

**From Gas Masks to
Chocolate Fountains:
The Emerging Influence of NGOs in the WTO and the Implications for Global Trade Governance¹**

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Summary

"OUR WORLD IS NOT FOR SALE!" "JUST SAY NO TO THE WTO!"

While much has been written about NGOs and their assumed impact on WTO negotiations from Seattle to Hong Kong (complete with photos of swimming Korean protesters and loud colorful banners in Victoria Park), little has been written about what has actually happened as a result of their presence in recent negotiations. However, the process of integration by NGOs into the international trading system has become a central question for many concerned actors. Non-governmental organizations have begun to work from inside trade negotiations using a variety of tactics: both in coalitions among themselves and with/through member States. From shouting slogans to helping draft States' negotiating strategies, NGO influence is at once seen and unseen, heard and unheard. The unique aspects of the WTO as an organization centered on its member states, coupled with the high stakes for African countries in the most recent trade round, has provided fertile ground for building new alliances and transforming "behind the scenes" governance. This paper contends that while WTO negotiations formally only include States (and the influence of markets), NGOs, as both "insiders" and "outsiders" in the decision-making process significantly influence and, therefore, represent a fundamental shift in the process of trade governance. The case study chosen for this paper is the Sectoral Initiative on Cotton, driven by the West African cotton producing countries.

Chapter 1: Introduction

NGOs and International Organizations: simultaneous global ordering systems²

The myriad of literature concerning NGOs and their evolution is staggering. Much has been written about these new actors who originated from the vague term "global civil society": referring to groups as diverse as businesses, social movements (ranging from religious to ecologist to terrorist) and even individual actors in local movements that are connected to an international ideological framework.³ It is important to recall where this term came from, for it is rooted in domestic political science literature referring mainly to the foundations of a democratic society, i.e. in opposition to the state or as a realm outside of State control in which citizens can form groups and interact⁴. In its grafting to the international arena, theorists mainly saw it as an oppositional actor to States (aided, in part by early movements' vocal and visibly aggressive stances against States' policies) however, the term "global civil society" has evolved in usage as both *describing* an organization or collective outside of the state and as a *claim* to legitimacy from these same organizations or collectives, speaking in the name of "global interests."

At the same time, international organizations, defined strictly as interstate arrangements, have attempted to "order" the world, or at least to create forums for better management/regulation of global problems. While most discussions on NGO activities concentrate on their growing role in the UN, this paper concentrates on the dynamics of NGOs in the World Trade Organization, the intergovernmental institution created from its predecessor, the GATT (General Agreement on Tariffs and Trade) in 1994. Despite what could be regarded as its strictly defined mandate: to create a forum for trade negotiations and settling disputes, the WTO has been under attack from many "civil society" groups. Their attacks focus on two levels: first, on a structural level (the alleged lack of transparency in negotiations and inability of NGO's to participate in negotiations in the same way as the observer status enjoyed by these groups at the UN) and second, on a substantive level (those that view the WTO as blindly defending/institutionalizing liberal economic policies that have often unintended negative consequences for the poor/the environment/women/developing countries). Thus, despite the fact that only member governments are responsible for their decisions in negotiations and the fact that the WTO does at least

claim to take into account “undesirable side effects” of trade liberalization, these arguments have led, historically, to a clash between the WTO (a relatively small organization of only about 500 employees) and the many “civil society” groups protesting the process and the results of trade negotiations.

Nevertheless, there are certain civil society groups who have decided to actively influence the negotiations through indirect lobbying/advocacy efforts both targeted at national as well as foreign governments, and through research projects funded or aimed at States with the aim of changing government policy. Are their diverse efforts analogous with the term diplomacy in the sense that there is a codified strategy to change another actor’s policy? If so, what would be the defining characteristics of the “diplomatic” tactics of these Non-State Actors?

The methods of NGOs in the WTO are a central component of their strength. While most NGOs in other domains work as outsiders, (for instance, as specific technical experts in the UN) those that achieve access within an organization that is, by definition, exclusively State oriented, are an exciting new example of what may be the future of trade governance. In a global sense this is one of the central questions surrounding NGOs: what are the impacts of those that work “from the inside?”

The case study used in this paper is the Sectoral Initiative on Cotton, specifically analyzing the issues, actors, strategies and power relations involved in its creation and negotiation. It is a unique case because its formation depended on the alliances of multiple, diverse actors (West African governments, Southern NGO’s, Northern NGO’s and Southern producer organizations). It represents a step forward by those traditionally considered “powerless” and “dominated” (Southern producers, African governments and Southern NGO’s) to not only participate in the international trade system, but to actively uphold its trade rules on a specific issue. This case in essence highlights the sophistication and complex relationships that exist and continue to develop between States and non-governmental organizations.

Client Agency

This project was funded by The Charles Léopold Mayer Foundation for the Progress of Mankind. The French organisation (headquartered in Switzerland) is a privately funded institute that inquires into the methods of how knowledge is transferred. By providing resources such as in-depth concrete studies on current policies and trends as well as creating new methods for civil society actors, they attempt to help civil society respond to an ever changing world. FPH proposes two main poles of action: first, collaborative efforts that promote policy alternatives rooted in concrete proposals and second, the creation of new capacities for dialogue, exchange, and expertise among different socio-professional spheres.

The IRG, Institute for a reflection on Governance, is financed by FPH and dedicated to researching new forms of governance in a non-political capacity (i.e. in independent research). The IRG is developing an online database of short papers on diverse topics from around the world on the issue of governance. It has requested that specific research work be done in the area of “NGO integration into the WTO” in order to enhance their governance database. The present paper is aimed, therefore, at understanding the relationship between new non-governmental actors, NGOs, and their techniques in the wider context of governance. The subject of “new governance” is at the heart of this paper as it involves the interactions between an intergovernmental organisation, the WTO, and non-governmental organisations that have emerged as important actors in international trade relations.

Methodology

➤ Definitions

The methodological approach of the study begins with a separation and definition of the two key terms involved in the research: NGOs and the WTO, both within the greater context of “governance”.

Our client, FPH and more specifically IRG, in pursuing a non-normative definition of governance, created a space in which to experiment with these concepts. This experimentation began with finding a definition of non-governmental organizations and clearly defining the WTO.

The World Trade Organisation defines itself as: “the only global international organization dealing with the rules of trade between nations. At its heart are the WTO agreements, negotiated and signed by the bulk of the world’s trading nations and ratified in their parliaments. The goal is to help producers of goods and services, exporters, and importers conduct their business.”⁵

It is an organization with both a mandate to facilitate inter-state trade and the actions of its member states in an international forum. Out of this division two categories were made: one concerning the role of the organization of 500 employees in Geneva and the other, the role of the 149 member states.

The definitions of non-governmental organizations are numerous; ranging from those that include any actor that is not the government (thus including business lobbies and individuals), to a very strict definition excluding organizations that are not voluntary or altruistic. Since our work centers on trade negotiations, the first working definition of NGOs was taken from the “non-definition” by the WTO which states that NGOs accepted to the Ministerial Conferences are organizations that must be related to trade. The second step was to analyze and narrow down the list of 2000 NGOs going to the Hong Kong ministerial conference to a smaller group excluding all trade lobbies. The third step involved a categorization by subject, constituency and orientation of all the NGOs going to Hong Kong into groups of Northern and Southern NGOs and a further categorization into subgroups based on their specific political projects. This activity highlighted, however, how such a categorization is nearly impossible since many NGOs do not fall clearly into one category but occupy multiple categories. Thus, we decided to limit our research to a case study in order to clearly perform an in depth analysis of the actors and stakes involved.

➤ **Case Study**

In deciding on a case study that would address NGOs and trade governance, we chose to investigate the central actors involved in the issue of cotton. This case study was chosen for three reasons:

1. The importance of Cotton in the negotiations leading up to Hong Kong 2005: Cotton had become a key component of agricultural negotiations in Cancun when the United States was surprised by the advent of a new trade issue and was therefore unable to negotiate. The demise of the Cancun negotiations, while not entirely based on agriculture, did highlight the priorities of southern countries that were not addressed in the negotiations. Additionally, the eventual separation of cotton from the agriculture debate furthered the idea that the base product of cotton must be dealt with, as the WTO text put it, “in an ambitious, expeditious and specific manner”. In this way cotton was brought to the forefront of the Doha Development agenda.
2. The importance of NGOs in the formation of the Sectoral Initiative on Cotton: the original plea to stop cotton subsidies from the cotton producing countries in 2001 was aided, in large part, by NGOs through both research and resources given to cotton cultivating countries in order to navigate trade protocol at the international level.
3. The importance of Cotton as a “symbol” of southern voices: many southern countries and NGOs (across the North and South) saw the final result of the cotton case as a litmus test for the credibility of the WTO.

The research was done through literature reviews, informal and formal interviews with central players in the delegations of member states and with NGOs from around the world, and involved a series of different types of stakeholder analyses.

Chapter 2: Context/background

Global governance

The preceding part of this paper introduces actors (States and NGOs) that try to “order” certain interactions in the international system. States try to achieve order through intergovernmental organizations and norm setting. NGOs attempt to influence this order by changing its values and norms (thus creating a “new order”). In this way, both entities are part of the larger concept of “global governance”. The word governance, however, should not be confused with the idea of governing, which implies two distinct categories: those governed and a power that governs; nor with the concept of “good governance” or “bad governance”, which describes ways and interpretations of governing, coined in the 1990’s by the World Bank and used by organizations such as the OECD and the IMF. These normative labels describe the actions or conditions inside national governments and are used as a basis for calculating loans or aid for certain countries.⁶ Jan Kooiman, in *Governing as Governance*, describes civil society groups as “characterized by involvement in social-political governance, on the international as well as the structural level of governance”. Thus, by their very nature, the way they *interact* is “governance”⁷. In a descriptive manner, used on an international scale where no mechanism exists for enforcement⁸, the need for a concept of “governance” arises to explain the existence of order or disorder.⁹

The formal definition of governance in international relations literature, much like the event it describes, is lacking. Definitions range from Kooiman’s, which states that governance is

“the totality of theoretical conceptions of governing [which are] the totality of interactions, in which public as well as private actors participate, aimed at solving societal problems or creating societal opportunities, attending to the institutions as contacts for these governing interactions, and establishing a normative foundation for all those activities”¹⁰

to the more classical definition from Rosenau in which governance encompasses

“the activities backed by shared goals that may or may not derive from legal and formally prescribed responsibilities that do not necessarily rely on police powers to overcome defiance and attain compliance”¹¹

Certain definitions are negative: preferring to describe what governance is or cannot do, or is in opposition of. One such author, J-F Bayart, rejects the term outright and instead substitutes the notion of “*gouvernementalité*” adapted from Foucault to explain and problematize the power relations¹² imbedded in a term such as “governance”. His critique of governance rests on the basis of its insistence on a binary construction between those governed and those governing.¹³ He argues that governance as a concept cannot free itself from this basis of “governing” and therefore, his new definition is able at once to describe and also critique the process. His definition is important, as its negation allows a new representation of a process based on “subjectivity”, and thus brings to light the importance of defining participation. The concept of governance as a process is central to developing a clear definition.

In a recent article by Helene Yanacopulos¹⁴, the major definitions of governance are divided into two categories: first, as a purposive activity (thus a process) and second, as an explanatory framework.

“.... governance as a purposive activity, [is where] organizations attempt to influence other political actors by ways in which they frame and steer issues. The second component is governance as an explanatory framework, which aims to explain the changing strategic relationship between state and non-state actors in world politics” (247).

The Meta-definition, or explanatory framework, is not what this paper applies nor seeks to explain, as it does not analyze continuity and change in interactions between NGO's and the WTO, but rather examines their existing relationship as “governance”. Through the cotton case study, the overarching theme of “governance” as a purposive activity is the operating definition through which our work explains the “why and how” (248) of specific interactions between these two entities. This paper analyses the tactics and methods of Non-State actors and State actors in how they *frame* and *steer*¹⁵ issues in the cotton negotiations at the WTO.

