



AGREEMENT ON AGRICULTURE UNDER WTO

ONE CREDIT/CERTIFICATE COURSE

**OFFERED BY NATIONAL LAW UNIVERSITY ODISHA(NLUO) CENTER FOR INTERNATIONAL
TRADE LAW (CITL)**

COURSE TEACHERS: PROF. ABHIJIT DAS AND PROF. SACHIN SHARMA

July 7 - July 18, 2025 (Online Mode)

INTRODUCTION

The mandate of the Uruguay Round provided a basis for initiating a process of reform of trade in agriculture. The overall objective of the agriculture negotiations during the Uruguay Round was to move towards a *fair and market-oriented trading system* in agriculture. The outcome of these negotiations was the Agreement on Agriculture (AOA), which introduced disciplines in three pillars - market access, domestic support and export competition. Legal-cum-economic analysis of the AOA, experience of almost 30 years of implementation of the Agreement and overview of Doha Round of negotiations on agriculture will be the subject matter of discussion. The course will also examine specific issues of the AOA through analysis of a few key disputes adjudicated under the WTO's Dispute Settlement Understanding. It will also include case studies based on some of the provisions of the AOA. An integral part of the course will be to develop an understanding of the asymmetries and imbalances in the Agreement on Agriculture – an issue of considerable importance from the perspective of many developing countries, including India.

Course Objectives

The main objectives of the course are the following:

1. Develop an understanding of the structure of the Agreement on Agriculture
2. Deepen the understanding of the main provisions of the Agreement on Agriculture and their implementation
3. Develop an understanding of how the same provision can have contrasting impacts on different countries, depending on their initial conditions and socio-economic needs.
4. Develop an understanding of the asymmetries and imbalances in the Agreement on Agriculture.

Course Outcome

At the end of the course the learner will

1. Be sufficiently informed about the nature of the Agreement on Agriculture under WTO
2. Be informed about the issues and debates surrounding the Agreement on Agriculture
3. Know the major disputes and the decisions relating to Agreement on Agriculture

Course Structure

1. Overview of disciplines and developments on agriculture during the GATT era
2. Difference in agriculture practices in US, EU etc. on the one hand and India, Indonesia etc. on the other
3. Agriculture subsidies
 - a. Introduction
 - b. Domestic Support exempt from reduction commitments
 - c. Domestic Support subject to reduction commitments
 - d. Public stockholding for food security purposes
4. Market Access

- a. Introduction
 - b. Tariffs and tariffication
 - c. Special Safeguards
 - d. Tariff re-negotiation
5. Export Competition
 - a. Introduction
 - b. Export subsidies
 - c. Nairobi Decision on Export Competition
6. Other provisions of AoA
7. Asymmetries and imbalances in the AoA

READING LIST

1. “Agriculture”, The WTO Agreements Series, https://www.wto.org/english/res_e/booksp_e/agric_agreement_series_3_e.pdf
2. WTO E-training Module on Agriculture, pp. 91-114 http://etraining.wto.org/admin/files/Course_324/CourseContents/AG-R2-E-Print.pdf
3. The World Trade Organisation: A Guide to the Framework for International Trade by Bhagirath Lal Das, Chapter V.1 Agriculture 227- 255
4. Agricultural Quantitative Restrictions: Van den Bossche 488-489
5. Agricultural Subsidies: Van den Bossche – pp. 835-844
6. Implementing the Agreement on Agriculture over 25 years: Professor Abhijit Das and Sachin Sharma. (IIPA publication)
7. Food Security – at the WTO: http://www.wto.org/english/tratop_e/agric_e/food_security_e.htm
8. Institutionalising Inequality: the WTO, Agriculture and Developing Countries: Carmen G. Gonzalez – electronic copy available <http://ssrn.com/abstract=987945>
9. Sachin Kumar Sharma, Teesta Lahiri, Suvayan Neogi & Raihan Akhter (2021): Revisiting domestic support to agriculture at the WTO: Ensuring a level playing field, The Journal of International Trade & Economic Development, DOI: 10.1080/09638199.2021.1967429
10. Sharma, S.K. (2016) “The WTO and Food Security: Implications for Developing Countries”, Springer (ISBN: 9789811021787).

