

Joint Statement on India – United States Trade Policy Forum

Washington, D.C.

January 11, 2023

1. India and the United States held the 13th Ministerial-level meeting of India – United States Trade Policy Forum (TPF) in Washington, DC, on January 11, 2023. Indian Minister of Commerce and Industry Shri Piyush Goyal and the U.S. Trade Representative Ambassador Katherine Tai co-chaired the meeting.
2. The Ministers underlined the significance of the TPF in forging robust bilateral trade ties and enhancing the bilateral economic relationship to benefit working people in both countries. They appreciated that bilateral trade in goods and services continued to rise rapidly and reached about \$160 billion in 2021. While welcoming this increase, the Ministers recognized that for economies of their size, significant potential remains unfulfilled and expressed their mutual desire to further enhance engagement with the goal of continuing to increase and diversify bilateral trade.
3. The Ministers highlighted the work undertaken through the TPF working groups since the 12th TPF Ministerial. They reiterated the importance to India and the United States of specific trade issues enumerated in the 2021 TPF Joint Statement and directed that work be maintained to advance those issues towards resolution, with regular stock-taking of progress by the Ministers and their senior officials.
4. The United States welcomed India's participation in the Indo-Pacific Economic Framework for Prosperity (IPEF). Ambassador Tai and Minister Goyal fully support the IPEF initiative and believe that deepening economic engagement among partner countries is crucial for continued growth, peace, and prosperity in the Indo-Pacific region and that the IPEF will bring tangible benefits to the region.
5. The Ministers welcomed the results achieved at the WTO's Twelfth Ministerial Conference and expressed their shared intention to continue to work constructively at the WTO, including on WTO Ministerial Decisions, to achieve tangible, realistic, and meaningful outcomes. Recalling the foundational principles of the WTO, they noted that WTO reform should build trust in the multilateral trading system and enable the WTO to better advance its foundational objectives and respond to the needs of all of our people.

6. Ambassador Tai welcomed India's G20 Presidency and said the United States looks forward to working together in the Trade and Investment Working Group. She noted that the G20 can be a useful forum for initiating constructive dialogue and seeking to enhance coordination and cooperation among member countries on global trade issues.

7. The Ministers welcomed the recent intensification of work among their officials aimed at finding mutually agreed solutions on outstanding WTO disputes between the two countries. They further directed officials to continue this engagement with the view of arriving at satisfactory outcomes in the coming months.

Discussion on Bilateral Trade Issues

8. The Ministers expressed their intent to continue to work together on resolving outstanding trade issues and highlighted upcoming engagement on a select number of those issues.

9. The United States appreciated India's initial public consultation on the draft Drugs, Medical Devices, and Cosmetics Act and India noted that comments and suggestions on the draft bill are being examined as per standard procedures for introduction in the parliament. The United States and India acknowledged the importance of continuing to engage on relevant rules and regulations going forward.

10. The United States also welcomed India's commitment to provide public notice and comment periods as it considers new quality control orders and ensure that the measures shall not be more trade restrictive than necessary in line with the WTO TBT Agreement.

11. The Ministers welcomed the finalization of the Turtle Excluder Device (TED) design with the technical support of NOAA. The collaboration between India and the United States to expedite the TED trials will ensure that the TEDs are effective in minimizing the impact of fishing on sea-turtle populations. They highlighted that ongoing work to complete the TED trials in India will continue in early 2023.

12. The United States welcomed the efforts to streamline regulations on certain electronic devices under Mandatory Testing and Certification of Telecommunication Equipment (MTCTE) and Compulsory Registration Order (CRO) in order to reduce the compliance burden and facilitate the ease of doing business. Both sides highlighted their interest in exchanging information on the use of international standards, conformity assessment procedures, and the Common Criteria Recognition Arrangement (CCRA) in the electronics sector.

13. The Ministers welcomed continued engagement on intellectual property (IP) and reiterated that the protection and enforcement of IP contributes to the promotion of innovation as well as bilateral trade and investment in IP-intensive industries. They appreciated sustained work of the TPF IP Working Group and reviewed its recent progress on engaging on issues related to IP enforcement. The United States welcomed India's ongoing domestic consultations regarding the administration of its IP regime, including on the treatment of business confidential information related to working of patents, procedures for patent application oppositions, and streamlining of trademark infringement investigations. The United States and India underlined the importance of continuing to engage on the copyrights provisions in view of commitments under the World Intellectual Property Organization Copyright Treaty and World Intellectual Property Organization Performance and Phonogram Treaty.

14. The Ministers acknowledged the positive impact of Trade Margin Rationalization (TMR) on patient access to affordable medical devices during the Covid Pandemic. They also agreed to continue to exchange views on pricing issues for cardiac stents and knee implants that would facilitate access to cutting edge medical technology at affordable prices to the patients.