Both categories of actors described above are operating/creating/participating in what could be called “global governance”. This specific research contributes to an on-going inquiry into how we can describe the actors and their actions in a post-Westphalian world, i.e. what is governance without government? Regardless of the outcome of the complex struggles between international actors, their interactions and negotiations (and their *diplomacy*) constitute a governance system. In this dynamic relationship, it is often the *process* which creates and shapes the *context* of the exchanges. Thus, in the specific case of cotton, for example, the process (tactics/alliances/methods) of negotiations between the non-state and State actors are shaping at once their exchanges and creating the norms for future negotiations. The process of trade negotiations becomes in fact the “governance” framework for the application of trade policies and interactions. Therefore, we can say governance is not a static framework (or an explanatory framework), but rather a product of the interactions of different actors operating within the process.

As Scholte states, “the transformation in the nature of global economic governance is a result of the Multinational Economic Institution – Global Social Movement encounter”.¹⁶ If this is true, then understanding the interactions that create this governance, as in non-governmental actions or “diplomacy” is essential to a better comprehension of what O'Brien coined “complex multilateralism” (incrementally pluralized governing structures). Thus, the issue of non-governmental organizations and their diplomacy in relation to the WTO fits into a larger examination of the interactions between such entities and the potential implications of these interactions for global governance.

The History of NGOs and the WTO

The GATT, the General Agreement on Tariffs and Trade, was created in 1947 in response to the need for an international forum in order to resolve trade disputes between nations. However, it became evident that a formalised intergovernmental institution was needed, and thus the World Trade Organisation was created in 1994 through the Marrakech Agreement. Between these two major developments in world trade, the apparition of non-State actors as powerful stakeholders caused intergovernmental organisations to react and innovate in their relationships with these new players.

The Marrakech Agreement¹⁷ which established the WTO includes concrete references to Non-Governmental Organizations (NGOs) in Art. V:2¹⁸¹⁹ to contribute to the ongoing interests of the public in multilateral trading systems. The WTO agreement explicitly gives the right to NGOs which “have responsibilities related to those of the WTO” to receive “appropriate arrangements for effective cooperation with” the WTO (Art.V:1) and the WTO “may make appropriate arrangements for consultation and cooperation with non-governmental organizations concerned with matters related to those of the WTO” (Art.V:2).

In 1996 the General Council adopted an official framework for relations with NGOs. It states that: "members recognize the role NGOs can play to increase the awareness of the public in respect to WTO activities and agree in this regard to improve transparency and develop communication with NGOs."²⁰ Additionally, it states that the WTO will work towards greater transparency by ensuring more information about its activities in making documents available as promptly as possible. In the first Global Accountability Report, the WTO ranked third in terms of access to online information.²¹ In addition, an indication of the development of deeper communication between the WTO and NGOs is the engagement of the Secretariat in playing a more active role in its direct contacts with NGOs. The Secretariat formed a special contact point for NGOs at the WTO in which a separate bureau for external relations with NGOs was created.²²

However, NGOs are not directly involved in the work of the WTO or its meetings due to the fact that the negotiations are strictly between States. Thus, all NGO influence is indirect and must be done *through* the State- either by participating directly in its delegation or indirectly influencing the government through a mobilisation campaign of its electorate.

In the actual WTO negotiating framework, there has been a significant place reserved for NGOs during the ministerial conferences and also during symposiums and day to day discussions. New initiatives started in 1998 and continuing to the present day strive to take into account the "public voice" and intend to exchange ideas with civil society. A recent example is the decision of Peter Mandleson, the EU commissioner of trade, to host a non-scheduled conference and question and answer session with NGOs during the 2005 ministerial conference. According to the European Commission Civil Society Co-ordinator, Mandleson decided that he wanted to "talk to civil society" and decided to hold the conference spontaneously. This need to express ideas through civil society (which includes for the most part NGOs at the ministerial conference) shows recognition on the part of the WTO member states of the power and the prominent position of NGOs and civil society in negotiations.

The evolution of an ongoing recognition of NGOs by the WTO is also reflected in the numbers of NGOs which participate in the Ministerial Conferences.²³ At the first Conference in Singapore, there were 159 NGOs registered to participate, in Geneva 152, in Seattle 744, in Doha 365, in Cancun 966 and in Hong Kong there were 1081. Since the Ministerial Conference in Seattle in 1999, the WTO has undergone a substantial shift in the way it deals with the wider public. In April 2002, the WTO hosted a symposium on the Doha Development Agenda for over 800 government and NGO officials. This symposium was organized by the WTO together with NGOs.²⁴ According to WTO Director-General Dr. Supachai Panitchpakdi, "Over the years, the WTO Public Symposium has proven to be an extremely useful platform for dialogue and reflection among all stakeholders of the multilateral trading system"²⁵ Perhaps most importantly, the fact that development was an issue in a trade forum also demonstrates a dramatic shift in influence for NGOs in the WTO. Their ability to shape the agenda is due to their increasing role in WTO issues and settings.

Chapter 3: The current relationship between States and NGOs

Part 1: WTO perceptions of NGOs

Beyond analyzing the actual alliances and formal relationships between actors in the WTO, it is equally important to examine their perceptions as this impacts the interplay between NGOs and the WTO. While identifying the perceptions of NGO's towards the trade organization on the scene of the WTO Ministerial Conference in Seattle was much easier than it is today; post Seattle, these perceptions have evolved and become more sophisticated as NGO's started to take the advice of the WTO and

participate in advocacy campaigns to change the policy positions of member governments through a variety of tactics.²⁶ Today in 2005 most of NGO's disagreements are primarily with member government policies, or formal procedural issues, if they are disagreeing at all.

However, little literature has addressed the perceptions of the WTO on the evolving NGO role. This is due in part to the fact that the inclusion of NGOs in the WTO negotiation process is relatively new. Literature dating from only 5 years ago is hopelessly outdated, as it grapples with the "phenomenon" of non-governmental organizations post-Seattle. The current debate is no longer what they are doing to block WTO negotiations, but how they are influencing the negotiations – if/how they are included in member governments' negotiating teams and other issues related to their impact on the constituencies of these nations as well as their integration into the WTO negotiating process.²⁷ The organization's external bureau's opinions', which is to say Mr. Bertrand Kuiten, Director of the office, and certain negotiators and officials from members are the only ones that can truly represent individual perceptions or opinions of NGO's within the organization. It is important to consider the impact of these perceptions which is implied in the organization's *actions towards* NGO's. However, with a permanent staff of only five hundred and a bureau for external relations with non-governmental organizations composed of only five employees²⁸, most perceptions by the "WTO" can only be derived from its individual members. In this note the first section will be on the direct opinions of officials and Mr. Kuiten towards different techniques of NGO's, then the following sections will be an analysis of the actions of the WTO member States towards NGO's and NGO access to the Dispute Settlement body.

Perspectives of the External Relations Bureau of the WTO

« C'est grâce à ce bureau...[on a eu l'accès à] des grandes réunions officielles des ambassadeurs, bref, le bureau nous donne la chance d'accéder à la presse, de rencontrer les négociateurs là », (« Thanks to this office... [we had access to] large meetings with official ambassadors, in general, this office gave us press coverage and contacts with negotiators »)

Mr. Fall, Director of ROPPA, speaking about the external relations bureau at the WTO for NGO's.

Beginning with the 1996 Marrakech agreement, in article V:2²⁹ the first statement was made about NGO's. However, as Mr. Kuiten states, after he took office in 1999,

“We fine tuned the Marrakech agreement which defines that members should 'do something' with NGO's and on that basis the WTO members agreed on guidelines for relations with the NGOs³⁰ for us [the Bureau of External Relations with NGO's] to deal with NGO's. On that basis we have been expanding our relationship with NGO's on a more *informal* than a formal basis because the guidelines are very clear: we have to encourage and expand relationships but at the same time the agreement limits the activities”.³¹

He continues to characterize the relationship between his office and NGO's as professional, but definitely informal, as it is limited by the mandate, and thus although the office is open for visits, dialogue, and as a forum for access to delegations, the office can not offer accreditation in the same way as other international organizations, such as the UN. There is a “permanent working relationship” between NGO's and the Bureau and they [NGOs] are also “working with governments on an almost permanent basis [in Geneva]”³²

Interestingly, unlike the plethora of definitions offered by academia,³³ the WTO has no formal definition of an NGO. According to Kuiten, each NGO that applies for Ministerial Conference

accreditation is considered on an individual basis and by the knowledge regarding the NGO world by his team. Each NGO is taken into consideration based on the information available to the office. However, Mr. Kuiten does make a distinction between national and international NGO's when discussing lobbying tactics³⁴ as he states his view that national NGO's logically concentrate more on their home governments and international NGO's on both fronts international (Ministerial Conferences) and national. He also clarifies the difference between NGO advocacies as falling into four groups: mainstream, focused (one issue), flatly critical and radical. While these groups are quite different, when questioned on specific examples of NGO's that fall into these categories,³⁵ he responded that they were all very well respected and well received because of their ability to "sit down and talk". The more well respected and influential an NGO is does not necessarily have to do with its positions on issues according to the Bureau of External Affairs. Thus, NGO participation in the WTO negotiating process revolves predominately around their relationships with the member States. The image that the WTO has of NGO's is not negative or positive depending on their position, but rather a question of *influence*. The descriptions above are not normative in the sense that there are not "good" and "bad" NGO's but rather a spectrum of positions that an NGO fits into.

When considering this influence, Kuiten addresses the issue of transparency – a debate that he says has been dead for six years. He simplifies the debate in saying, "who cares if they [NGOs] are transparent? Their influence is what matters- and what their influence means for the WTO and for trade in general". When ideas that started as campaigns by NGO's are advocated by countries, this implies a possible influence by those NGOs. This influence is something observed by the WTO, but usually not directly admitted by neither the countries nor NGO's, for fears of allegations of exploitation on either side. States do not want to be perceived as the footmen of powerful international organizations. NGOs are just as frightened of being accused of collaboration, as one negotiator described it: they [NGOs] would be in the dangerous situation of losing their statue as the carriers of "independent information" or "angelic advocacy, beyond reproach."

The official position of the Bureau on the relations between States and NGOs is that they are not in a position to tell States nor NGO's that they can not work together. Mr. Kuiten argues that NGO's should be allowed to advise countries, which can be positive for small developing countries that don't have the funding for expertise. His argument continues to imply that if the countries don't have enough resources they should be allowed to solicit them from NGO's. However, beyond the Bureau's neutrality lies the fact that there is a difference between the ways in which Southern countries relate to NGOs (reliance on their expertise for text writing and strategy setting) and how Northern countries relate to them (suspicion, and "management"). If most NGOs are from the North (about 75% according to the Bureau) and southern States rely on their expertise/include them in their delegations, these unelected international bodies are directly participating in negotiations and the democratic deficit becomes more important. Whether it is malevolent or benevolent is not as important as to whether the policy space of Southern states is decreased or increased by the impact of northern NGOs.

This argument fall into a much wider debate on the north/south divide. It could be argued that the enormous gap in resources and access to governmental power results in a situation of a replication of the same divide in international politics.³⁶ The financing of Southern NGO's by Northern NGO's and the northern NGO partnerships with southern NGO's on specific issue areas is a grey area that could involve exploitation with an obvious power differential.³⁷ This problem is specifically relevant in development issues as well as environmental standards. Kuiten responded to the debate in a surprising manner, stating that he doesn't have a problem with Northern NGO's dominating the scene as long as they are supporting Southern issue areas and Southern partners. However, contrary to Kuiten's opinion, with the writing of certain policy initiatives of southern States by their northern partners, it is difficult to decipher what the "real issues" are to support. When asked about the possible exploitation by Northern NGO's of Southern States (due to the differences in funding) Kuiten vehemently argues that converse to public opinion, he observes that the true exploitation

occurs by a few “star NGO’s” from the South that are pushing countries in directions opposite to their [the country’s] original position.³⁸

For instance, in the cotton debate, the decision to negotiate for cotton specifically as its own issue instead of arguing for food security in all base products was introduced by northern NGOs (and one southern, but formerly financed by France). The liberal agenda, while echoed by President Traoré’s speech at the WTO, is not necessarily a “southern issue” nor supported by all parties in the South.³⁹ In either case, one French Delegate argues that cotton illustrates the success of NGO influence in negotiations- in addition the power of NGOs is one of the reasons that the European Commission decided to go to Cotton Day.⁴⁰ He goes on to state that NGO power and influence may be a single issue phenomenon in cotton. But even if NGO influence is single issue oriented, the multitude of these issues such as environmental laws and regulations to cotton point in the direction of increased overall influence.

