

ABSTRAK

Penelitian ini mengkaji strategi negosiasi India dalam memperjuangkan proposal penangguhan *TRIPS Agreement (TRIPS waiver)* di WTO sebagai upayanya menghadapi COVID-19. Merebaknya pandemi COVID-19 pada tahun 2020, India bersama dengan Afrika Selatan mengajukan prososal *TRIPS waiver* merespons disparitas ketersediaan obat-obatan, teknologi diagnosis, dan vaksin COVID-19 antara negara berkembang dan negara maju. Di sisi lain, India memiliki opsi untuk menggunakan fleksibilitas TRIPS berupa *compulsory licensing* dan *parallel import*. Fakta bahwa India merupakan aktor yang juga berperan penting dalam lahirnya fleksibilitas TRIPS pada Putaran Uruguay 1989 dan *Doha Declaration on TRIPS and Public Health* pada Putaran Doha 2001, menjadi menarik untuk mengamati dinamika dan strategi negosiasi India untuk memasukkan *TRIPS waiver* dalam kesepakatan Ministerial Conference ke-12. Penelitian ini menggunakan konsep *distributive strategy* dan *integrative strategy*, serta *dual concern model* untuk mengidentifikasi bentuk strategi India dan mengelaborasi sebuah perubahan strategi. Dengan menggunakan pendekatan kualitatif dengan metode pengumpulan data studi pustaka, riset ini memanfaatkan berita resmi dari pemerintah India, World Trade Organization, dan organisasi non-negara lainnya sebagai sumber utama penelitian. Riset ini menemukan bahwa India menggunakan *mixed-distributive strategy* selama negosiasi dilaksanakan. Penggunaan strategi yang cenderung menekan (*distributive strategy*) di fase awal negosiasi melibatkan pembentukan koalisi negara berkembang, menggaet jejaring aktor non-negara, dan memperkuat tuntutan, justru berimplikasi pada *deadlock* negosiasi, sehingga India mengubah langkah selanjutnya dengan *integrative strategy*. Dengan temuan tersebut, penelitian ini telah berkontribusi dalam memperkaya riset empiris dari teori strategi negosiasi perdagangan internasional.

Kata kunci: *TRIPS waiver*, India, strategi negosiasi, World Trade Organization.

ABSTRACT

This research examines India's negotiation strategy on the proposal to waive the TRIPS Agreement (TRIPS waiver) at the WTO as an effort to deal with COVID-19. The outbreak of the COVID-19 pandemic in 2020, India together with South Africa submitted the TRIPS waiver proposal in response to the disparity of available medicines, diagnostic technology and COVID-19 vaccines between developing and developed countries. On the other hand, India has the option to use TRIPS flexibility such as compulsory licensing and parallel import. The fact that India is an actor who also played an important role to the birth of TRIPS flexibility during Uruguay Round 1989 and the Doha Declaration on TRIPS and Public Health during Doha Round 2001, makes it interesting to observe the dynamics of negotiation and India's strategies to include the TRIPS waiver in the Ministerial Conference 12. This study uses the concepts of distributive strategy and integrative strategy as well as the dual concern model to identify India's strategy and elaborate strategy transformation. By using a qualitative approach with literature study data collection methods, this research utilizes official news from the Indian government, World Trade Organization, and other related non-state organizations as the main source of research. This research demonstrates that India used a mixed-distributive strategy during the negotiations. The use of contending strategies (distributive strategy) in the initial phase of negotiations, including the formation of coalition, engaging networks of non-state actors, and strengthening demands, eventually has implications negotiation deadlock, thus India changed its next step to an integrative strategy. With these findings, this study has contributed to enriching empirical research on international trade strategy theory.

Keywords: TRIPS waiver, India, negotiation strategy, World Trade Organization.