

CITIZEN'S PROPOSALS FOR WTO

As citizens concerned about the public interest, we present below the following analysis and set of proposals to political decision-makers and all members of civil society who are actively engaged in this.

Though we recognize the necessity of instruments and fora to regulate world trade, we reprove trade based on the "law of the jungle" mediated by bilateral agreements. We believe that the WTO must be thoroughly reformed so as to be coherent with principles endorsed by humanity at large:

- the principle of responsible custodianship, in order to hand on a viable planet to future generations
- the principle of humanity and dignity for every human being
- the principle of responsibility for each individual and organization, each making a contribution to the construction of a new harmony between societies, between people, and with his environment
- the principle of caution and precaution, so that societies do not resort to new products or new techniques which, once invoked, outstrip our capacity to control the present and future risks which may accompany them
- the principle of the diversity of cultures and of people, for diversity is a common good which it is a duty to preserve
- the principle of citizenship, for all human beings are fully-fledged members of the world community.

The market must not become the benchmark of society's values! Rather, it should be shaped and governed by the aforementioned principles and promoted by clear orientations among which, the respect of human rights, the recognition of biodiversity as a global commons, the refusal to patent life forms, ...

We thus propose the following:

1. The agreements of the Uruguay Round must be evaluated in terms of the objectives and criteria of sustainable development.

We are told of the benefits of this forced march toward the liberalization of the world market, but the existing means of evaluation make reference only to economic growth, which is not good enough. The aims of sustainable development which are stated in the preamble to the WTO Agreement, and which are taken up in Agenda 21 and other United Nations texts, should be at the very heart of such an evaluation. As citizens and careful observers of reality in the world, we have noted the damage resulting from forced liberalization, a policy prosecuted by politicians, endorsed by multinational corporations, and implemented by the WTO, the International Monetary Fund and the World Bank. The world as a whole has grown richer, but great divides have been created between rich and poor. It is said that trade serves peace. But we see that trade has only been of service to peace between the rich countries, and that it has often led to practices incompatible with sustainable development.

The reduction of disparities and inequalities, the fostering of economic democracy and the protection of natural resources should be central to WTO rules. It is essential that the latter be clear as to what definition of sustainable development and to what international conventions it makes reference.

2. Convergence and coherence for the development of trade

Political leaders and States sign conventions in defence of the rights of Man and the protection of natural resources, while putting into practice policies which are often patently in conflict with these commitments. There is no thought of convergence, coherence or cohesion. As such, international institutions often take divergent paths. For example, the Structural Adjustment Programs driven by the IMF have led most developing countries to liberalize their agricultural sectors to a greater extent than required by the WTO. The cost to mankind has been tremendous: some experts estimate that such incoherence accounts for 10% of Gross World Product. The pursuit of convergence and of coherence should be accorded priority over the objective of increased liberalization. To this end, we propose in particular that the WTO agreements should be linked to and made compatible with the multilateral agreements on the environment, as they are with the Codex Alimentarius which sets standards in the food sector.

3. A fairer system of dispute settlement

A dispute settlement mechanism exists within the framework of the WTO. That in itself is a good thing. But this system is still inequitable and unjust, giving power to the major economic players and often, with a sleight of hand, to the multinationals. It is inaccessible to the developing countries because each dispute settlement procedure costs extremely dear. When a dispute arises, sanctions can only be applied by the plaintiff country. As such, the lack of trade clout for many developing countries renders such a "right" ineffective. The rising tide of complaints and hassling by the Americans are a sign of the lack of clarity and relevance of the current rules. The following proposals for reform could remedy this:

- [i] Clarification (renegotiation if necessary) of the WTO rules so that they acquire a more dissuasive character, less open to interpretation
- [ii] The composition of Panels: the professionalization of panelists who, as a general rule, should be legal experts. Seek neutrality and objectivity.
- [iii] A system of dispute settlement with "collective sanction" so that the loss of concessions represents a sufficient economic cost to oblige developed countries to implement the decision of the panel.
- [iv] Transparency
- [v] Hearing third parties, including NGOs (modify Article 10), enabling NGOs and experts to bring additional views to the table

4. The accession of new countries in acceptable conditions

What is the definition of economic democracy shared by the 134 member countries of the WTO, while they put off 35 countries which account for one fifth of humanity? The conditions for accession are far too complex, and the process of joining iniquitous: more stringent conditions are required of newcomers regarding the opening of markets than required of WTO members. Moreover, without reciprocity. The major risk is economic and social destabilization in entire regions of the world. A crisis in China linked to a brutal opening of borders, particularly to agricultural products, would have considerable consequences for this country and throughout the world. Therefore there is a need to define objective and equitable conditions and not leave each applicant country to its own

devices without legal grounds.

5. The creation of an observer body for the WTO and for the regulation of international trade

The principle is agreed that the WTO should set up consultations with NGOs. But a structured mechanism for this has not been established. This must be instituted and tested during the next round of negotiations. Civil society should be closely involved in the creation and running of an international body of observers and of an information and advisory system. Many NGOs are demanding a moratorium on the launch of a new round of negotiations. An international body of observers, independently run, recognized by the WTO, could evaluate and debate the effects of the measures taken and play a part in finalizing the implementation of commitments. An observer body should be able to take civil action against trade practices - even if they do not form the subject of WTO litigation - which run counter to the rules and the objectives of sustainable development.

6. An international resource center

Of the 134 member countries of the WTO, 80 are not in a position - for lack of understanding and technical means - to participate in this round of negotiations in satisfactory conditions. For this reason, it is urgent to set up a resource center for civil society as well as for the Administrations of members and non-member countries of the WTO. This center could provide evaluations of the real and potential impact of agreements and commitments, information and training on the rules, and advice on negotiating and legal back-up.

Without the political will to place the WTO in a framework of values and principles, without a clear definition of the objectives, and in the absence of democratic rules, the discussions which are due to take place will yet perpetuate the disruption and destabilization of entire societies, and contribute to environmental degradation. And we have no doubt that, faced with this perspective, an international-based opposition to the logic of free-trade will emerge and forestall a new round of negotiations.

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