Financing is a very sensitive issue as the fears of a decrease in policy space and exploitation are very real. In order to solve this problem, or at least diminish its impacts, one could argue that 3rd party funding is essential. In fact, Kuiten advocates that the WTO should be funding these Southern NGO’s. Unfortunately; the funds are not there. There is only funding for the Annual Public Symposium where they finance developing countries. This public symposium represents a large portion of their out reach mission and in recent years they have received almost 1200 representatives.⁴¹ This view by Kuiten is supported in large part by certain academics, such as Ernst-Ulrich Petersmann who advocates that:

“The time and resources required for transnational ‘deliberative democracy’ and ‘governance by discussion’ are the necessary price for promoting the ‘publicity of public goods’ through inclusive ‘cosmopolitan constituencies’ – at national as well as international levels of multilevel trade governance”⁴²

The implications of this recognition of NGOs (and even the realization of a Habermasian idea of democratic participation and a plurality of ideas) implies that the WTO’s perceptions have changed from acknowledging the force of NGOs to integrating them to a certain extent in the process of multilateral trade discussions. As Peter Van Bossche and Iveta Alexovicova published recently, “The degree of involvement of civil society in the activities of the WTO achieved to date was generally welcomed... the issue is now how much further this involvement could and or should go”⁴³.

Perspectives of member States

When interviewing members of the delegations there was a sentiment that *certain* NGOs are useful, however, anti-trade NGO’s must be “managed”.⁴⁴ While Northern countries dialogue with NGOs, there is definitely a hesitation concerning the immense impact that NGOs have on their constituency, which reduces their policy space. For example, the campaign in Europe for the Humane Treatment of Animals is an instance where NGO’s had directly influenced the constituency of member States of the European Commission who were forced, politically, to adopt these measures.⁴⁵ The media impact of NGOs is not to be considered lightly.⁴⁶ As opposed to a publicity campaign for a product or a brand, the marketing of ideas is highly contested by governments who perceive NGOs of having an unfair advantage.⁴⁷ Where governments are perceived by their constituencies as, for the most part, politically motivated and thus untrustworthy, NGOs, while also politically motivated, are perceived as trustworthy and “above petty politics”. Governments, therefore have a very delicate situation with NGOs as the improper “management” of certain NGOs could have disastrous political consequences.⁴⁸

In addition, the question of representation is critical for these governments, as many perceive what they consider an unfair influence of these “lobby groups” (NGOs) in regards to their constituency. While NGO representation is a topic that merits its own paper, there are large complaints from the public sector that certain NGO’s (those not integrated into governmental delegations) have a

disproportional influence in regards to their representation. The perceived impact of NGOs by States is a factor that must be taken into consideration when analyzing the "competition" between these different actors for a single constituency. The influence of the few can be said to have changed the minds of many, and thus has impacted policy to such an extent that governments have become very cautious with this new actor. Most countries, specifically in the North, work directly with lobbies more than with NGOs because the domestic lobby groups are considered better representatives of their interests. However, in Hong Kong, the European Commission, as one example, had advisors from a northern NGO (Solidar) in their delegation. The presence of Solidar raises the question, is NGO inclusion in northern States a true partnership or more an accommodating gesture to promote "participation" perceptions. While Giampiero Alhadeff of Solidar was included as part of the EU delegation and sat next to Mendelson during his meeting with NGOs, the full extent of his participation in northern countries decision-making was definitely seen as less than in developing countries which has included multiple NGO representatives in their delegations and gave them visible but influential roles.^{49 50}

Between the Bureau of External Relations and the inclusion of NGO's in delegations the perceptions of the WTO are that NGO's and their power to influence are taken very seriously. However, there is a difference between which NGOs are taken seriously and which aren't. Those that actually work on the substantive parts of the negotiations will only look closely at detailed, technical reports prepared by NGOs.⁵¹ The most vital tasks include lobbying both national and foreign governments as well as vast media campaigns, according to the ambassador to Benin at the WTO (Samual Amehou)⁵², however, most northern negotiators have stated that they are influenced to a greater extent by the knowledge brokers' reports.⁵³ Members of delegations on both sides of the Atlantic said that they mostly work with lobbies and unions rather than NGOs.⁵⁴ However if they do read these reports the information usually comes from "legitimate" NGOs such as those that have expertise in the field or those that have published papers on the subject.⁵⁵ NGOs that routinely were mentioned in interviews were: Oxfam, ICTSD, IDEAS and for the French delegates, le GRET.

Putting words into action

While the perceptions of the WTO can be defined by their political statements and their members' observations, it is ambiguous as to how much influence NGOs have when participating in the delegations. One way to measure the growing influence of NGOs is in their participation in the ministerial conferences. While in the recent Hong Kong Ministerial Conference accredited NGO's had a significant presence (2000 participants) in the same conference center which facilitated them with 13 rooms for seminars and discussions as well as a large computer lab and flat screen monitors relaying information on meetings. The increase in involvement by NGOs, those "allowed" to participate by the WTO, signals recognition by the organization that it perceives NGOs as an integral part of the trade negotiation process.

The Dispute Settlement Body, an organ of the WTO that allows open participation, is yet another way in which NGOs are integrated into the negotiating system. The Dispute Settlement Body is a unique way of providing consequences to disputes within the WTO, while yet allowing the democratic majority of a country to go back on its international agreement, if it so chooses, for a price.⁵⁶ Even Joseph Nye admits that the design of the WTO should be a model for other international institutions, as it allows democratic decision making at the national level and an order at the international level. The integration of NGOs into this court has been through the back door of *amicus curiae* submitted to the Appellate Body. "The Appellate Body of the WTO has held that both panels (the tribunals of first instance in WTO dispute settlement) and the Appellate Body itself have the discretion to accept *amicus curiae* briefs from non-governmental actors"⁵⁷ However, this holding has been the result of a very contentious debate about the extent of non-governmental participation as well as a more general discussion about the legality of the court and its rulings.

In conclusion, the indirect influence of NGOs is measured by the WTO in their impact in membership delegations and is demonstrated by the WTO's actions towards NGOs.

Part 2: Non-governmental Diplomacy

The conventional definition of a non-governmental organization is any organization that does not involve the State (i.e. non governmental), however, in certain instances, NGOs work with their home governments and negotiate with them in order to achieve mutually beneficial policies, thereby moving away from early, more confrontational methods. The new brand of sophisticated NGO's have, we argue, adopted the strategies that States have used for centuries: that of diplomacy. In high level negotiations, NGO's have decided to participate and actively influence the negotiations. In the cotton initiative, the West African governments worked directly with local and international NGO's. These governments were advised on how to navigate the complex bureaucratic process of WTO negotiations/complaint proceedings. This new method could be called Non-Governmental Diplomacy- a negotiating strategy used by NGO's large and small to influence member states on policy- and thus influence policy. These new "diplomats" as Henri Rouillé-d'Orfeuill, (president of Co-ordination SUD- a French platform NGO), has aptly named them in his upcoming book, are the 3rd parties to negotiations. If diplomacy is defined by the finesse of negotiating and successfully transferring one's ideas, then NGOs are participating in a form of diplomacy. The flow of this influence is indirect, as NGOs are not actual participants; however their impact on global trade governance is significant. D'Orfeuill describes this diplomacy as participative. In this way their actions, while diverse due to ideological or cultural differences, are complementary as they are *participating* in the collaborative efforts of an international solidarity movement. The three 'families' of this new diplomacy encompass negotiators to militants to the media. In the broadest terms, this new diplomacy is created within these families. However, the most important

Theoretical background

Rosenau and Kooiman's respective works on governance form the basis of an article by Helen Yanacopulos, " Patterns of Governance: The rise of Trans-national Coalitions of NGO's" on governance and transnational networks. If the basis for the formation of transnational networks of non-governmental organisations is to promote a shared discourse and advocacy position to solve global problems; what happens in the encounter between the States' discourse and NGOs?

Yanacopulos' work attempts to bridge the gap between governance literature and transnational network literature. She argues that there should be empirical research on the process of this governance. Rather than concentrating on a definition of governance as an "explanatory framework" which "aims to explain the changing strategic relationship between state and non-state actors in world politics" (247), she uses a definition of governance as "purposive" in order to understand this process of governance, specifically in NGO networks. She defines this governance as an activity "where organizations attempt to influence other political actors by ways in which they frame and steer issues" (247). While she argues that much has been written about governance as an explanatory framework little has been written on the *influence* of these actors. By concentrating on the definition of purposive government, she embarks on an empirical study of the *workings* of governance: i.e. *why and how* NGOs engage in this activity. The study tries to forge a stronger conceptual and empirical link between governance and mechanisms of influence (framing, steering, norm setting) in order to move beyond governance as an explanatory framework.

The mechanisms of governance are considered the same mechanisms of influence in advocacy. In transnational advocacy, or movements, there are "regular interactions across national boundaries when at least one actor is a non-state agent or does not operate on behalf of a national government or an intergovernmental organization" (Risse-Kippen Qd 253) The literature that examines the process of the formation of these movements looks at the horizontal aspects of network formation and the complexities of the co-operation. Beginning in the 1970's with works by Keohane and Nye, the level of analysis has stayed at the supra-national level. In Yanacopulos' words, transnational literature has been used as an explanatory framework, in attempts to explain how state and non-state actors work together across national boundaries (p. 254). These attempts could be characterized by the recent literature in complex multilateralism, which seeks to explain the depth and strategic patterns of co-operation and confrontation between State and non-State actors. However, Yanacopulos states that, "governance is not restricted to the transnational, as governance seeks to explain dynamics between state and non-state actors at all levels of analysis". Her paper seeks to understand the inner workings of NGOs as they are "strategic entities in themselves that react to internal and external pressures". Moving beyond a broad explanatory analysis of governance, she

Chapter 4- NGO and State Strategies

Framing Issues, Agenda Setting and Norms

The framing of issues is an essential part of both transnational networks which create the normative claims of the agenda (“a problem is not a problem unless it is called one”) as it is in global governance. Development NGOs are on the forefront of agenda setting both on the national stage of lobbying and on the international stage in presenting facts that argue against the status quo consensus. Consequently, these positions may be picked up by IFIs or States –furthering the impact of NGO framing. The impacts of these coalitions are not only measured in policy outcome but also in the intermediary steps such of framing and steering.

Part 1: Case study: Cotton

The recent apparition of cotton subsidies as a single issue in international trade negotiations helps to explain the rising influence of certain coalitions of non-governmental and governmental actors in realising their common goals. From the initial call of producer organisations from Burkina Faso, Benin, Mali and Madagascar for the US and the EU to end their cotton subsidies (which eventually became the “Cotton 4” – Burkina Faso, Benin, Mali and Chad), a separate part of the WTO ministerial text was subsequently dedicated to the cotton issue in agricultural negotiations, thus solidifying the impact of NGOs in the traditionally State-centric realm of trade negotiations.

The case of cotton is unique as it became one of the most decisive factors in the Hong Kong trade negotiations for southern States: its success or failure in negotiations symbolized their capacity (or incapacity) to enforce rules and actions in the WTO. In addition, as opposed to Brazil who chose to legally challenge the United States (the country with the largest amount of cotton subsidies), the Cotton 4 chose to negotiate, furthering the idea that their case was a symbol of the ability of southern countries to have an impact on negotiations. For the actual cotton producers from the South, however, the case was obviously more substantial than symbolic.

The first part of this note will be an overview of the non-governmental actors and their positions, specifically on cotton. The second part will address the coalitions and competition between these NGO actors and their respective tactics in light of the stakes involved. The third part will concern the stakes and competition between States and their interactions with NGOs. In conclusion, the question of how NGOs impact the concept of “trade governance” will be addressed to demonstrate how these NGOs have a real impact not only in a State’s domestic policy space, but also how it interacts with other States on the international level.

