the Buenos Aires conference. So the chance of these issues to be placed and pass was very high and if it was not done to be so it could be negotiated by many countries at the plurilateral level. The US is seen keen to give more power to it famous tech Giants (**Apple, Microsoft, Google, Amazon, Face book** etc except Chinese tech Giant **Alibaba**) which are already hugely

influential and dominating in IT & Socio-political environment of the world. This is a case of serious concern because in today's world sharing, loosing, proliferating and theft of personal, national, defense, medical, educational data may take place as in digital e commerce these are lucrative so when the DCs backfires to the developing world by throwing away crucial the Doha issues of them one side and supporting the US and stand with it side by side for E commerce liberalisation, phasing out all kind of duties on electronic devices trade and handing over all kind of these jobs to private US multinational Corporations. After this Developing countries got afraid of it and they fear that the new institutions like TISA, TPP and TTIP are working together for the cause of e commerce and for the interest of the big multinationals of US and EU. The question arises to their mind is that why these are happening? The reason behind the failure of TISA negotiation in 2016 was related to non unanimous agreement on crucial issues. The US lobby in EU proposed the European Commission in October 2017 just before the WTO summit for prohibition on localisation of data and complete freedom for cross border data transfer globally. [1] This was highly opposed by the many developing countries. The developing countries also fears that the new issue presented by the developed countries about prohibition of local presence requirements of big multinational tech giants who will stay outside the host country (may stay at country of origin like US, EU etc) where any kind of dispute can be solved through international law based on country of origin or main data storage location and in accordance with GATS law. The developing countries also fear that there will be a sharp digital divide between people living in Developed world with advanced internet facility and people living in LDCs of Asia, Africa & Latin America where more than 50% people don't have basic internet facilities and it will have an immense impact on cultural attributes of the host country also as the local TV, Internet and radio content may disappear due to huge supply of foreign cultural Contents based on market value. The issue related to investment and technology transfer from investing country came into the fore front of the negotiation by the developing countries, but the content of source code disclosure elimination criteria creates hindrance in doing so when it gives emphasis strengthening the TRIPS regime and personal privacy. The LDCs particularly the African nations have become very much afraid of the fact that in the new of digital technology if the law & negotiations move forward for liberalisation for facilitation of E commerce, Investment on supply chain, Agriculture is allowed without any strong regulations (what they don't have actually in Africa) the whole continent may lose digital sovereignty over time and may become digitally colonised under the big high tech MNCs in this field. That is why they opposed it and opposed it with many developing countries like India, Iran etc against US, Switzerland and many countries of EU. But last after the conference when no Joint agreement took place on the negotiations of this issue, these industrialised countries started making plurilateral bodies to start negotiation on this issue. The developing country's issues like the unresolved Doha Round demand along with **safeguards of domestic trade and permanent solutions of public food stocks** were not talked about, any negotiations started on these issues and without any certain time given to restart negotiations on these very important issues given in the conference. So the 11<sup>th</sup> ministerial conference of WTO ended without any consensus and become like Seattle & Cancun ministerial conference.[8]

## **6.1: The following were the key agendas which were expected to be taken for negotiation on 11<sup>th</sup> ministerial conference at Buenos Aires**

### **(1) Issues related to agricultural trade & Subsidy:**

Most of the developing countries including India, Brazil, South Africa and many countries from Asia, Latin America, Sub-Saharan Africa and middle East were demanding for negotiations to be started on major agricultural issues like trade distorting subsidies (particularly the **Amber Box** subsidies) provided by the developed world on their agricultural commodities which essentially dominates the world export prices and brings developing countries to comparatively disadvantageous situation but this agricultural commodity trade is the only sector which is vital for export of these developing countries and for the livelihood of multimillion farmers of these countries are associated with agriculture so negotiation on this issue was vital from the point of view of sustainability and free & fair trade development in future

### **(2) Agricultural Issues related to find out permanent Solutions for the public Food stocks programme**

As per the demand & need of the developing countries with support from some Developed countries (with a prior condition that it will not create any hindrance to world trade) and for continuation of the Bali Round negotiation under WTO was there to find out permanent solution on public stock holding of agri-food programme where, trade negotiations under WTO would allow Poor countries, LDCs and developing country's governments to procure & constitute food grain stocks and sell it to their people at a low subsidised rate which may reduce poverty, hunger and help in sustainable development in future.

