

The Director General,  
World Trade Organisation  
Camp Nairobi,  
Kenya.

16<sup>th</sup> December, 2015

Sir,

Sub: SWADESHI JAGRAN MANCH'S CALL TO NEGOTIATING PARTIES AND GLOBAL LEADERS  
AT WTO MC10 BEING HELD AT NAIROBI, KENYA

The very first issue is what is the future of Doha Development Agenda? We urge that core issues such as agriculture, market access and services must remain on the agenda. As per DG's Statement (Para 23 of Draft Nairobi Ministerial Declaration), WTO is not clear how negotiations on these issues shall progress whether old framework shall remain or new architecture is to be evolved? We endorse government of India's view that old framework should continue *inter alia* with the Bali Work Programme.

Though the Draft Declaration confirms that principle of Special & Differential Treatment (SDT) & Less than Full Reciprocity shall remain the integral part, but news are that major industrialised countries like USA, EU, Australia and Japan are threatening that if the developing countries insist on Doha Development Agenda than they have to compromise on SDT and Less Than full Reciprocity.

We strongly oppose the efforts of developed countries linking SSM to agriculture market access. We want SSM to protect our farmers and their livelihood against import surge.

We strongly oppose the Non Violation Complaints provisions being considered to be incorporated in TRIPS, as it will severely curtail the flexibility available to developing countries. Developed countries like USA and Switzerland are insisting under the pressure of pharma lobbies in their respective countries. Public health cannot be sacrificed for the benefits of few business entities.

We have concerns that the provision in TPP where number of years for data protection has been increased by five years after a patent of a pharma product expires after twenty years, may adversely impact drug prices in India and other developing and LDCs. Moreover, TPP is adverse to WTO's fundamental of MFN.

We appreciate Peru and other countries' initiative to ask TRIPS council to have permanent moratorium from application of NVC to disputes. Already Concluded TPP and FTAs in pipeline like TIPP are outside the ambit of WTO but would cover 40% of global import and

export and therefore, detrimental to interest of all and in particular India. These agreements are weakening the core of WTO principles of multilateral trade.

We demand that the provisions for compulsory licence are relaxed for automatic compulsory licensing to subsequent manufacturers desiring to manufacture and sell patented drugs at less than 25% of the original price on payment of royalty at a reasonable rate to the original inventor.

We demand change of base year 1986-88 for determination of subsidy on agriculture to the current prices or a mechanism for adjustment to the indexed price periodically.

SJM also expresses its concern that the Information Technology Agreement (ITA I) has already affected the IT hardware industry in India and the Information Technology Agreement-II (ITA II) would further cripple its domestic sector. It has to enable countries like India to revive this sector.

We also object to the Peace Clause for food security and public food distribution and demand for final determination of the issue on priority basis.

For the goal of achieving inclusive growth with creation of jobs and in view of protracted deindustrialisation after elimination of QRs, the developing countries must have the right to protect indigenous small scale sector over and above the provisions of GATT, 1994.

Thanking you.

For Swadesh Jagran Manch

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