Non-governmental actors

Four major NGOs were chosen who have an internationally visible influence on cotton negotiations: Oxfam International, ENDA tiers monde, ICTSD and IDEAS. In addition, three smaller NGO producer groups had a significant impact on the Sectoral Initiative for cotton: ROPPA (Réseau des Organisations Paysans et Producteurs de l’Afrique), Aproca (Association des Producteurs de l’Afrique), ACA (African Cotton Association) and their networks of smaller producer groups. (Although there are other NGOs, for the simplicity we have limited our analysis to these four. This does not mean, however, that the other NGOs involved in the cotton issue have not also played a pivotal role).

These NGOs can be characterized as belonging to two groups: “knowledge brokers” and “public opinion shapers”. The first group includes research organizations disseminating information. A knowledge broker is an organization or actor who works with other NGOs and States to influence State positions in negotiations through resource sharing, technical knowledge and expertise in a specific subject area. A public opinion shaper is an organization or actor who uses information campaigns, strategic positioning, media communications and indirect or direct lobbying to attempt to sway public opinion and State opinions in a specific subject area. Within the second group there are those with a direct constituent base outside of their membership, entitled: “speaking for others”, and those with a membership base usually from within their country of origin, entitled: “speaking for themselves”. These two groups are not mutually exclusive, specifically at the international level, where large NGOs use a variety of tactics in order to achieve their goals.

- Oxfam is an international NGO, well financed and composed of 12 national NGOs; it is a knowledge broker *and* public opinion shaper, falling into the first category: “speaks for others”. Oxfam has a two pronged approach to their global “Make Trade Fair” campaign. The first part is composed of efforts to educate the public in rich countries to lobby their governments’ in order to change trade policy (public opinion shaper). Additionally, their vast resources (research and otherwise) aid poor countries who can not afford to research and lobby their own positions by

taking these positions to a more global level (in this way they are “speaking for others”). The second part of the initiative is a technical information campaign involving detailed reports which provide the background for policy decisions that can be adopted by governments (knowledge broker). Their specific mechanisms on the cotton issue include large PR campaigns as part of Make Trade Fair, the co-organisation of Cotton Day (a seminar held one day before the negotiations started in Hong Kong for the Ministerial Conference) and detailed reports on the impact of US subsidies on African cotton producers. These reports and research helped provide the background for their campaigns and add legitimacy to their programs.

→Oxfam’s strategy: As one Oxfam representative stated, “each NGO has a specific role to play, there is a division of labour and tasks that occurs.”⁵⁸ In the coalition that formed between Oxfam, ENDA and APROCA, aided by ICTSD, there were different strategies at work. Oxfam, as a knowledge broker, used its research resources and media connections to broadcast its report and in doing so, pushed the cotton issue to the forefront of the trade agenda. The seminar Cotton Day was held by ICTSD but publicised by Oxfam in part of its Make Trade Fair agenda. The drawing power of the name of Oxfam brought a large audience to the conference, as the surprise visit of the US delegation to the event demonstrated the importance that the US, one of the largest trading powers in the world, gave to the event. The technical expertise of the economists at Oxfam gave a rigorously academic legitimacy to the West African country’s claims. At the Cotton Day seminar itself Oxfam’s speeches stood out as the most technical, again adding weight to the subject.⁵⁹

- ENDA Tiers Monde (a knowledge broker and public opinion shaper: “speaks for others”) is an NGO situated in Senegal, but formerly financed by France. As a national NGO that works extensively in West Africa, one subdivision, DIAPOL (*prospectives dialogues politiques*), works to disseminate information in order to aide poorer countries in the complex negotiations that occur in trade. As they state: “poverty does not include only an economic dimension...”⁶⁰ : the production of information for both southern and northern populations about the impacts of global trade in West African countries (in this way they are public opinion shapers speaking for the southern producers) is a central part of their operations. Specifically on the cotton issue, in co-ordination with Oxfam, the African Cotton Association, the Association of African Cotton Producers and the International Centre for Trade and Development, ENDA tiers monde produced the White Book on Cotton, which details the stakes for Southern countries if US cotton subsidies continue (this research is one way in which they are knowledge brokers). The book was the basis for the Cotton Day seminar in Hong Kong.

→ ENDA tiers monde’s strategy: “The White Book on Cotton”, was an integral part of not only their own strategy but was a central part of the strategy of the West African countries in Hong Kong. The book was available on their website and in hard copy at the Cotton Day seminar, furthering the importance of their work and its impact on the negotiations. This book outlined the specifics of the damage of US cotton subsidies and was a platform for African ministers of trade to voice their opinions. It symbolised the work of ENDA as a knowledge broker from the South: its ability to provide technical information as well as the legitimacy of being close to the actual problem. Their advocacy on behalf of the African producers was demonstrated not only by their indirect influence in holding a seminar but also by publicising the cause and uniting diverse producer groups. In addition, ENDA tiers monde was a key financier in facilitating the stay of many trade ministers from West African countries. Their strategy supports the elimination of cotton subsidies in a strictly judicial sense in response to the judgement in the US/Brazil case in which US cotton subsidies were ruled illegal by the Dispute Settlement Body in 2001. The continuation of these subsidies, despite this ruling, is argued as the central reason that competitive African cotton can not compete on the market. In their words, they do not take an ideological stand but rather defend the sovereignty of countries to demand that trade rules be applied equally.⁶¹

- ICTSD (International Centre for Trade and Sustainable Development) is a think tank based in Geneva, funded by the Swiss government and is a knowledge broker. Their mission statement is to “empower stakeholders in trade policy through information, networking, dialogue, well-targeted research, and capacity building to influence the international trade system such that it advances the goal of sustainable development.”⁶² They publish the influential magazine “Bridges” in Geneva and provide information on trade and development. Their partnerships include southern and northern NGOs and States. They diffuse information about development issues to all parties involved, both North and South, but they specifically aim at capacity building in poorer countries to enable them to interact/negotiate and achieve their goals. In the cotton dossier, for example, they informed the West African countries on their possible policy options- to negotiate or to go to the DSB.

→ ICTSD's strategy: ICTSD, as a knowledge broker, had a behind the scenes role in the negotiations, whereby their influence was as much focused on pre-conference capacity building as it was on helping to build alliances during Hong Kong in providing NGOs and actors from developing countries with a variety of technical information. Their role in the cotton dossier started when they published studies on the West African cotton problem after doing research on development and trade in the region. In November 2002, due to a research article published by ICTSD on the cotton issue, the NGO invited African diplomats and ENDA, Oxfam and IDEAS centre to gather for a discussion on cotton and the decision on whether to go to the DSB or head to the negotiating table. The overall strategy from the decision to create the Sectoral Initiative on Cotton to Hong Kong, was to provide the West African countries with the expertise and information to make informed decisions as well as to push cotton to the forefront of agricultural negotiations.

- IDEAS Centre is another knowledge broker funded by the Swiss government that seeks to reform the WTO system from within. In their own words, “We work within the system: we are funded by the system and thus our rules of the game are very different [than those of other NGOs]. We must be analytical and neutral. However, neutral doesn't mean that we don't defend certain clear opinions and interests, but we must translate them through the language of the system. We look for the most workable solutions and not those that are theoretical and absolutist. We must take into account divergent opinions.”⁶³ IDEAS is a unique organisation in that it works “inside” the system but also as an outsider, working with diverse actors, effectively empowering them and participating in capacity building. The centre provides advisory services and its resources to lower-income countries. Specifically on cotton, they organized their own Cotton Day seminar in Hong Kong which included delegates from the cotton producing countries as well as trade ministers from France, Germany and Denmark. Their project on cotton specifically involves “assisting West and Central African countries in utilising the WTO mechanisms and the Doha Round negotiations to defend their trade interests. This included the preparation of a submission titled: “Poverty Reduction: Sectoral Initiative in favour of Cotton” (TN/AG/GEN/4 of 16 May 2003),”⁶⁴ as well as supporting a broad based initiative for defending the cotton initiative.

→IDEAS Centre strategy: IDEAS concentrated on its own Cotton Day in which it invited the delegations from Germany and Denmark as well as other European countries and the delegates from the West African countries. Their strategy was to unite the member States with which they have contact (European) in a dialogue with the West African countries. Their Cotton Day was held inside the conference center as opposed to outside the conference center. This decision was perceived by certain NGOs as proof of a rift between the coalitions of ENDA/Oxfam et al., however, others saw it as a

delegation of tasks: IDEAS centre, funded by the Swiss government, has more contacts with European delegates and naturally went to the conference center where both NGOs and delegates had equal space.

- ROPPA (Réseau des Organisations Paysans et Producteurs Africains) is a platform for organizations of farmers and agricultural producers in Africa (a public opinion shaper that “speaks for self”). They are a relatively recent organisation, founded in July 2000 at the Cotonou negotiations and categorized as a public opinion shaper which “speaks for itself”. The organization represents 10 West African countries and their work consists of small producer advocacy and the provision of training and information.⁶⁵ They do not advocate the separation of cotton as a separate issue from other basic commodities such as soybeans or cocoa. ROPPA’s main advocacy position is the concept of “food security”: support for a country to enact subsidies for products which permit a country to feed its people. ROPPA advocates international price control mechanisms for all base products.

→ROPPA’s strategy: ROPPA, post its ideological split with ENDA, Oxfam and IDEAS, aligned itself with French NGOs such as Co-ordination SUD (Solidarity, Urgency, Development) and le GRET (Research and Technology Exchange Group) who lobby for food security and the right of producers to uphold subsidies in France (and Europe) as well as in West Africa. ROPPA’s advocacy efforts were centred on informing the public about their position and aligning themselves with countries that supported the continuation of subsidies to protect markets.

- ACA (African Cotton Association) is an association that works with Aproca to support and promote the interests of African cotton producers (public opinion shaper “speaks for self”). The ACA was the product of the Conference of West African and Central African ministers of agriculture in Cotonou, Benin.
- APROCA (Association des Producteurs du Coton de l’Afrique) is a specific producer group that was formed in Benin by François Traoré of Burkina Faso, in order to represent the interests of 12 West African cotton producing countries (this is another group that is a public opinion shaper “speaks for self”). After the ideological split between ROPPA and the rest of the cotton NGOs, a part of the ROPPA membership became the core constituency of APROCA. Due to the fall in cotton prices, APROCA created an advocacy campaign in order to ⁶⁶ get the cotton issue on the international agenda. The strategy, set at the end of the conference on the Sectoral Initiative on Cotton, was to regroup the cotton producing organisations from the entire African continent, create a sense of solidarity between the members and most importantly to diffuse information to these organisations concerning cotton. Traoré’s speech at the WTO on free trade⁶⁷, is an example of how APROCA brought national issues to the international level.

→ The common strategy of both APROCA and ACA was to support the initiative from the “farmer” point of view – keeping in touch with the population, adding expertise from the field and giving legitimacy to the entire operation. These organisations or NGOs fall into the category “speaks for self” and thus are able to appropriately describe what occurs in the West African cotton industry. APROCA, most importantly, participated in the delegation of Benin in an advisory role.

NGO Coalitions

Mr. Amadou Toumani Touré, the president of Mali, credits NGOs with keeping cotton on the international trade agenda and argues that cotton could be a catalyst for changing the rules of the game in the WTO. ⁶⁸ Coalitions of NGOs that help increase the media’s attention on these problems become increasingly important as they force other countries to address these issues.