### **(3) Issues related to regulation on subsidies of Fisheries Industries:**

There is an immense fear among the fisheries industries and small scale fishers in the developing countries that they will gradually be eliminated in coming future from fisheries business as the governments of the Developed nations are providing huge subsidies to their fisheries industries (like providing advance fishing vessels in sea) which is restricting & leading the developing countries to an unfair competition in this Industry, so negotiation on the WTO table is essential for reduction & complete elimination of subsidies on Fisheries by the developed countries.

**(4) The issues of providing facilities for Investment :** Most of the Developing countries opposed the investment facilitation issue which was brought with the proposal of Russia, China , Brazil and many other developing countries with support from some developed countries for expanding trade but this was opposed by the developing countries and no such negotiations on this issue was started so far. The developing nations didn't give their mandate at all to this as the unfinished Doha round was still there which needed to be discussed first according to them.

### **(5) The Issues related to reform & liberalise the E commerce industries:**

Many Developed countries like the US and many countries of EU & other Developed nations want Electronic commerce & investment to be started and negotiation on this issue on the Buenos Aires conference which also enables trans border data transfer or data flow,

Complete prohibition on data localisations and handing over these liberalisation to operate through big US private tech giants. But no negotiations was able to be started on this nor multilaterally or at the plurilateral level as strong opposition was put forwarded from developing nations on this issue fearing of losing data sovereignty in future and digital colonisation.

#### **(6) Issues related to service regulation:**

The WTO conference in Buenos Aires didn't able to reach any conclusive position to give mandate, joint declarations or even start negotiation at multilateral or at the plurilateral levels on regulating domestic services provided by domestic or foreign service provider including MNCs and the Governments as it was proposed by G-22 prior to the conference.

#### **6.2: Discussion on Issues related to agricultural trade & Domestic Subsidies:**

The Domestic subsidy remains a main issue in the international trade arena particularly from the [10]side of developing countries and this issue was further discussed in Nairobi , Kenya ministerial conference of WTO with a consensus to reduction and future elimination of export or domestic subsidies to agricultural sector which is being provided by the Govt.s of developed nations both at the domestic levels and export promoting levels which gives immense power in the hands of agri-commodity exporters to control domestic & international price and predatory dumping of produce to anywhere and other opposite side the countries with less or no subsidy the export loses their total comparative advantages to those who gained it after benefitted from subsidies. There exist various types of domestic subsidies in the world which has been categorised in the **AOA (Agreement on Agriculture)**, that are **(1) Green Box, (2) Blue Box and (3) Amber Box** subsidies,[2] among these the Green box subsidies are kept out of negotiations as this is found as non trade distorting, the Blue box subsidies are also given exemption to some extent with conditionality but not fully but the Amber Box subsidies (**provided mostly by the Developed nations**) are categorised as highly trade distorting and must be stopped with immediate negotiation to be started on this. These trade distorting subsidies have been discussed in article 6.3 in WTO charter with negotiations started on this to minimise trade distorting subsidies and in 2004 framework after Doha round agreement there were provision under S&DT (special & Differential treatment law) to developing countries to provide 10% product specific & non product specific on total value of agricultural products which was 5% for Developed nations. But over and above this de minimis level WTO provided **AMS (Aggregate Measures of Supports)** facility to the developed countries which gave them immense power & flexibility to control ( the product specific subsidies ranges up to 50% on certain commodities) the Agricultural & primary sector products like milk & dairy products, horticultural and many agricultural export commodities. So this again brings the unequal treatment in forefront between developed & developing countries in export competitiveness and make poor countries vulnerable to lose existing market share. The developing countries have been opposing this unequal & unfair treatment of WTO vigorously since 2001. The AMS provision for developed heavily subsidising countries puts them in a comparatively very much advantageous position to gain from trade as most of them like the US, EU subsidises agricultural commodities like Cotton, Wheat etc under the AMS provision and sometimes manipulate Green Box option of subsidy by bringing prohibited items under it and raise it to very high level. In this way they are distorting international trade & violating justice of trade. If we see in terms of Green box

