The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the World Trade Organization (WTO) play significant roles in shaping the agricultural sector globally. Here's an overview:

TRIPS and Agriculture

TRIPS sets rules for intellectual property rights, including patents, trademarks, and copyrights, in various sectors, including agriculture. Key aspects of TRIPS in agriculture:

1. Plant Variety Protection (PVP): TRIPS requires WTO members to provide protection for plant varieties, either through patents, sui generis systems, or a combination of both.

2. Patenting of Life Forms: TRIPS allows for the patenting of life forms, including plants and animals, which has raised concerns about the ownership and control of genetic resources.

3. Biotechnology: TRIPS regulates the use of biotechnology in agriculture, including genetically modified organisms (GMOs).

WTO and Agriculture

The WTO's Agreement on Agriculture (AOA) aims to promote fair trade practices in agriculture by reducing domestic support, export subsidies, and trade barriers. Key aspects of the WTO in agriculture:

1. Market Access: The AOA improves access to international markets by reducing tariffs and other trade barriers.

2. Domestic Support: The AOA reduces government support to farmers, which can distort trade.

3. Export Subsidies: The AOA limits subsidies that governments provide to exporters, which can unfairly compete with other countries' products.

Impact on Agriculture

The intersection of TRIPS and WTO agreements has significant implications for agriculture:

1. Intellectual Property Rights: TRIPS strengthens intellectual property rights, which can impact farmers' access to seeds, genetic resources, and technology.

2. Trade Liberalization: The WTO's AOA promotes trade liberalization, which can lead to increased competition, market volatility, and changes in agricultural production patterns.

3. Food Security: The impact of TRIPS and WTO agreements on food security is a concern, particularly for developing countries, which may struggle to balance intellectual property rights with farmers' rights and food sovereignty.

Criticisms and Controversies

The TRIPS and WTO agreements have faced criticisms and controversies in the agricultural sector:

1. Patenting of Life Forms: Critics argue that patenting life forms undermines farmers' rights, biodiversity, and food sovereignty.

2. Biotechnology Regulation: The regulation of biotechnology in agriculture has raised concerns about the impact on human health, the environment, and farmers' livelihoods.

3. Trade Imbalances: The WTO's AOA has been criticized for perpetuating trade imbalances, which can disadvantage developing countries and small-scale farmers.

What is WTO?

The WTO is the only international organization that deals with the global rules of trade between nations. It ensures that trade flows smoothly, predictably and as freely as possible. came into being on 1 January 1948 as a result of an agreement among 23 proponent countries to have a multilateral trade regulating organization in place of an International Trading Organization (ITO).

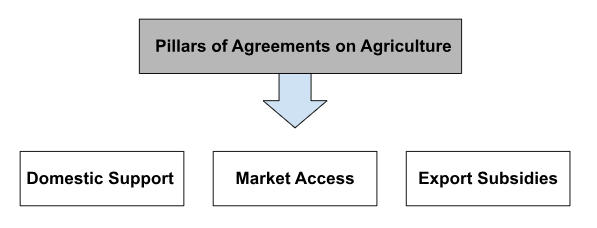
What are Trade Agreements?

Trade Agreements are the agreements entered into by the member nations to facilitate trade of goods and services. The WTO oversees about 60 different agreements which have the status of international legal texts. Member countries must sign and ratify all WTO agreements on accession. Some of the most important agreements and the sum and substance of these are discussed below:

Agreement on Agricultural (AOA)

The Agreement on Agriculture ( AoA) provides a framework for bringing in a long-term reform of agricultural trade and domestic policies relating to it so as to introduce over the years increased market orientation of agrarian produce.

The Agreement became operational after the establishment of the WTO at the beginning of 1995. The AoA has three pivotal concepts, or “pillars” namely,... Read more at:



The Agreement provides for the opening of national markets to international competition

General Agreement on Tariffs and Trade (GATT, 1994)

This agreement is often misunderstood as the same GATT which was formulated on 1947 before the WTO came into being. but the GATT, 1994 is an international treaty binding upon all WTO Members. The GATT 1994 is only concerned with trade in goods. The GATT 1994 aims at further liberalizing trade in goods through the reduction of tariffs and other trade barriers and eliminating discrimination.

The General Agreement on Trade in Services (GATS)

The General Agreement on Trade in Services (GATS) was instituted to extend the multilateral trading system to the services sector, just as the GATT provided a system for trade in merchandise. The Agreement came into force at the same time WTO became operational.

GATS include four modes of international delivery of services:

(i) Cross-border supply: The cross-border supply of services such as data flows and transportation services across nations as in the case of international telephone calls.

(ii) Commercial presence: it involves providing provision of services abroad through FDI or representative offices; this will include setting up subsidiaries or opening up branches in a foreign country as in cases of operating foreign bank branches.

(iii) Consumption abroad: here, consumption of services is made in foreign country such as tourism.

(iv) Movement of personnel: it involves the entry and temporary stay of foreign consultants or fashion models, are generally referred to as the “presence of natural persons”.

Trade Related Intellectual Property Rights (TRIPS)

The agreement of Trade Related Intellectual Property Rights is advanced by Western nations forcing the adoption of stringent conditions for the protection of IPRs at the UR that was negotiated at the end of the Uruguay Round of the GATT in 1994. The Agreement on Trade-related Aspects of Intellectual Property Rights sets down minimum standards; for many forms of intellectual property (IP) regulation. standards; for many forms of intellectual property (IP) regulation. The TRIPs Agreement covers seven categories of intellectual property:

The TRIPs Agreement provides for granting product patents as opposed to processes granted under the Paris Convention. The product patents would be for 20 years, whereas for copyrights and related categories of rights, the protection would be available for 50 years. Provisions of the TRIPs Agreement were operationalized by developing countries with effect from January 2005.

Trade Related Investment Measures (TRIMS)

The Agreement on Trade-related Investment Measures (TRIMs) refers to certain conditions or restrictions imposed by a government in respect of foreign investment in the country, especially by developing countries, and calls upon member countries to introduce national treatment of foreign investments and removal of quantitative restrictions. Major highlights about the TRIPS are given below

The Agreement on TRIMs provides that no contracting party shall apply any TRIM which is inconsistent with the WTO Articles.

TRIMs Agreement identifies five investment measures that are inconsistent with the

GATT provisions in respect of national treatment and removal of quantitative restrictions.

Hence, the Trade Agreement on TRIMs prevents the imposition of any performance clauses on foreign investors regarding earnings of foreign exchange, foreign equity participation and transfer of technology. It requires foreign investment companies to be treated at par with national companies.... Read more at: https://www.adda247.com/teaching-jobs-exam/trade-agreements/