The following chart displays the cross cutting coalitions between NGOs based on their alliances:

Group 1-Supports subsidies for Food Security

1. ROPPA (Réseau des Organisations Paysannes et des Producteurs Agricoles de l'Afrique de l'Ouest) Burkina Faso
2. NFFC (National Family Farm Coalition) United States
3. FETRAF (Altemir Tortelli) Brazil
4. CPE (Coordination Paysanne Européenne) Europe
5. CPF (Confédération paysannes du Faso) Burkina Faso
6. ANOPACI (Association nationale des organisations professionnelles agricoles de Cote-d'Ivoire) Cote-d'Ivoire
7. NFPG (National farmers platform of Gambia) Gambia
8. CNOP (Conseil nationale des organisations paysannes) Guinea
9. Plate-forme nationale des Organisations paysannes Guinée-Bissau
10. Coordination nationale des organisation paysannes du Mali
11. Plate-form paysanne du Niger
12. CNCR (Conseil national de concertation et de coopération ruraux) Senegal
13. CNOP (Coordination togolaise des organisations paysannes) Togo

Group 2-Supports reduction in subsidies for fair trade and poverty reduction

1. APROCA (Association des producteurs de coton Africains) Burkina Faso
2. ICTSD (International Centre for Trade and Sustainable Development) Switzerland
3. IDEAS CENTRE Switzerland
4. ENDA Tiers Monde Sénégal
5. Oxfam International
6. ACA (Association cotonnière africaine) Bénin
7. FUPRO-B (Fédération des Unions de Producteurs du Benin) Bénin
8. UNPCB (Union Nationale des Producteurs de Coton du Burkina Faso) Burkina Faso
9. OPCC (Organisation des Producteurs de Coton du Cameroun) Cameroun
10. Fédération Nationale des Producteurs de Coton (FNPC) Sénégal

In reaction to a fall in world cotton prices, a community of small producer organisations from Burkina Faso, Benin, Mali and Madagascar called for the end of US and EU subsidies in 2001.⁶⁹ Small efforts were made incrementally by these producer organisations to have their voices heard. In July 2002 the ICAC- a clearing house for technical information and statistics on cotton⁷⁰ created a conference in Washington on cotton and global trade negotiations which led to an increased awareness of the problems in the cotton industry. Additionally, in August 2002, the Burkina Faso Minister of Agriculture proposed in an op-ed three options for the cotton crisis: « 1. Negotiation for the payment of financial compensation to developing countries that are the victims of subsidies, 2. Multilateral trade negotiations on agriculture within the framework of the WTO and 3. The filing of a complaint to the dispute settlement body” (The issue of compensation was eventually dropped as the WTO did not have a mandate to issue compensation for development)⁷¹. Meanwhile Brazil had filed for an appeal to the WTO, and Oxfam published their report on cotton entitled, “Cultivating poverty: the impact of US cotton subsidies on Africa”. These last two events caused one strong coalition to appear: that of the producer organisations and NGOs (Oxfam, ENDA-tiers monde) who supported the Brazilian initiative. The fruition of these coalitions was the establishment of a working group on cotton in which IDEAS centre held sessions where countries could define a common strategy.

The debate among the cotton producing nations came down to whether to go to the negotiating table or to take the US/EU to the dispute settlement body or both. The countries were divided on this issue.⁷² Although certain sources have rumoured that there was a very important debate that occurred at the Conference of West African and central African ministers of agriculture (Abidjan June 2002) in which certain parties were forced into the decision to negotiate; the reasons to negotiate stated by all parties involved (OXFAM, ENDA-tiers monde, and even the external relations office of the WTO) were due to the financial burden of formulating and defending a complaint in the DSB as well as the fact that a win would not guarantee “success” without the US’ compliance. The lack of a realistic ability to retaliate with reprisals such as in the case of the economically powerful Brazil was taken into account as well. From this point on, negotiating in the WTO formed an even tighter coalition of NGOs as Oxfam, ENDA tiers monde, ICTSD and ACA worked together in order to formulate a strategy on the upcoming negotiations in Cancun. The failure of the Cancun talks, while not attributed entirely to cotton, could be attributed to an increasing advocacy of the poor and developing countries in the system itself. The US was taken by surprise at the new items on the trade table and had no room to negotiate on them. In 2003, the cotton initiative, written with the aid of IDEAS centre, created an even stronger link between the advocacy efforts of NGOs and the strategies of the individual countries. In addition, it united the African countries behind one cause. The cotton initiative, created by small producer organisations and included in a ministerial text of the WTO meant that southern voices gained volume in trade negotiations. Romain Benicchio, director of Oxfam operations in Geneva states that, “The cotton case opened the door for other countries and called into question the objectives of the WTO- is it just a club for the rich or is it open to everyone’s participation?”⁷³

In 2004, after the US and the EU were found guilty in violating WTO trade rules concerning domestic subsidies in the cotton sector, the WTO created the cotton sub-committee to deal with the new **Sectoral Initiative on Cotton** within the agricultural negotiations. The new negotiations on cotton were part of the July package, which declared that countries should deal with the cotton issue in a “rapid,

specific and ambitious way.”⁷⁴ The combination of small producer organizations, ROPPA, ENDA-tiers monde, Oxfam, ACA, ICTSD and IDEAS centre led to a substantive change in the negotiations.

Division and Competition between the NGOs

South-South

Before Hong Kong a divide existed between many local West African NGOs and other NGOs between the need to regulate prices at an international level and the need to end American subsidies.

The apparent ideological differences between certain organisations lead to a fracture between ROPPA and ENDA tiers-monde. Both organisations worked together until what the director of ENDA tiers monde stated, “ROPPA was starting to become too radical.”⁷⁵ ROPPA advocated price regulation and the concept of food security whereas ENDA advocated national sovereignty to enforce trade rules for the benefit of southern cotton producing countries. This break between the two southern NGOs created APROCA, who was born out of the former members of ROPPA who disagreed with their policy.

APROCA had a clear interest in forming an alliance with ENDA tiers monde who took up their specific product as a cause. ENDA's involvement in cotton was straight-forward: post the Doha Development round, northern countries, which had decided to open up agriculture to the debate on free trade, still had major agricultural subsidies. They were encouraged by the fact that Brazil had filed an appeal in 2002 to the Dispute Settlement Body against the United States claiming that their cotton subsidies violated free trade agreements. The fact that the US still had not complied with the ruling created fertile ground for a strong argument from the West African countries.

Thus, ENDA tiers monde took up the argument of US cotton subsidies for two main reasons: one, they were judged illegal (in the Brazil case) and yet still in practice, and two, their existence was decreasing international prices to such an extent that African cotton producing countries could no longer compete. This case, according to ENDA tiers monde, was a clear violation of WTO mandates and, as it directly impacted West African countries and their producers, it was an opportunity for the South to interact in the negotiations. Due to the fact that a northern country, promoting free trade in Africa (with increased market access/dismantling of protectionist barriers for infant industries etc.) was blocking reciprocal trade by subsidising their own farmers, made the case was quite clear for them. In addition to the substantive parts of the negotiations the symbolic power of a southern State participating in the negotiations was important. Additionally, many thought that this case could pave the way for more southern country participation.

ROPPA, on the other side of the debate strongly argued that there should not be a difference between a cotton farmer and a cocoa farmer nor a soybean farmer (it is interesting to note that these same products were mentioned by the US in their attempt to divert attention from cotton subsidies at the Cotton Day seminar). Their position, centered on food security, was unable to compromise on what they termed an inequality in putting one base product above another. They argued that to support the plight of the cotton farmer was to ignore the larger picture of the problem of a lack of international price controls. These supply-side price controls were argued to increase profits for the African farmers as the market would not have an influx of cheaper goods from subsidized farmers. ROPPA lobbied for this position at the WTO conference and against the liberalization of markets, their separate conference on Food security in Hong Kong highlighted this difference. The ideology of ROPPA is that fair trade can not exist in a world with largely inherent disparities between industrialised, rich countries and the poor. Thus, the idea of eliminating subsidies does not go far enough to alleviate these problems which are better managed through a larger market controlling mechanism. These view points differ in their approach to solving the problem- ENDA takes a more vertical approach in concentrating on one product as ROPPA takes a more horizontal approach concentrating on all products. To be precise, it was these tensions between conflicting approaches which caused the rupture, there was not a conflict. This tension was apparent during the press conference following the Cotton Day seminar; a comment was made by

a ROPPA representative linked to food security. This "statement" (more than a question) brought defensive statements from the certain delegates who refused to reply to "such an attack."

North-South

ENDA tiers monde and IDEAS

In a similar way to the split between ENDA tiers monde and consequently the rest of the coalition (Oxfam, ICTSD et.al.) with ROPPA, there was another ideological rift in the coalition between ENDA tiers monde and IDEAS. Once again, ENDA tiers monde takes what it describes as a more pragmatic route in supporting the elimination of cotton subsidies in Northern countries as part of a poverty reduction plan for West African cotton producing countries. According to ENDA, IDEAS' role was much more ideologically motivated, as part of their liberal free trade agenda. On the contrary, Oxfam and ICTSD still worked with them and Oxfam saw IDEAS' role as a facilitator for resources (for example in paying for plane tickets and other practical matters) and in their advisory role to southern countries.

STATES

Status Quo defenders

The straight forward competition in cotton negotiations occurred between the US and the members of the EU, the former targeted by NGOs. Despite the fact that the EU does not have subsidies on cotton, the US grouped cotton with agriculture and attacked the EU on their "un-ambitious plan" for agricultural market access.⁷⁶ These divergences between the US and the EU were highly criticised by the West African cotton producing countries as they argued that the ongoing disputes between the EU and the US were taking the focus away from the "real debate" which was cotton subsidies and the competitiveness of African Cotton. At the Cotton day Seminar the attacks between the US and the EU, literally argued across the conference room were a physical representation of the so-called "ping pong" game between the two large players that "left the African countries out", according to the West African delegates and ENDA. The cotton issue was a sore spot for the US due to the ruling in 2004 against its cotton subsidies in the case brought against it by Brazil. A team of US representatives distributed pamphlets detailing US actions on the cotton initiative and effectively "worked the room" at the seminar spreading the word at each table about what the US has done to alleviate poverty in West Africa. This reframing of the issue from US subsidies to poverty alleviation measures was a major part of the tactics in Hong Kong employed by the US to divert attention away from their inaction on the Brazil ruling.

The mandates set by the US under the tense political conditions are a reaction to the competitive nature of not only the negotiations, but the political impact of the negotiations. An inability to compromise on an issue as important as cotton could have had major political impacts, specifically due to the attention that NGOs focused on the subject. Media focus and pressure by NGOs caused the US to decide at the last minute to attend the Cotton Day seminar. The US was not originally on the list of attendees, but rather called and asked to be allowed to come in order to make an important statement about US policy on cotton subsidies. While the all important statement was lacking from the US discourse, their presence indicates that not all negotiating strategies are finalized before the Ministerial conferences and that reactions and interactions between States amongst themselves and between States and NGOs lead to new dynamics and sometimes unpredictable outcomes.

Additionally, between the West African countries there were divergences as to which position to take in 2002- to go to the DSB or to go to follow the negotiating route. These divergences were settled eventually due to the advice/steering of certain NGOs in the process of the negotiations in Abidjan. Southern countries are usually part of the group of paradigm shifters but in this case the West African countries are *not* advocating changing the paradigm but rather are supporting the neo-liberal trade

regime. Their stance on cotton subsidies is coherent with a larger free trade perspective. The West African countries' coalition is one of the strongest outcomes of the entire process. The specific issue of cotton led to an empowerment of these countries in regards to their abilities to bring forward a negotiating proposal. However, their increased visibility was due to the fact that they were "playing by the rules" (set forth by those who created the paradigm).

The difference between the two "status quo defenders" is that the US was defending the status quo as it is currently exercised by powerful countries in the WTO, or the *real politik* of trade negotiations, whereas the West African countries were defending the status quo as it could be if actually applied to the WTO rules of trade. However, the strategies were also divergent, as evidenced by an NGO meeting in Hong Kong. While the US stated and restated its diplomatic discourse on poverty alleviation and the question of competitiveness of West African cotton regardless of US subsidies, the West African strategy was strikingly less coherent. Separate issues were brought up that diminished the original argument that US cotton subsidies were creating a distortion in the market and that this reason alone would destroy African cotton producers' livelihoods. One representative from the African Delegation started a speech stating that "the real problem is AIDS" which is causing massive poverty in Africa. Another delegate stated that African cotton was the most competitive in the world because of its exceptional quality due to hand picking and then continued to argue that it was impossible to compete against large cotton picking machines in the States. This blurring of arguments did not help the West African delegates and instead allowed the USTR to stick to their own arguments concerning the benefits of food aid and the fact that West African cotton is not competitive, i.e. subsidies are not the problem.