and total subsidies the US has made its position on top after crossing all subsidy limits. If we see the 2015 data the US has given approx US\$ 140 billion in Green Box, US\$ 156 billion in total subsidy and approx US\$ 69000 per farmer subsidies where the EU was comparatively low against the US & Japan with around US\$ 75 billion in Green Box, US\$ 146 billion in total and US\$ 13000 as per farmer subsidies. This looks wired and awkward when we see and compare these with tiny small subsidy support of only approx US\$ 230 in India and US\$ 350 in China per farmer subsidy. In all many developing countries like India, China, Pakistan, Brazil, South Africa and many other developing countries have placed many proposals in Geneva head quarter of WTO in Switzerland just before the starting of the 11<sup>th</sup> ministerial conference to be discussed including the domestic support issue which have been given least importance in the successive meetings of WTO.

### **6.3: The following are some of the Proposals put forwarded by the developing countries.**

- (1)** Proposal put forwarded by all most all the Developing countries including India and China to before the WTO in 2017 for eliminations of trade distorting AMS support entitlements to the Developed nations which have given then huge flexibility and higher support to subsidise agricultural trading commodities.
- (2)** Another proposal was tabled from the European Union with supports from some Latin American countries including Brazil to bring down world domestic support to 10% or less and the developed & developing countries to a same level of protection with a provision of only a difference of 2% subsidies in product specific & non specific level. But this proposal was highly opposed by many developing countries in the ground of unequal treatment and it was also opposed and rejected by some developed countries of EU & North America which were unpopular for heavily subsidising their agricultural sector and enjoying the provisions of AMS.
- (3)** The Countries like Japan, Paraguay, New Zealand & Australia proposed before the WTO for a fixed amount of value of all subsidies on a single subsidy to be discussed but this was opposed and rejected by many developing countries for their domestic development concerns and all countries opposed the idea of calculating AMS on Value of all products along with this the Argentina's proposal of giving Exemptions to Blue Box & Development Box subsidies in the AMS was also rejected by most of the countries, where the top developed countries like the US, EU have rejected any proposal which limits to de minimis level of AMS or any certain fixed amount with limit on its concentration.

The WTO conferences has been highly disappointing for developing countries because the issues of them are hardly heard in these conferences .The already burning old unfinished and unresolved issues of Doha Round agreements are thrown out to the cold storage and new trade liberalising proposal are being put on their heads by the Developed nations well organised manner. The developing countries are asked to maintain de minimis level of protection and no negotiations on trade distorting Green Box subsidies should be asked by them and they have to abide by all the laws of WTO to maintain domestic support and no violation would be tolerated in this regard. All these were against the basic objectives of WTO convention to bring free & fair multilateral world trading system.