15. India appreciated the resumption of inspections by U.S. Food and Drug Administration (FDA) and asked the U.S. side to also resume inspections of new facilities and non-priority areas at the earliest.

16. India highlighted its interest in restoration of its beneficiary status under the U.S. Generalized System of Preferences program. The United States noted that this could be considered, as warranted, in relation to the eligibility criteria determined by the U.S. Congress.

17. The United States and India also exchanged views on potential targeted tariff reductions.

18. The Ministers acknowledged the remaining work to be done to finalize access for certain agricultural products of interest to both sides. The Ministers also intend to increase dialogue on food and agricultural trade issues in 2023 and to continue work to address bilateral issues in the relationship through the Agriculture Working Groups, as well as the relevant sub-groups.

19. The Ministers acknowledged the constructive engagement of the Services Working Group under the Trade Policy Forum and emphasized that issues of mutual interest in services sectors will continue to be pursued through the Working Group.

20. The Ministers noted that the movement of professional and skilled workers, students, investors and business travelers between the countries contributes immensely to enhancing bilateral economic and technological partnership. India acknowledged the steps being taken by the United States to augment processing of visa applications. Both sides decided to continue close monitoring of visa issues with the shared resolve to facilitate the movement of professionals, skilled workers, experts, and scientific personnel.

21. The Ministers acknowledged the ongoing discussions on a Social Security totalization agreement and, upon the receipt of additional information from India, encouraged further engagement in order to establish a stronger basis for a future agreement. The Ministers supported intensifying the work to achieve early outcomes in the matter.

22. Recognizing the key role of the digital economy in both the United States and India, the Ministers affirmed the importance of a conducive ecosystem for digital trade that supports economic growth and innovation. They also agreed to enhance engagement through the TPF and ICT Working Group on policies impacting digital trade.

23. The Ministers noted the potential of enhancing trade in professional services between the two countries. They acknowledged that well-functioning pathways for recognition of qualifications in professional services, and deeper dialogue between the professional bodies of the two countries can facilitate this growth. They intend to encourage their regulatory bodies to engage in discussions on exchanges of knowledge, capacity building, and recognition of qualifications to further enhance trade in professional services.

24. The Ministers also noted that greater co-operation in the Fintech sector could contribute to further expansion of the bilateral trade relationship, and intend to continue engagement in this area. They also discussed the importance of electronic payment services to furthering the trade relationship and both sides expressed their intention to continue engagement in this area.

25. The Ministers recalled their mutual interest in the particular importance of resilient supply chains in fostering effective responses to health emergencies.

Minister Goyal highlighted India's interest in the potential of digital health, particularly telemedicine services as an element in continuity of care during the health emergencies.

Creation of a new TPF Working Group on Resilient Trade

26. Reflecting their shared objective of deepening and broadening the U.S.-India trade relationship, the Ministers launched a new TPF Working Group on Resilient Trade. This new Working Group will enable officials to deepen bilateral dialogue on a range of issues that can enhance the resiliency and sustainability of the trade relationship so that it is better able to withstand current and future global challenges. The Ministers noted that, in advance of the next TPF Ministerial meeting, the Resilient Trade Working Group will initially focus on the following areas:

- Deepening engagement on trade facilitation, which is particularly relevant to the construction of durable and sustainable supply chains. The Ministers welcomed plans for a dedicated working session on trade facilitation in the coming months, including on digitization of customs procedures, and that officials will also identify additional areas for future cooperation;
- The importance of benefitting workers and promoting sustainable and inclusive growth, including cooperative engagement to promote labor rights and workforce development;
- Expanded dialogue on good regulatory practices and pursuing cooperation in areas of mutual interest with an initial focus on respective procedures for developing rules and regulations in advance of the next TPF Ministerial meeting;
- The role that trade can play in contributing to environmental protection and responses to common sustainability challenges including issues related to mobilization of sustainable finance and scaling up of innovative clean technologies. Further, both sides may also engage on issues of mutual interest related to circular economy approaches and promotion of sustainable lifestyle choices;
- Additional means of strengthening the resilience in our global supply chains, especially in the critical sectors that underpin our economies, as well as further work on these issues in coordination and cooperation with our trusted partners.

28. The Ministers concluded by directing the TPF Working Groups to reconvene quarterly, either in person or virtually, and identify specific trade outcomes to ensure that trade relationship begins to reach its full potential. They also instructed senior officials to hold an inter-sessional TPF meeting by mid-2023 and agreed to reconvene the TPF at the Ministerial level before the end of 2023.
