

## **LACK OF INDUSTRY FEEDBACK ON PROTECTION OF TARIFF LINES WILL HINDER GOVT'S ABILITY TO GET A GOOD DOHA DEAL: COMMERCE SECRETARY**

### ***Allays Industry's Fears over Loss of Market Access from ACTA***

**New Delhi, July 20, 2010:** The Commerce Secretary, Dr. Rahul Khullar, today allayed industry's fears over loss of market access from ACTA (Anti-Counterfeiting Trade Agreement) since the pact amongst several developed countries does not have an enforcement mechanism.

Addressing a capacity building workshop on WTO & Trade Issues, organised by FICCI, Dr Khullar, said that the greater danger for industry would come from their inaction and lack of feedback to the Department of Commerce on what it would like Indian negotiators to do at the DOHA round of trade negotiations. A negotiator is as good as the feedback given to it by the stakeholders, he cautioned the industry representatives. If negotiators do not know what to protect, industry could be in deep trouble, he warned.

The workshop was organised in collaboration with **Ministry of Commerce and Industry, Centre for WTO Studies, International Trade Centre, UNCTAD & DFID.**

"There is still time as the NAMA negotiations are still on. You have to come forward and give us the feedback on protection of a particular tariff line and the difficulties faced by you on the non-tariff side," the Commerce Secretary said, adding that there would be situations where the duty is brought down to zero, but there would still be no market access.

To a specific query on the dumping of Chinese silk that has allegedly affected the producers of Banarasi silk sarees, Dr. Khullar said that "My information is that the import of Chinese silk has been vastly regulated and the situation is under control. But I am ready look as anti-dumping if the situation so warrants."

ACTA is a proposed plurilateral agreement for establishing international standards on intellectual property rights enforcement. ACTA would establish a new international legal framework that countries can join on a voluntary basis and would create its own governing body outside existing international institutions such as the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO) or the United Nations. Negotiating countries have described it as a response "to the increase in global trade of counterfeit goods and pirated copyright protected works. The scope of ACTA is broad, including counterfeit goods, generic medicines and copyright infringement on the internet. Because it is in effect a treaty, ACTA would overcome many court precedents defining consumer rights as to "fair use" and would either change or remove limitations on the application of intellectual property laws.

Dr. Khullar said that because the WTO-member countries have entered into the TRIPs agreement, and the fact that there is no enforcement mechanism under ACTA, there was no threat to industry. "But if they (ACTA members) break the law and the GATT rules, I will take

them to GATT as the enforcement of the rules is universally applicable," the Commerce Secretary, assured Indian industry.

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