#### **6.4: Issues discussed about Public holding of Food Stocks and finding permanent Solution on it**

As per the demand & need of the developing countries with support from some Developed countries[10] (with a prior condition that it will not create any hindrance to world trade) and for continuation of the Bali Round negotiation in 2015 under WTO was there to find out permanent solution on public stock holding of agri-food programme ( as per the **AOA** rules) where, trade negotiations under **WTO** would allow Poor countries, LDCs and developing country's governments to procure & constitute food grain stocks and sell it to their people at a low subsidised rate (for example we can see the PDS of India and same in many other countries of the World) which may reduce poverty, hunger and ensure food security & sustainable development in future. But as per WTO rules any price support to poor farmers even in developing countries through subsidies which is higher than de minimis level of 10% is taken as trade[11] distorting and must be stopped (But one thing should be noticed that WTO mostly overestimates the subsidies). This attitude of over estimating subsidies and taking old reference period (1988) to measure it was strongly criticised and opposed by most of the developing countries (46 nations) of the World including India, China, Egypt and many other African nations and they put forward a memorandum of proposals to the WTO in Bali (Indonesia 2013) ministerial conference (which was taken again for renegotiation in Nairobi ,Kenya 2015) for extending limit of subsidies of the poor LDCs to their marginal farmers beyond 10% and taking the food subsidies for food securities and public stake hold in food grain stockpiling issues in the Green Box subsidy, so that social security's can be ensured to the poor people of the developing countries. In the Bali declaration a clause related to these issues was made called peace clause which asks the developing countries to keep transparency and accountability to WTO norms while giving subsidies beyond the said limit of 10% and in doing so the developing countries have to ensure no trade distortions is taking place due to their subsidies. But one thing is noticeable is that there no such type of certain criteria's laid down for developed countries in framing AMS for them which is frequently used by the DCs to give huge subsidies and violating international trade justice. All most all of the developing countries including G-33 are opposing the higher AMS criteria for DCs and certain limits for providing subsidies to farmers for Public food production and distribution by the WTO. This unequal, unjust and Hippocratic behaviour of WTO was just unacceptable to the developing countries when they are seeing developing countries like China is being taken to WTO and sued as it had violated norms by giving subsidies to its farmers, and many other poor countries have been sued either by the EU or the USA for same reason. After the Bali round of MC, most of the developing countries prepared draft proposal regarding permanent solution in the amount of subsidies to be given by the developing or poor countries for public stock holding before the Buenos Aires summit in 2017. Many developing countries Including China, India, Indonesia etc have clearly said in Nairobi conference that the permanent solution on public stake holding of food stocks should passed without any limit of subsidies in PDS related public holdings, many new issues which didn't exists at the 2013 WTO summit and no prior conditions for transparency or safe guard in domestic trade is unacceptable to the developing countries. But this proposal was highly opposed by most of the developed and some developing countries (Groups) and finally was not taken for further discussion. Countries like the US started giving suggestions regarding arranging domestic subsidies, transparency and safe guards which are more strict & aggressive and difficult for developing countries to maintain than the EU and violations of

which is subject to punishment. The EU along with few Latin American countries proposed a new solution which is that the developing countries will be given freedom to subsidise a limited amount commodities related to public stake holding and for this these countries will maintain WTO framed policies related to transparency and safe guards. The developing countries had opposed it and rejected it. At last it is worth noting that even if the developing countries expects some freedom in peace clause of Bali round [12] negotiations then also they should be ready to open market for reform in e commerce and investment with domestic subsidy reduction.

#### **6.5: The issues of Domestic Special Safeguard Mechanism (SSM) suggested in WTO before Buenos Aires Conference of WTO**