Paradigm shifters

Certain States from both the North and South, for example Brazil and Switzerland, can be considered paradigm shifters in that they use their State's weight to shift arguments and influence longer-term outcomes. Brazil, in having won their case against the United States on cotton subsidies abandoned the usual route of southern protectionism. The rift between Brazil and the other G20 countries is a paradigm shift. Switzerland, in having funded NGOs that promote capacity building for lower income countries in trade negotiations, seeks to include a larger voice of civil society in actual negotiations. This is a shift from the usual European stance which seeks to fund those NGOs that support their own interests. The fact that they fund IDEAS and ICTSD demonstrates a commitment to certain organisations that could undermine and effectively shift the current paradigm of international trade relations in the status quo. Thus, paradoxically, there are some that gain from the system, yet support NGOs that seek to challenge or change the system.

Examining the Meta Variables: the impact of power relations in trade negotiations

In an analysis of actor relations certain overarching power differentials must be taken into account. The coalitions and strategies described above both impact and are formed by certain overarching Meta variables. The two discussed below are the structural power of large, rich trading countries to create a trade regime that favors their policies and the relative power of each NGO in relation to one another during the negotiations.

The structural power of larger, rich States is seen in their indirect (and sometimes direct) ability to set the rules of the entire "game" of international trade negotiations. For example: the fact that the WTO was founded on trade liberalisation is a concept that rich, highly powerful countries have determined is the best policy option for poorer countries. The US' and EUs' negligence to address agricultural subsidies in liberalisation talks before the Doha round is another example of their ability to choose what goes on the table and what stays out. The effects of this power are reflected in: the decision making process of deciding which countries are allowed to negotiate in the "Green Room", the norms of

“accepted discourse” at WTO negotiations, the specific legal standard (anglo-saxon common law), the preference for technical arguments and, most importantly, the overall policy agenda (this extends to both the paradigm shifters and the status quo defenders). However, this power can be eroded by initiatives started by NGOs. As seen in Cancun, the advent of new issues “on the spot” can be incredibly destabilizing by even the most powerful trading nations such as the US. However, the extent of this erosion is unknown and should be analysed as to whether it can effectively surmount the structural constraints of the system or if it is only able to suggest changes that are then accepted or rejected by the strong, powerful trading States.

The effects of the relative power of well funded, “powerful” NGOs (defined as their ability to constrain or affect the actions of other actors) can be seen in their partnerships which do not always require consent or their objectives that may not be achieved in a democratic way. Such power can also be demonstrated by these actors “speaking for a community” which may exclude important social groups⁷⁷. The instances in Hong Kong where certain NGO seminars were well attended by both the public and by delegates and, in contrast, where smaller NGOs seminars were almost empty; demonstrate the relative inequalities amongst NGOs.

As discussed above, the inherent power disparities between northern and southern States and NGOs can play an important role in trade governance by increasing or decreasing the policy space of States. In the case of cotton the “structural power” and “relative power” of resourced actors, both States and NGOs becomes evident in the steps up to the Hong Kong negotiations, starting in 2001. The entire process from start to finish was inside the well defined “rules of the game” upheld not only by the NGOs, both the North and South, but also by Southern states through the help of these NGOs. The well funded States who create the accepted discourse in the WTO influenced the choice for an initiative to be brought before the WTO committee and for the negotiations to proceed in the manner that they did. This is not to say that there was definitely any exploitation, but it does call into question the manner in which southern States must “learn” how to play the game in order to participate and what this means for southern policy space. If a southern State must acquiesce to northern policies and rules to produce preferred outcomes it may be worth it for those that profit from the policy implementation. However, this may not be the preferred outcome of all involved. For those that supported ROPPA’s argument of food security in both the North and the South, the policy space of the cotton producing countries was constrained not only by the NGOs involved but by the rules of the game that automatically constrain what can be considered “acceptable” actions and “unacceptable” or “ineffective” campaigns or actions. ROPPA’s unequivocal support of all base commodity producers’ was considered an unacceptable campaign as it went against the current paradigm of strategic bargaining based on single products. The entire apparatus of the WTO is based on “logical” arguments and hard bargaining, which allows for certain compromises in negotiations. If an organisation takes too radical of a position, i.e. it refuses to negotiate on a certain issue, then it is left behind. The issue of compromise becomes even more apparent in the decision to go to the negotiating table rather than the Dispute Settlement Body as overall political realities are very important. Additionally, emotive arguments for small producers are not acceptable discourse even by those who protect their own farmers.

The inability of the cotton producing countries (and in a larger sense all poor countries) to fund a dispute is an inherent constraint on southern countries’ policy space and options. In addition, their inability to effectively implement reprisals in the event of a win against the US in court proves that this policy option was effectively eliminated due to an inherent *real politik* in the system. The question remains whether these inherent power disparities can be overcome or are reified by NGOs (or other international actors), but even if these power disparities are still present; NGOs are strategic actors in trade governance.

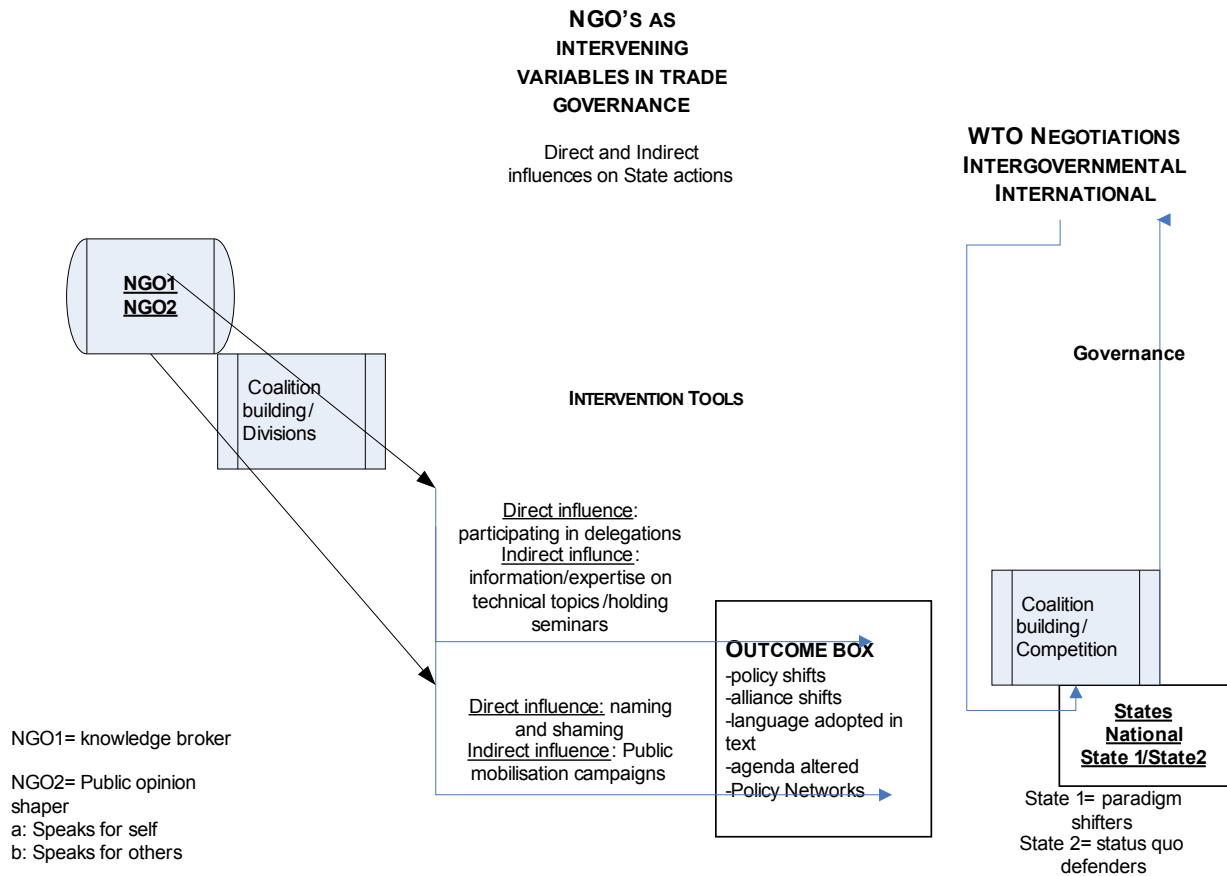
Part 2: Model of NGOs as Intervening Variables in Trade Governance

The interactions of member countries in their diplomatic measures towards one another, and in each agreement reached, produce a form of governance, as it creates precedent and upholds agreements that change the policies of countries⁷⁸. The trade regime can be thought of in this way, as Rosenau has stated, as a form of governance without government.⁷⁹ If we take Rosenau's argument further, each overlapping bilateral agreement or "trade regime" comes together in one forum to create a governance structure for all the States involved. This governance "fills in the lacunae between regimes, and perhaps more importantly to the principles, norms, rules and procedures that come into play when two or more regimes overlap, conflict or otherwise require arrangements that facilitate accommodation among competing interests".⁸⁰

Each country creates a system of trade governance through its own self-interest and through each agreement negotiated. The forum in which this takes place is the WTO (World Trade Organization) which facilitates the trading regimes. In a description of the elements of governance by Helene Yanacopulos, she argues that, "there is a pressing need to understand not merely the importance of these relations [between organisational actors] and what results from them, but the quality of the relations themselves...[because these] relations are negotiated, renegotiated and fluid ." (Yanacopulos: 2005).⁸¹ In this way it is important to understand the actors who frame and steer the issues and the quality (success) of these interactions in economic governance.

For states, their diplomatic (framing and steering) measures are enacted on two levels: domestic and international.⁸² The interactions between these two levels either enlarge or restrict the policy space of each State, and thus its ability to negotiate.⁸³ However, the interactions of States do not take place in a closed box. The disaster in Seattle and the failure in Cancun point to other factors that have an effect on this governance created between States. Two questions emerge from these situations: How does the advent of new actors contribute to/influence the policy choices of negotiators (of their respective member countries) and how does this affect the outcomes of trade negotiations? In much the same way as Krasner describes international regimes as intervening variables in world politics⁸⁴, this model shows how non-governmental organisations are the intervening variables of change in economic governance.

Model: NGOs as Intervening Variables in Trade Governance



Explanation of Model

Interstate governance

The model attempts to demonstrate the working relationships between States, both at the national and international level, in order to understand the correlation between their actions in both. The construction of governance in world trade is formed by the participation of States at the national level (i.e. their national policies that affect trade) and at the international level, such as in WTO negotiations. The relationship between the two levels of economic order is dynamic and reflexive: the States interact with each other in the framework of the WTO in order to create mutually agreed upon rules. The WTO framework thus provides a forum whereby those rules are enacted and upheld. In the model, the relationship is direct and represented by two solid arrows connecting the two actors. In addition, because the States represented in the model are a compilation of multiple entities where each State is self-interested and negotiating for its own interests, their different actions and perceptions are filtered through a sub box entitled “coalitions and competition”. They compete with each other for optimal policies that are often in conflict; however, they can form coalitions in order to achieve progress on their own agendas in a more efficient way.

In addition, the State category is divided into two parts: paradigm shifters and defenders of the status quo. This variation on the North-South divide takes into account the new and diverse interests of national actors. In an increasingly interconnected world, a country’s policy space and its interests are no longer strictly defined endogenously. As information moves faster and reaches farther, each country’s policies become increasingly more transparent and their strategic interests become more complex as they

must take into account possible retribution from other actors or decide how to use those same actors to serve their own objectives. Additionally, there is a blurring between interests as growing interdependency creates common single issue area convergences among States that oppose one another on various issues.

Non-governmental actors

The NGO variable intervenes in the negotiation process between the national (domestic, State politics) and the international level (intergovernmental negotiations) through its interactions with the member governments. This occurs on two levels: indirect and direct influence. The techniques of these different types of influence are determined by the political orientation and methods used by a particular NGO. In this model the division is determined by the perception the NGO has of itself: a knowledge broker (“neutral” information/expertise provider) or public opinion shaper (information gathering and lobbying on a certain position) which is divided into two sub categories: those that are “speaking for self” and those that are “speaking for the other”. These divisions are made to highlight the differences in techniques and capabilities to influence the member States based on the perceptions of the States on NGO participation as well as the efficacy of these techniques on specific issues.⁸⁵ The quality and efficacy of these techniques in collaboration creates an incentive for NGOs to form transnational networks in order to lobby these domestic governments and profit from the collective force that comes from collaborative efforts.

