

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:3085
ANSWERED ON:27.07.2009
DRUG CONSIGNMENT SEIZURE BY EUROPEAN CUSTOMS
Sule Supriya

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether India is considering to taking the issue of seizures of drug consignment by European customs to the Dispute Settlement Body of the World Trade Organisation;
- (b) if so, the details thereof; and
- (c) the details of other corrective steps being taken by the Government in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI JYOTIRADITYA M. SCINDIA)

(a) to (c) India has decided to engage in a formal Consultation process with European Commission on this issue. This is a procedure that precedes a formal Dispute in the Dispute Settlement Body of the World Trade Organization (WTO).

India also raised the matter in a meeting of General Council of the WTO held on 3rd February 2009 and in meetings of TRIPS Council of the WTO held on 3rd March, 2009 and 8th June 2009. India called upon the EC to urgently review its Regulation 1383/2003 and actions of the national authorities based on the EC Regulation. India has been pressing that EC Regulations and actions should be in conformity with the letter and spirit of the TRIPS Agreement, the rules based WTO system and the Doha Ministerial Declaration on Public Health. India has also been raising the larger issue of maximalist enforcement of Intellectual Property Rights and their consequential adverse impact on both access and trade in generic medicines in the meetings of the World Health Organization. The seizure issue has also been taken up bilaterally with the Netherlands and the European Commission.