The [4]Special safeguard Mechanism (SSM) under WTO & AOA is a particular agricultural safety mechanism can be negotiated and implemented in Developing countries. The developing countries are always at a risk of international price drops or volatility and as result of which they often experience surges in imports of Foreign products which is also produced domestically and sometimes because of high demand condition at home also creates huge import surges, which may be dangerous for domestic farmers and food security of the developing nations. So as the developed nations have instruments like special Agricultural safeguard (SSG) developing countries also must have some power to raise import duties particularly on special occasions when there emerge chances of price fall in the international markets. The international trade is already distorted by the actions of the Developed countries, but the WTO added various conditions to maintain along with SSM which are maintaining de minimis level of 10% subsidies, more accesses to domestic market and maintain transparency which are difficult for the developing countries to maintain because of development issues, so SSM should be granted to all developing countries without prior conditionalities if the justice of trade has to maintain. The SSM which was agreed but not mandated to be passed in Hong Kong ministerial conference occurred in 2005 ultimately mandated for negotiations in Nairobi ministerial conference in 2015 for giving protective measures to face Import surges with limits & conditions. This Nairobi negotiation on SSM has been going on and tabled in the last ministerial conference in Buenos Aires by the G-33 countries along with India, Philippines etc (where Philippines raised issues related to SSGs of DCs and suggested reform of it and limiting it to some certain products), but have faced tremendous oppositions from Developed countries and some developing agricultural export countries of Latin America.

#### **6.6: The substitution of Doha Round negotiations by New Issues of Agricultural trade: [2]**

In the 10<sup>th</sup> Ministerial conference of WTO was a major setback for the Doha round development talks as most of the countries could not able to reach to any fruitful conclusions about the issues related to developing countries (including market access, domestic support & export subsidy along with S&DT and SSM) and the Developed countries have brought “new issues” related to trade & environment (**including facilitation of E commerce & investment, new infrastructure for investment, Environmental issues & trade on climate related issues, SMEs, global value chains etc**)saying these are much more relevant than any other issues. In this way the very important issues related to the interests of developing countries have been subsided and sent to the cold storage as none of them has been raised in the 11<sup>th</sup> ministerial conference in Buenos Aires. But these new issues will



have serious implications on agriculture. For example new investments needs new infrastructural developments which further accentuates policy reform related to Land, water and mineral resources and new IPR regime will require new amendments of existing laws and in this way Biodiversity might get challenged.

One of these “New issues” is **E-commerce and investments**. This new issue will have substantial impact on production, procurement & sale, market information, prices, agricultural trade practices, Production pattern, character of fertilisers & seeds, Inputs, R & D on agriculture etc. There exist few many big MNC houses who are ready to take over the operations of ecommerce for example Monsanto, DuPont these are renowned old US giants and are ready to take over the job. Since these are private corporations and their objective is profit making so giving them these huge power can lead to a situation when they will start taking decision in agricultural production & sale in place of the Governments and they will influence the lively hood of the farmers, choice and consumption pattern of the people and data flows about agriculture. These will make poor countries more vulnerable to lose localised data to these MNCs. So in this era of digital colonisation data protections is very important for agricultural sector also so developing countries must be cautious before taking any decision and engaging in any new trade dealing with the developed nations even at the pluriateral level.

#### **6.7: Decisions in Buenos Aires regarding long term Development of Agriculture:**

The long term development of agricultural sector should be based of Sustainability , equity, values to environment & farmers and social justice to poor & indigenous communities because only growth[3] oriented development has made wealthy people more wealthier and poor more poorer and this cant last long. There must be some spaces opened for dialogue among developed & developing nations over these issues. As contrary to the basic rules of AOA the 17 Sustainable Development goals designed for 2030 agenda of the world framed poor farmer’s right to get subsidies who should be supported by the state for continuing farming to feed the country sustainably while wealthy farmers are not. These SDGs are based on Economic, Social and environmental issues which are meant for sustainable development of the society as a whole. So in the last 11<sup>th</sup> ministerial conference of WTO the Doha round development goals have been subsided or substituted by the sustainable Development Goals which says that (contrary to the old saying of AOA) the term Domestic Subsidy must have to sacrificed by the developing countries as it would never be accepted by the Developed countries and in that place subsidy or support should be given to poor farmers of developing nations and bring the developing nations or poor nations out of poverty by doubling their export level by 2020 is one of the 17 goals of SDG. So the member countries of WTO have agreed taking SDGs as part of the UN and it is also necessary for the developed countries as well as the developing countries to understand the necessities of SDGs and implement the SDGs with proper Governments initiatives without delay as the SDGs are inevitable and unavoidable for the sustainability of the agriculture of the future generations to come.