The NGO part of the model works in a similar way to the States’ as the alliances that are formed can determine the outcome (positive= high influence or negative= low influence). The first group of NGOs (knowledge brokers) seeks to directly influence governments by participating in their delegations and to indirectly influence them through their provision of expertise, dissemination of information and seminars. This group may also form coalitions with local organisations within States in order to form partnerships that empower them and bring their concerns to the international level.⁸⁶ The second group of NGOs (public opinion shapers) seek to directly influence governments by their policies of “naming and shaming” and forcing governments to either change their policies or face reprisals from the international community. Their indirect actions consist of mobilising the population (electorate) of the targeted country in order to change the government’s policy. They form coalitions while simultaneously in competition with one another due to differences in ideology and political approach. Their group is composed of those that “speak for others” and those that “speak for themselves”, indicating a difference in claims to legitimacy in relation to their ties in the field. The convergences in differing groups create different trans-national networks, resulting in State-NGO co-operation and NGO-NGO co-operation.

Concretely, these alliances were shown in the case study as coalitions that occurred between the organisations that chose to concentrate on one product and the equal application of trade rules (Oxfam, Enda tiers monde, ICTSD, IDEAS centre, Aproca, ACA) and those that wanted to concentrate on multiple products for food sovereignty (ROPPA and it’s northern partners such as Co-ordination SUD).

Our model responds to the argument that non-governmental organizations are excluded from trade talks because they are not formally “at the table.” Certain coalitions can and do have an effect in changing the way States interact in intergovernmental negotiations due to their ability to frame the agenda as “insiders” and “outsiders” in the policy realm. Whether or not actual official “representation” occurs in the decision-making process does not impact the inner workings of indirect participation and the steering of these intergovernmental organisations, specifically in the case of the WTO. The fact that NGOs in the WTO do not have an observer status similar to that enjoyed by NGOs in the UN matters little when the majority of the work of NGOs takes place outside WTO negotiations. NGOs are most powerful when influencing governments by pressuring them and their constituencies or, on a macro level, setting the agenda and framing what the issues that States will actually negotiate on.

Conclusions

Outcomes from Hong Kong:

The basis of success in negotiations is benchmarked by changes in the text or the issues brought up/resolved. In the cotton case there are 4 definitive factors that prove a “success” in agenda formation from negotiations before and during Hong Kong:

- The inclusion of a separate issue of Cotton in the negotiations: NGO work in public mobilisation campaigns and more importantly in providing expertise and technical knowledge to the West African cotton producing countries led to the Sectorial Initiative on Cotton which eventually led to the significant treatment of Cotton as a specific commodity in trade negotiations.
- A ministerial text that reports a change in policy prior to the negotiations for the US: the elimination of step 2 subsidies: The ministerial text for cotton is the following:

All forms of export subsidies for cotton will be eliminated by developed countries in 2006. On market access, developed countries will give duty and quota free access for cotton exports from least-developed countries (LDCs) from the commencement of the implementation period.

Members agree that the objective is that, as an outcome for the negotiations, trade distorting domestic subsidies for cotton production be reduced more ambitiously than under whatever general formula is agreed and that it should be implemented over a shorter period of time than generally applicable. We commit ourselves to give priority in the negotiations to reach such an outcome.⁸⁷

The text doesn't include all of the requests made by NGOs but most NGO representatives were pleased with the text as a major step forward. The political realities surrounding the negotiations always involve some compromise and the compromises made by certain States such as the US gave a small victory to West African Countries.

- The cotton issue added to an increase in allegations of protectionism between the US and the EU. What was described as a game of “ping pong” so aptly by the West African delegates at the Cotton Day conference was actually occurring between the US and the EU (one blaming the other for trade distorting subsidies). The actual text by US Trade Representative Karan Bhatia was “And I would point out that people have referenced the EU subsidies, which are 4 or 5 times greater than the US subsidies to cotton farmers.”⁸⁸
- In addition, new alliances were formed with ROPPA, specifically, forming new alliances with NGOs and policy networks based around food security. Other alliances mentioned above (ex. IDEAS/ENDA tiers monde/APROCA) between both Northern and Southern NGOs were forged as well continuing North-South cooperation.

Implications for Governance

Two questions remain: First, did NGOs have a real impact, or was it by another means that the negotiations played out as they did? And second, if they did have an impact, what does this mean for economic governance as a whole?

Understanding the NGO impact

Measuring impact is difficult when it is indirect. There is not a way to prove or disprove that NGOs definitely had an impact on the negotiations through the text, as the text is written by the actual policy makers and thus could be pure co-incidence or through closed door compromises. Additionally, talking to the negotiators, whose interest lies in preserving their own policy space, does not present an accurate reading of the situation.

However, one way that indirect influences can be measured is by the reactions of the members and the agenda setting itself. Whether or not a State like the US will admit that they thought that Cotton Day was important because of political reasons, they did arrive and were prepared to make statements in front of the media as well as the general audience to defend their position. First, their presence itself was a political statement and shows how far NGOs have come from being “outsiders” to “insiders” who deserve equal time and attention. Second, their reactions to the development debate, whether viewed in a pessimistic or optimistic light, do show a concerted effort to address an issue put forward originally by NGOs. Third, the politically sensitive subsidies that were eliminated in Step 2 by the United States before the negotiations show that there was some reaction to pressure. While that pressure may have been due to a negotiating strategy, a compromise by one of the largest trading powers implies that there were some political stakes involved. If large NGO pressure campaigns make it easier to justify compromises or if they make compromises part of the dialogue then they are central variables and not external factors. Additionally, the shaping of the agenda by NGO pressure directly through aid to certain States was clearly seen in the Sectoral Initiative draft (specifically IDEAS centre).

The recent round of trade negotiations demonstrates the emerging role of NGOs as state-like players in their level of influence and impact in trade outcomes. However, the question of measuring real impact in the long term is difficult. Is NGO influence more PR and a media circus than a veritable factor in member countries’ policy decisions on the issue of trade governance? Do internationally influential (ENDA, Oxfam, IDEAS, ICTSD) NGOs who play by the same rules (*diplomatic*) as States have more impact than those that choose seemingly irrational policy options? Oxfam et al. were able to show southern States how to navigate the WTO bureaucracy to achieve their (the southern states’) ends. ROPPA was less successful due to their opposition to the political tactics made by the more powerful, well-funded NGOs who support the liberalisation of markets on a specific commodity. The relative impact of each NGO is measured in relation to its power within the NGO community and in its working relationships with States. As a result, the larger the NGO and the more collaborative it is with States, the greater its influence in negotiations.

Implications for Trade Governance

There are two parts to the trade governance equation, First, the States’ policies: both for the paradigm shifters and the status quo defenders and secondly the States’ positions in the trade negotiations. The paradigm shifters from the beginning of the Doha Development round have been gaining in influence as they have succeeded in putting their items on the agenda, specifically the concept of “development” and in this case, cotton subsidies. The West African countries succeeded in changing the paradigm of the negotiations to include their specific commodity. The status quo defenders then, had to react with policy changes in order to accommodate these new demands. The greater implications of this have been described above in the symbolism of the cotton case as a new voice for southern countries in the negotiations. The positions that countries had to change, such as the US preparing this time with Step 2 reductions in export subsidies, illustrate a policy adaptation due to pressure from abroad.

However, the concept of governance calls into question who is governing what, or who is setting the *rules* of trade governance. Two arguments commonly lobbied against NGOs are: first, they are too powerful and exploit southern countries for their own agendas and second, that there is a democratic deficit in their approaches- that they are responsible to no one. In the cotton issue an argument has been made that certain northern NGOs used the case of cotton to push their own liberalisation agendas. The extremely close collaboration between IDEAS and the West African cotton producing States for example, in the writing of the text for the Sectoral Initiative of Cotton, has been argued as possible exploitation. Another accusation aimed at southern NGOs is that they are more powerful than their own governments due to Northern funding. The fact that certain organisations are part of the delegations of countries (such as APROCA in the delegation of Benin) calls into question the democratic nature of these negotiations and the positions that are put on the table. While the question of the democratic deficit of the WTO has, as Bernard Kuiten stated, “disappeared 5 years ago”, the possibility of a democratic deficit within the delegations that propose negotiating stances that they did not write, definitely calls the ownership of policy space in southern countries into question. What are the impacts of benevolent aid from northern NGOs to advise southern states on how they should run their domestic policies? One does not have to go that far to think that ROPPA, in its pro-subsidy stance, could possibly be aligned to countries that promote subsidizing their own agriculture industries. Or, conversely, certain NGOs such as IDEAS could be pushing a more liberal agenda through their southern partners. In both these unproven cases there is room to make the argument that, especially in development issues that cross northern and southern issues (ex: cotton) there is room to question who is being represented by whom.

Implications for the Accountability and Legitimacy of NGOs

Stateless, well funded - politically active, NGO status has become almost mythic in contemporary international relations literature, nevertheless they have long been the target of criticisms for a perceived lack of accountability and legitimacy. However, an analysis of their accountability becomes more complex when one understands that the same rules that apply to States apply to NGOs. These rules can become a type of check on their actions. If *real politik* applies to the NGO setting just as in the State setting, then the same negotiation mechanisms should apply. The examples of coalition building and lowest common denominator policy decision making (i.e. choosing negotiations over dispute settlement) are normally tactics relegated to States, yet these same practices can be found in the NGO arena. One could expect that game theory could apply as well: the shadow of the future could guide certain NGO actions today, especially if that NGO is large and has a well respected status in the community (such as Oxfam or ENDA). The repeated actions and interactions between NGOs and those with States, within the unique framework of the WTO, create a self monitoring accountability by the nature of the negotiating parameters.

An analysis of NGO accountability must address the issue of large NGOs that aide and influence State's policy options. Agenda setting and providing information are tools that can shift an entire negotiating strategy. The increase in NGO impact is demonstrated by the change in the WTO's mandate from strictly trade oriented issues to *development*. Thus the question over accountability is a concern, not because NGOs are “accountable to no one” but rather because their influence makes them accountable only to the States they are seeking to influence. For example in the case study above, NGOs provided knowledge and expertise to southern States, thus helping to craft and, in some cases drive, the southern States' policy orientations.

If we take the paradigm of State action and apply it to NGOs, the question of legitimacy becomes apparent. States gain legitimacy due to three factors: the *reconnaissance* of other States of their existence, territorial sovereignty and established control over a population (a citizenship).⁸⁹ Without a territory or citizenship, the ability for an NGO to exist in the international arena is determined first by its ability to be recognized by States. Some ways in which NGOs seek this recognition is by creating media attention such as the tactics employed by Greenpeace, to less subversive/popular messages from Oxfam International. Conversely, those working “behind the scenes” can also gain “reconnaissance” by those who work in the field, such as the case with ICTSD and their publication *Bridges* which disseminates knowledge to all actors in Geneva. NGO Legitimacy is, of course, partly normative. Negative media exposure, specifically for more radical organizations, can in fact harm NGO legitimacy.

Additionally, while it is true that NGOs do not have claim to a certain population, they do *claim* to represent a population. There is an inherent tension between the “global mandates” of certain international NGOs and their local obligations in the field. In our case study, while ROPPA’s position on cotton was represented by many local producer organisations, their arguments did not fit into the strategic plans of either ENDA tiers monde or of Oxfam or of IDEAS centre. The only producer groups that were represented were Aproca and ACA which themselves were created as NGOs out of their contact with these larger NGOs for the cotton initiative.

NGO legitimacy can also be measured by their accomplishment of local obligations as well as influencing policies of States. However, in interviews with NGO leaders, their view was that there is a clear division of tasks; indicating that local NGOs deal with “local” problems and the larger NGOs deal with “the global picture.” This division of tasks may be dangerous as it rests on the voluntary will of international NGOs to decide which issues can sell on the global scene (i.e. which policies are politically possible) and which ones must be left behind. These types of *real politik* decisions are difficult and must be accomplished in order to have a coherent strategy, however, their legitimacy must be judged by the ability of this overall “coherent strategy” to include local organisations’ viewpoints.

