

BACKGROUND NOTE

Role of Non State Actors in the WTO

by

CUTS International

*Session 3: Room D, WTO Building
1400 – 1600 hrs, Wednesday, 15 September, 2010*

The Forum theme

The overall theme of the WTO Public Forum 2010 is “The Forces Shaping World Trade”. NSAs have become important players in the public policy making process thereby also playing crucial role in shaping trade policy at national, regional and global level. The trading rules formulated by the WTO and its process are not insulated from the growing importance of the NSAs.

The session falls under the first sub-theme “The WTO and the players that influence the multilateral trading system” as it seeks to analyse the role of NSAs in influencing the on-going discussions at the WTO. The nexus between international trade and the objectives of the NSAs on account of social, economic, political and environmental effects of trade is not obvious. The decisions on these issues taken at the WTO have a vital impact on the society. NSAs on one hand serve public interest and on the other hand become important interlocutors and partners for governments. The acceptance and effectiveness of this role of NSAs, especially in the developing world, needs to be analysed and improved to enable them to serve as a voice of the society on this variety of socio-economic-environmental issues, thereby influencing the decision making process in the WTO. This session will take a holistic view of the issue, ascertain appropriate role of the NSA and possibly make some recommendations.

The Session

Non-state actors (NSAs) have a stake in the healthy functioning of the multilateral trading system. NSAs are expected to present their concerns through their respective governments in the WTO. In recent years the WTO has made efforts to better reach out to NSAs while preserving its fundamental nature as an inter-governmental organisation. The WTO Public Forum is open to all participants, most WTO documents become public upon submission, and regular WTO briefings are held for non governmental organisations (NGOs) and parliamentarians. Hearings in some dispute settlement proceedings have also been opened to the public upon agreement among the parties. Despite these developments, several issues regarding effectiveness of the participation of NSAs remain debatable.

Based on the above, the objectives of the session will be:

- To identify ways in which different groups of NSAs influence the on going discussions at the WTO;
- To understand if NSAs are successfully influencing discussions at the WTO? If yes, how?
- To understand the interaction between all groups of NSAs, for example the business community, CSOs, and parliamentarians etc, vis-à-vis the WTO and whether these NSAs

- from WTO members have equal influence in the WTO through their respective governments and;
- To discuss various opinions and suggestions in order to optimise the role of NSAs in the WTO.

Some questions that constituent panellists and discussants will endeavour to answer include:

1. Do the negotiations at the WTO & subsequent agreements reflect the interests of business communities of member countries? If yes, through what channels is the influence of national business communities transmitted to positions/stances at the negotiating table?
2. Is there congruence between the interests of the mentioned business communities & those of CSOs in regard to negotiations & agreements at the WTO? Compare and contrast the significance of the influence exercised by these two groups as well as the channels used to exert such influence. Is there a possibility of resolving the conflict among these groups so that negotiating stances are more representative of the overall national interest and therefore more beneficial in welfare terms?
3. What role can parliamentarians play in the WTO process, especially in acting as a conduit for suitably and harmoniously channeling the influences exerted by the mentioned CSOs as well as the business communities in regard to WTO negotiations and resulting agreements?
4. How do governments reconcile the interests of various NSAs while preparing their position in the WTO negotiations?

Panel

Chair: Pradeep S Mehta, Secretary General, CUTS International

Panellists:

- Mr Pascal Kerneis, Managing Director, European Services Forum (ESF)
(Presentation on role of business in shaping the WTO and whether WTO serves their interests)
- Mr Ricardo Melendez-Ortiz, Chief Executive, ICTSD
(Presentation on CSO's role as stakeholder and their influence in decision making process of the WTO)
- Mr Michael Hindley, former MEP
(Presentation on the role of parliamentarians in the WTO process)
- Ambassador Ujal Singh Bhatia, former Indian Ambassador to the WTO
(Presentation on ways in which governments reconcile the interests of various NSAs while preparing for the WTO negotiations)
- Prof. Abul Barakat*, Professor and Chair, Economics Department, University of Dhaka Bangladesh
(Presentation from an academic perspective on the role of NSAs in the WTO: past, present and future)

* To be confirmed