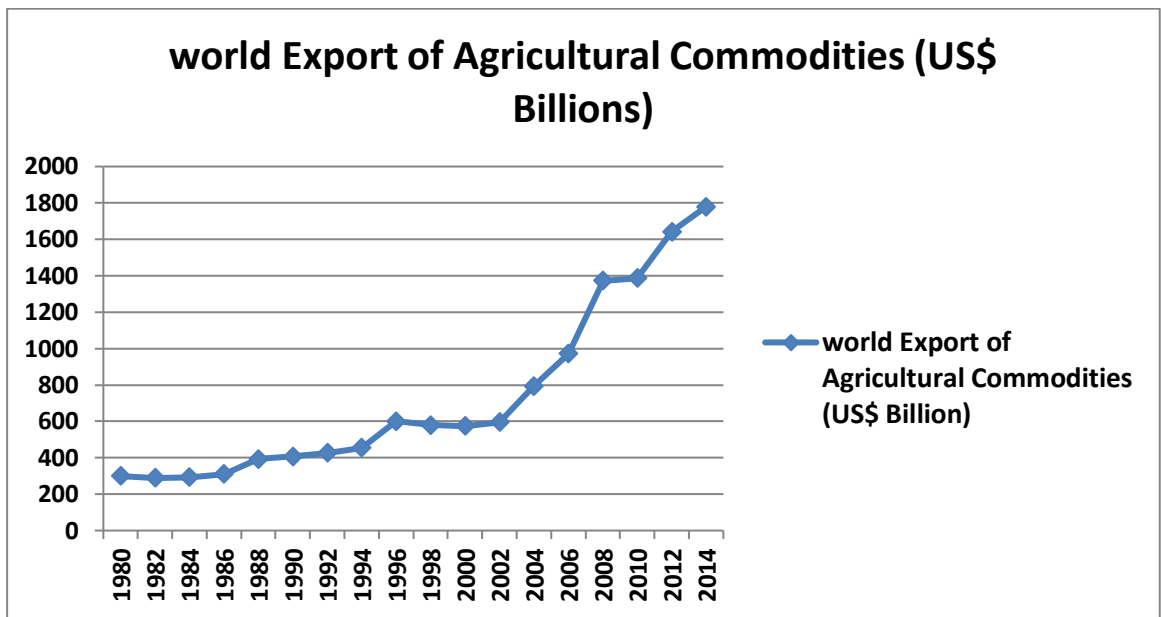
#### **6.8: The outcomes of the 11<sup>th</sup> round ministerial conference of WTO in Buenos Aires [10]**

[6] The last ministerial conference of WTO has taken place recently in Buenos Aires of Argentina where many different types of proposals had been placed by both the Developing

& Developed countries (which have been discussed in a very brief manner at above) to the WTO table. Other than new issues like including facilitation of E-commerce & investment, new infrastructure for investment, Environmental issues & trade on climate related issues, SMEs, global value chains etc and discussion on 2030 Sustainable Development Goal many other issues which are extremely significant for discussion and negotiation were kept aside and no such kind of issues were dealt with any other way. The following are some of the important outcomes related to new issues on agriculture & trade. [7]