CASES TO BE COVERED

11. Panel/Appellate Body reports on the following disputes:
 - a. *US-Upland Cotton*
 - b. *Chile- Price Band*
 - c. *Korea - Beef*
 - d. *China - Agricultural Producers*
 - e. *India - Sugar and Sugarcane*
 - f. *Indonesia – Horticulture*
 - g. *India - Quantitative Restrictions*
 - h. *EC- Poultry*

Session-wise details of issues to be covered

Session	Issues to be covered	Duration
1: Introduction to the course on Agreement on Agriculture (AoA)	1. How is agriculture in India different from farming in the US, EU, Australia etc.? 2. What did GATT envisage on agriculture? 3. 1955 Agriculture Waiver to the US 4. How did distortions creep in the global agriculture market? 5. Uruguay Round mandate on agriculture 6. Brief discussion of the Uruguay Round Modalities Text on Agriculture 7. Introduction to the three pillars under the AoA and Annex 1 8. Approach of the course on AoA: Combining discussions on provisions of the AoA with relevant data for bringing out its contrasting implications for the developed countries on the one hand and India and many developing countries on the other.	1.5 hours
2. Domestic Support: Green Box	1. Legal framework disciplining Domestic Support under the AoA 2. Various sub-categories of Domestic Support under the Green Box (Annex 2 of the AoA) 3. Discussion of Decoupled income support 4. Discussion of the jurisprudence emerging from <i>US-Upland Cotton</i> 5. Discussion of provisions relevant for food security 6. Discussion of the trend in Green Box support provided by some WTO Members 7. Discussion of some of the schemes of the developed countries	1.5 hours
3. Domestic Support: Development Box, Blue Box and Amber Box	1. Discussion of Article 6.2 of the AoA 2. Brief introduction to AGST documents 3. Illustrations of schemes under Article 6.2 of AoA 4. Discussion of the trend in support provided by some WTO Members under Article 6.2 5. Discussion of Article 6.5 of the AoA 6. Discussion of the trend in support provided by some WTO Members under Article 6.5 7. Introduction of the architecture of the rules on Amber Box Support	1.5 hours
4. Domestic Support: Amber Box	1. Discussion of Articles 3, 6.1, 6.3, 6.4 and 7 of the AoA	1.5 hours

	2. Distinguishing between non product-specific support and product-specific support 3. Explaining how commitments under Aggregate Measurement of Support (AMS) are calculated 4. Discussion of Annex 3 of AoA regarding calculation of AMS 5. Illustrations of schemes under Amber Box 6. Discussion of the jurisprudence on ‘constituent data and methodology’ emerging from <i>Korea - Beef</i> and <i>China - Agricultural Producers</i> 7. Discussion of the trend in support provided by some WTO Members under Amber Box 8. Discussion of India’s Fair and Remunerative Price scheme for sugarcane and some issues related to Domestic Support in the panel report <i>India - Sugar and Sugarcane</i>	
5. Public stockholding for food security purposes	1. Discussion of paragraphs 3 and 4 of Annex 2 of the AoA 2. Discussion of India’s Minimum Support Price programme 3. Explaining how product-specific support under India’s MSP is calculated (rice and wheat as illustrations) 4. Discussion of the jurisprudence on eligible production emerging from <i>Korea - Beef</i> 5. Brief discussion of public stockholding programmes for food security purposes in other developing countries 6. Discussion of the Bali Peace Clause (2013) on public stockholding for food security purposes and the subsequent development in negotiations 7. Discussion of the November 2014 General Council (GC) Decision on public stockholding for food security purposes 8. Discussion of India’s resort to the Bali Peace Clause and the relevant GC Decision	1.5 hour
6. Market Access Pillar: Tariffication and bound rates	1. Brief discussion of the reasons why countries impose tariffs 2. Brief discussion of Article II:1 of GATT 1994 3. Introduction of the Market Access Pillar and the related policy instruments 4. Introduction of the architecture of the rules on Market Access (tariffs) 5. Introduction of the concepts of tariffication, bound rates and discussion of Article 4 of the AoA 6. Brief discussion of the different types of tariffs	1.5 hours