- (1) The very important new issue raised by the developed countries, particularly the USA was negotiations related to **liberalisation of facilitating E-commerce & Investment on Agriculture, and MSME** etc which was opposed by many Developing countries and as a result of which negotiation didn't take place because of not giving enough mandate on it by member countries even at the plurilateral level and ultimately discussion on this topic ended with no conclusion.
- (2) As there was not enough mandate from the Developed countries on **banning illegal and unregulated fishing** so the member countries particularly the developing countries couldn't able to reach any conclusive agreement regarding banning illegal fishing and all members agreed to take decision on it in 2019 WTO summit.
- (3) One important decision have been taken in this 11<sup>th</sup> WTO Summit regarding woman empowerment where most of the members agreed to **support & subsidise poor, Destitute and dependant women and open all windows for empowering women.**
- (4) After understanding the basic & prior requirement to correct imbalance & inequality in WTO in Agriculture India & China (with a support more than 100 developing countries) put forwarded a joint proposal to the 11<sup>th</sup> ministerial conference of WTO to stop and **completely cease the huge amount of subsidies** given to the agricultural sector by the Developed countries which immensely distorts trade.
- (5) The **Agricultural negotiations** based on Bali conference in 2013 where the developing countries were given consolations that many issues including reduction of trade distorting domestic subsidies by the DCs, **(including Amber Box subsidy, farmers support which is sky high in North America of US\$ 60000 but only US\$ 250 in India and US\$ 346 in China along with maintaining 10% limit of subsidies on developing countries VOP** which are much higher than the subsidies on food by the developing countries. That is why along with G-33 nations many other poor, LDCs clearly hold their stand on not to reduce their food subsidies) domestic support like SSM, Public stock holding of food, SSG by developed countries and many more essential issues would be discussed in the next ministerial conference to come, but this has been laid down or collapsed and negotiations on permanent solution of Public Stockholding of food was completely blocked by the move of the US in Buenos Aires conference. The US more than the EU & many other countries seen to be much hostile towards the solutions of Doha & Bali negotiations of the issues of Developing countries. [9]

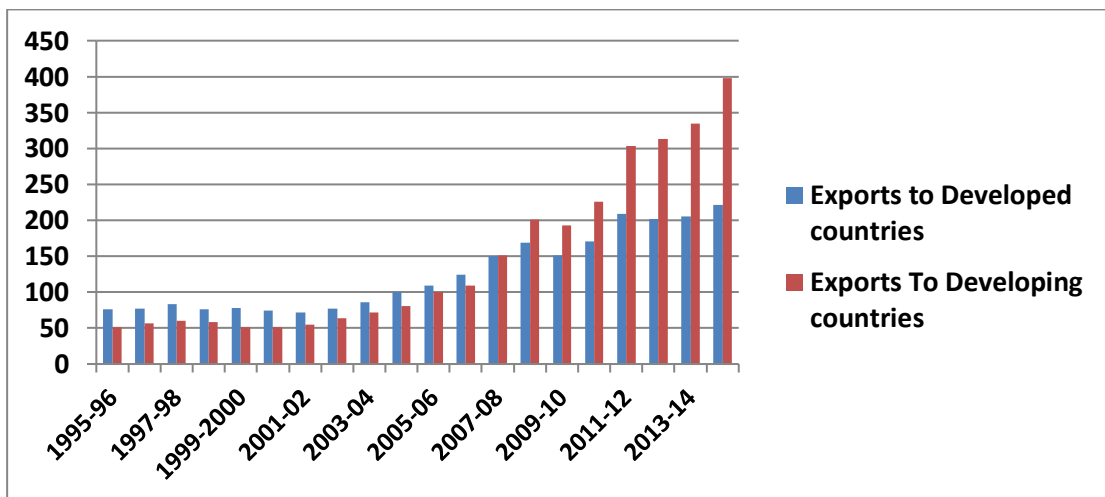
**Figure 6.1: Trend of world Export of Agricultural Commodities (US\$ Billions)**



Source: WTO Data

The above figure shows the Trend of world Export of Agricultural Commodities (US\$ Billion) in the pre & Post WTO period where the noticeable thing is that the growth in trade surged after the Doha round (2001).

**Figure 6.2: Trends of Exports from Developing countries to both Developed & Developing Countries (US\$ Billions)**



Source: UNCTAD Data.

## 6.9: The Role of India in 11<sup>th</sup> Ministerial Conference of WTO:

India's role was clear and significant from the point of view of the developing countries as from the starting and before India not only fought for its own issues but stands with the poor LDCs and helped them positioning their move for rights & justice and backed & pushed the unresolved & unfinished negotiations related to agricultural sector between the developing and developed countries and many issues like domestic subsidies & Agricultural safety net, Food securities, Farmers rights, issues related to Biodiversity and others in new IPR regime called TRIPS in previous and current ministerial conferences. India opposed and puts its clear stand on new issues proposal (**E-commerce & Investment, MSME, Women Empowerment , Environmental Issues etc**) by the Developed countries (particularly the USA) that without solving the old unresolved issues of the developing countries (**Doha round issues**) no new issue would be accepted by the developing countries for negotiations. India supported the gender issue and women empowerment issues in new issue clause proposal of the Developed nations but expressed its serious disappointment over US refusal of the major issue of developing countries which is permanent solution of Public Stockholding of foods and WTO's deteriorating stand in holding multilateral value system in providing free & fair global trade.

## 6.10: Conclusion & Suggestions:

If we notice three basic measures has been discussed and proposed in 11<sup>th</sup> ministerial conference of WTO in Buenos Aires that are **(1) Facilitation of E-commerce & Investment, (2) Elimination of Domestic subsidies which distorts trade and (3) discussion on regulating the domestic services in as systemic manner.** Here it is worth noting the that the developed countries pushed and emphasised the above first & third issues saying these are new issues and of immense importance while put very less importance on the second issue which is already exiting unresolved for more than a decade. The developed countries opposed the new issues out of fear that these can have serious future implications on their domestic sovereignty of data protection & policy making and on the other hand they have expressed their disappointment of not prior negotiation on Doha round development issues before new issues to be discussed. In this way the discussion & negotiation space became small in WTO.

The WTO has utterly failed in giving & delivering mandate & Joint Declarations on negotiating issues, was unsuccessful in honouring the Nairobi (2015) commitment for negotiations on permanent solutions of Public holding of food stocks. WTO also failed to stop USA in creating divisive situation in the international trade and there by protect the international trade by solving its basic problems. If this situation prolongs for many years it will raise questions on the very existence of WTO itself.

## Recommendations:

After the above discussion we can say that the Developed and the Developing countries have conflict of interest in many areas of trade which is not easy to solve. The developed countries particularly are very much rigid from their point of view and have narrow sometimes nationalistic approach which creates hindrance to multilateralism, and for the developing countries it is the basic issue of food security, farmer rights, domestic market

& economy safeguard so they can't afford to lose these. That is why for many years the WTO could not able to solve the Doha issues only.

The following are some of the key issues which should be dealt with seriously for Sustainability of free & fair multilateral trading system Under WTO.

[1] The WTO must provide space in international trade based on values & principals of multilateralism and free & fair in nature. The role of the WTO is immensely important in bringing economic & social justice by providing food securities & jobs to poorer countries and sustainable inclusive growth and development for the world.[5]

[2] The WTO must resolve the unfinished Doha Development Round negotiations on developing countries issues like **domestic support, S & DT** and many other issues. [13]

[3] The WTO should provide international agricultural safety and reform. The agricultural sector of the poor or least developed countries should be take care of by providing help & subsidies by the government and there should be curtailment in unregulated huge amount of subsidies in agricultural exports provided by the DCs and thereby distorting international trade in agriculture by the Developed countries. So both the developed & developing countries should sit together and start renegotiations on food subsidies and start reform on it for betterment of international agricultural trade.

[4] In case of new issues proposed by the DCs in 11<sup>th</sup> ministerial conference the WTO should go slow (particularly in case of facilitation of E-commerce & investment issue) and take all member countries into confidence and let good time for negotiations on these new issues before passing any new resolutions. In case of Fisheries reform & negotiations should be started in reducing subsidies provided by the developed countries to their fisheries industries which will help millions of farmers & fishers worldwide.

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