	7. Discussion of the jurisprudence emerging from <i>Chile - Price Band</i> 8. Discussion of Article XI of GATT 1994, Article 4 of AoA and the jurisprudence emerging from <i>Indonesia - Horticulture</i> 9. Discussion of the profile of bound rates of some WTO Members 10. Discussion of the implications for India of <i>India - Quantitative Restrictions</i> dispute and subsequent tariff renegotiation under Article XXVIII	
7. Market Access Pillar: Special Safeguards	1. Introduction of the architecture of the rules on Market Access (Special Safeguards) 2. Discussion of Article 5 on Special Safeguards 3. Introduction of the profile of potential users of SSG 4. Discussion of the jurisprudence emerging from <i>EC - Poultry</i>	1.5 hours
8. Export Competition Pillar: Export subsidies	1. Introduction of export subsidies and the related policy instruments (export credits and guarantees) 2. Introduction of the architecture of the rules on export subsidies 3. Discussion of Articles 8 and 9 of the AoA 4. Discussion of some issues related to export subsidies in the panel report <i>India - Sugar and Sugarcane</i> 5. Discussion of the Nairobi Decision on Export Competition (part 1)	1 hour
9. Export Competition Pillar: Nairobi Decision on Export Competition and other issues	1. Discussion of the Nairobi Decision on Export Competition (part 2) 2. Discussion of Article 10 of the AoA on Anti-circumvention 3. Discussion of Article 12 of the AoA on Export prohibitions and restrictions 4. Geneva Ministerial Decision on World Food Programme	1 hour
10. AoA: Other provisions	1. Discussion of Article 13 of the AoA on due restraint 2. Discussion of Article 20 of the AoA on Continuing the Reform Process 3. Relationship between the AoA and other agreements under the WTO	1 hour
11. AoA: Recap and wrap up	1. Asymmetries and imbalances in the AoA 2. Overview of developments in Agriculture negotiations under the Doha Round 3. Present state of play on agriculture issues at the WTO	1.5 hours

RESOURCE PERSONS

The Course will be conducted by Prof. Abhijit Das and Prof. Sachin Kumar Sharma.

Prof. Abhijit Das

Prof. Abhijit Das is an international trade expert with two and a half decades of experience in international trade and WTO in various capacities, including five years in trade policy making in the Government of India and twelve years as the Head of the Centre for WTO Studies, Indian Institute of Foreign Trade, New Delhi. He has participated directly in many multilateral and FTA negotiations, including the WTO Doha Round and OECD Steel Subsidies negotiations. He was a part of India's official delegation to six Ministerial Conferences of the WTO. He worked in UNCTAD India Programme during 2005-10 and headed this prestigious UN project for three and a half years. He was an officer of the Indian Audit and Accounts Service (1988 batch) and took voluntary retirement in 2011.



His research has played an influential role in determining the trajectory of international trade negotiations on many issues including agriculture, government procurement and digital economy. He has contributed substantially to India's negotiating submissions to the WTO. His book titled *Strategies in GATT and WTO Negotiations* has been published recently by Oxford University Press. He has also jointly edited the following books on WTO and international trade - (i) *WTO Dispute Settlement at Twenty: Insiders' Reflections on India's Participation*; (ii) *Twenty Years of India's Trade Liberalisation: Experiences and Lessons* and (iii) *Trans-Pacific Partnership Agreement: A framework for future trade rules?* He has published extensively in peer-reviewed international and national journals on various aspects of international trade.

At the invitation of international organisations and governments, he has been a speaker on WTO issues in more than 25 countries. He is a regular commentator in the media on WTO, FTAs and other international trade matters. His current research interests include agriculture, digital economy, free trade agreements, geographical indications, global value chains and negotiating strategies.

Prof. SACHIN KUMAR SHARMA

Professor Sharma works at the Centre for WTO Studies (CWS), Indian Institute of Foreign Trade, under the Ministry of Commerce & Industry, Government of India. He has more than 22 years of research experience with progressively increasing responsibilities as an economist and agricultural trade expert for domestic policies and multilateral & regional trade negotiations.



At the CWS, he leads and manages a multidisciplinary team of economists and lawyers, focusing on a diverse range of legal and economic issues in global trade, such as agriculture, food security, subsidies, sustainability, market access, non-tariff measures, and broader development issues, including aid for trade. He regularly advises negotiators, government officials, farmers and trade associations, civil societies, and other stakeholders across the world, undertaking studies and preparing policy briefs, economic analyses, and reports. He is also responsible for preparing WTO agriculture notifications for India. He has contributed significantly to many proposals tabled at the WTO by India, G-33, and other developing countries and LDCs. He participates as an expert economist and negotiator for the Indian delegation in multilateral and regional level negotiations, meetings, and WTO disputes.

He represents the CWS at various forums to facilitate policy dialogues, deliver lectures, and develop training modules on international trade and agriculture in specialized training programs organized for negotiators, diplomats, farmers, bureaucrats, students, and other stakeholders. He has been invited as an agriculture trade expert by the WTO, World Bank, FAO, IFPRI, ITC, UNESCAP, TWN, South Centre, G-33, and various governments. He has published in several reputed peer-reviewed journals and authored books and newspaper articles on international trade, sustainability, market access, food security, and agriculture, among others.

COURSE -REQUIREMENTS

Attendance: 75%

Evaluation: Examination at the end of the course for 50 Marks

Exam Timing: 2 Hours

Mode of Teaching- Online through google meet.

Duration of the Course: The course will be conducted from **July 7, to July 18, 2025**.

Examination will be on **July 21, 2025** in online mode.

Timings (may be varied)- **5 pm to 7 pm generally**

Declaration of Results- **by July 31, 2025**

Issue of Certificates- **by August 15, 2025**

Registration Fee- **Rs. 1000/-** (See payment guidelines for online payment)

https://docs.google.com/document/d/1GnXmGdC-ARktaBGllZtq1d4eX8xLgCbWiysfbQmx_ZM/edit?usp=sharing

Registration form link- https://docs.google.com/forms/d/e/1FAIpQLSd6I3dGVrtNEJ6h-W7n4IQa8bc1zWXIiakINATiJbpjYin_4Q/viewform?usp=header

Last Date for Registration: **June 30, 2025**

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ABOUT NATIONAL LAW UNIVERSITY ODISHA

The National Law University Odisha (NLUO) has made a place for itself in the field of legal education in a very short time. It is ranked among the top 10 under the 'Top 10 Law Colleges' category in India Today's Best Colleges Ranking of 2022, being at no. 9. This category is for the highest-scoring colleges among those set up in or after 2000. NIRF Ranking for 2022 ranked the National Law University Odisha at twenty-fifth rank amongst all categories of law colleges of the country and Tenth among NLUs. University's faculty research output has always been of a very high standard. Faculty publications in several top-tier international publications bespeak their subject expertise and scholarship.

ABOUT NLUO CENTER FOR INTERNATIONAL TRADE LAW (CITL)

The Centre for International Trade Law is a research centre of the National Law University Odisha, established in 2015. The Centre is geared primarily towards research. The Centre strives to produce high-quality and cutting-edge research in the field of International Trade Law and International Investment Law. The Centre is regularly publishing books on issues relating to WTO and international trade. It is in the process of publishing an edited version of all the WTO Appellate Body decisions. Two volumes are already published. This work is unique and a valuable addition to the literature on WTO jurisprudence. Find about more about CITL <https://nluo.ac.in/centre/centre-for-international-trade-law/>.

CITL Publications