In conclusion, the emerging influence of NGOs in the WTO has proven implications for global governance. The influence of NGOs in the WTO impacts the decisions that create global trade governance. This report highlighted the following key dynamics of NGOs influence: changing the agenda of the negotiations, mobilising the populations of certain countries (both North and South), disseminating information, and participating in official government delegations. The analysis has shown that Northern negotiators are more likely to be influenced by detailed reports and the mobilisation of their populations; whereas Southern States are more directly influenced by knowledge dissemination that craft and drive their policy strategies. Contrary to the belief that NGOs are “outsiders” and instigators in trade negotiations, this short paper demonstrates that the divisions and coalitions between NGOs are strikingly similar to those of States, as each work - and often compete - under the same conditions, constrained by the same factors such as public opinion and political constraints.

For Further Analysis

Reading NGO strategies – the question of *real politik* and southern policy space

The choice of privileging one decision over another is a natural process when creating a coherent strategy. The political realities of power differentials and hard decisions that must be made in order to push a policy position forward have a profound effect on NGO strategies. This operates in two

realms; first, the choice of “rational” versus “irrational” policy tactics by the more powerful NGOs and second, the alliances with actors that are chosen on a local level. These two realms in fact, intertwine, as those organisations who propose “irrational” tactics or policies that are untenable in the “real world” (which is described and decided by the more politically powerful NGOs) get left behind. The situation with ROPPA is a perfect case as their more radical policy was considered outside the feasible policy realm and thus was rejected by the more influential, *northern* NGOs. This is not a normative critique of the strategy of Oxfam et.al., but rather a reflection on how the choice and strategy of NGOs are politically analogous to States. Alliance formation and divisions are based on ideology but also are intrinsically reliant on power differentials. Organisations like ROPPA will probably never set the agenda, as their policies are not considered acceptable by a large enough majority of NGOs to take the political risk to push it through the trade regime. The implications of this divide are numerous as those who wish to align themselves with the Northern trade regimes (or in this case, NGOs) are able to profit from the system, but those with divergent opinions are left aside. Again, this is not to say that ROPPA’s all inclusive policy was politically feasible and *should have been* supported as a policy option by Oxfam or ENDA. It does beg the question for further research in order to understand the different elements involved in the process of the policy split. Could difference in cultural communication such as delivery and approach have played a role in the split between NGOs more than either side would admit? Was the political stance of ROPPA “too” informed by their ties with the basic farmer, which in turn eliminated their policy as an option that fit into the global mandate of larger NGOs?

Further analysis would need to be done on the individual and collective perceptions of West African delegates on their ability to be heard in light of the diplomatic discourse of the US, the EU, and other NGOs. How did they perceive ROPPA’s questioning? How did they perceive the importance of Cotton Day? How did they experience the US’s perceptions of them? Did they feel as if they were on equal footing? These questions point to one of the central problems in research which is that the perceptions of actors are incredibly difficult to discern but yet they have a fundamental impact on actions. In much the same way as the WTO perceptions were interpreted through their member’s actions, a further analysis of the individual actions of certain key members of the West African delegations would be an important step towards better understanding the role of culture in defining political strategies, in perceptions of power and in what we consider the emerging role of NGOs and civil society. Further research should also be done on perceptions about the different ways in which certain NGOs get their voices heard and others who do not.

Following the same logic, the interplay between a large NGOs’ global mandate and its local mandate is another field of research that deserves further consideration. What is the relationship between what is written about these partnerships and what is unwritten? Further “in the field” research should be done in order to understand the inner workings of the relationships between international NGOs and local producer organisations or NGOs. While interviews were the main approach taken in this paper, viewing the interactions from the “South” versus the “North” (our position) would be an essential part of an investigation into how the actual relationships play out.

Characterizing new behaviors: a new vocabulary?

One of the areas for further research that emerges from this paper is an investigation on changing perceptions of these actors. What vocabulary is the academic community left with if the categories of North and South cease to exist in light of changing policies in both? If a southern country supports northern initiatives and certain northern countries fund NGOs that support southern initiatives, how can terms such as “Northern policies” or “Southern policies” be referential?

In this quest, a further investigation of these terms would be essential for determining first, where the terms North and South (as well as other binary oppositions used in this paper such as “irrational”/ “rational” or “liberal”/ “protectionist”) fit into as part of a “conceptual construction of a

theoretical field" ⁹⁰[i] which, in this case, is the international trade regime and civil society/NGO literature. Second, the hierarchy of these words in the discourses of the USTR representatives, African representatives, NGOs and all actors should be analyzed. Third, the order of these hierarchies would have to be questioned, drawing into the analysis the origins of our perceptions of these words. As we have seen in this paper, positions are fluid and do not necessarily correlate with a given "name" or "statute" (i.e. the paradigm shifters or the differing status quo defenders etc.). The fourth step to this reconstruction is an axis for further research that would attempt to change the discourse in order to better reflect these new dynamics/ perceptions/ intercultural interactions. One cannot attempt to identify new interactions with outdated or limited vocabulary which does adequately describe the current complexities in NGOs' and States' relations. Thus, further research must take into account the built-in perceptions and normative assumptions that are attached to these powerful words. Through a more conscious effort to look beyond the "evident" and "rational", we can find a way to describe the invisible governance that lies beneath the world of NGO diplomacy.

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INTERVIEWS

Mr. Bertan Kuiten, Director General of the External Relations Bureau at the WTO

French Delegate 1

French/EU Delegate 2

Oxfam Interview 1

Oxfam Interview Benicchio, Trade Advisor for Oxfam International

Interview with Eric Hazard, director of ENDA tiers monde

Interview with IDEAS via email (translation from French by author)

GRET interview 1

AFD interview 1

AFD interview 2

US representative in Geneva

Interview with Mr. Imboden (Executive Director) of IDEAS: Interview in written form, submitted by email January 1st 2006, and in person, January 24th, 2006.

ENDNOTES

¹ In the WTO conference centre in Hong Kong, NGO participants were dipping champagne glasses into a chocolate fountain while riot police were outside controlling South Korean protestors.

² Kooiman and Rosenau's definition of Global Ordering systems refers to systems of governance that create "order" in the "disorder" of global interactions.

³ Mansbach, Richard W., Ferguson, Yale H., Lampert, Donald E. The Web of World Politics: Non-State Actors in the Global System. 1976, quoted in Dougherty, James E., Pfaltzgraff, Robert L., Contending Theories of International Relations. Longman, 2001. p. 30

⁴ Cf. Hegel's interpretation of a diverse and conflictual civil society in which the State is a mere consequence.

⁵ www.wto.org

⁶ These indicators have been attacked as weak and unreliable, as many indicators (such as, ironically transparency indicators) are un-transparent, the definitions of what are "civil liberties" and other concepts are not universal in all studies and the structure of comparing one country to another is unreliable as the basis of the rating of one country is in relation to other countries in the study. (Taken from a report in an internal OECD meeting, Doctoral presentation by Internal Seminar by Christiane Arndt and Charles Oman: "Uses and Abuses of Governance Indicators" on the 15th of November.

⁷ Kooiman, J., Governing as Governance. Sage, 2003. P.163

⁸ Bull, Hedley. The Anarchical Society. 1977.

⁹ These concepts of "order" or "disorder" in governance are taken from Rosenau, James N., Czempiel, E-O, Governance without Government: Order and Change in World Politics, Cambridge Press, 1992, in which the world, according to Rosenau, is at once disordered, i.e. without government and thus without "order" and at the same time filled with entities that try to "order" it, i.e. create mechanisms that oversee and manage the operations in their specific fields.

¹⁰ Kooiman, Jan, Governing as Governance, Sage, London 2003

¹¹ Rosenau, James N., Czempiel, E-O, Governance without Government: Order and Change in World Politics, Cambridge Press, 1992, p. 4

¹² power defined as "*actions sur des actions*"

¹³ Bayart, J-F, Le gouvernement du monde: Une critique politique de la globalisation, Fayard, 2004, p. 11.

¹⁴ Yanacopoulos, H. « Patterns of Governance : the rise of transnational coalitions of NGO's » *Global Society*, Vol 19. No 3. July, 2005

¹⁵ Defined by Rosenau as, a « dynamic process between various actors in society who compete to influence other actors who are involved in a particular issue »

¹⁶ O'Brian, Robert, Goetz, Marie Anne, Scholte, Jan Aart, Williams, Marc, Contesting Global Governance. Cambridge 2000.

¹⁷ <http://www.jurisint.org/pub/06/en/doc/02.htm>. See also explanation of Marrakech. "The Marrakech Agreement, signed in Marrakech, Morocco, on April 15, 1994, established the World Trade Organization, which came into being upon its entry into force on January 1, 1995." (http://en.wikipedia.org/wiki/Marrakech_Agreement)

¹⁸

¹⁹ <http://www.jurisint.org/pub/06/en/doc/02.htm>. Article V (WTO) - Relations with Other Organizations

1. The General Council shall make appropriate arrangements for effective cooperation with other intergovernmental organizations that have responsibilities related to those of the WTO.

2. The General Council may make appropriate arrangements for consultation and cooperation with non-governmental organizations concerned with matters related to those of the WTO.

²⁰ WT/L/162 23 July 1996 Guidelines for arrangements on relations with Non-Governmental Organizations Decision adopted by the General Council on 18 July 1996: see www.wto.org

²¹ Kovach, Hetty; Neligan, Caroline; Burall, Simon: Power without accountability, 2003:

http://www.wto.org/english/news_e/news03_e/gar2003_e.pdf

²² See: http://www.wto.org/english/forums_e/ngo_e/contact_e.htm

²³ The numbers of NGOs participated on the Ministerial Conferences is based on the published list of the homepage: http://www.wto.org/english/forums_e/ngo_e/ngo_e.htm.

²⁴ http://www.wto.org/english/forums_e/ngo_e/bernie_derrestrictiontext_e.htm

²⁵ http://www.wto.org/english/news_e/events_e/symp05_e/symposium_2005_e.htm; citation from WTO Director-General Dr. Supachai Panitchpakdi.

²⁶ Information gathered from interview with Mr. Bertan Kuiten, director general of the External relations bureau of the WTO which works with non-governmental organisations. Interview from November 29, 2005. Referred from now on as Kuiten, 2005.

²⁷ Kuiten 2005.

²⁸ Kuiten, 2005

²⁹ Cited as the mandate to "make appropriate arrangements for consultations and cooperation with non-governmental organizations concerned with matters related to those of the WTO."

³⁰ WTO doc W2L : which "recognizes the role NGOs can play to increase the awareness of the public in respect of WTO activities."

³¹ Kuiten 2005.

³² Kuiten 2005.

³³ See Jordan and Tuijl, « Political Responsibility in Transnational NGO Advocacy » *World Development* 28(2) 2000. ; Johnson and Wilson, “Biting the Bullet: Civil Society, Social Learning and the Transformation of Local Governance”, *World Development* 28(11) 2000 and Bossche and Alexovisaa, “Effective Global Economic Governance by the WTO”, *Journal of Economic Law* 8(3), 2005, to name a few.

³⁴ For national NGO’s, the lobby exercise at the ministerial level is much less sophisticated than lobbying at home because there are too many people at the conferences. For International NGO’s they are active at both the international and national level. Their approach is to pick a specific issue, research it, try to understand it, talk to negotiators, businesses the secretariat and come up with propositions and idea” (Kuiten 2005)

³⁵ Such as Oxfam, ROPPA (Organization of Agricultural Producers in West Africa), ENDA tiers monde, ABONG and IDEAS.

³⁶ See Wilson and Johnson, « Biting the bullet: Civil Society, Social learning and the transformation of local governance » . The discussion on partnerships and the normative claim of participations leading to the empowerment of disadvantaged groups (“invisible individuals, groups, or organizations) is broken down into a 3 level matrix of “power to” power over” and “power with”. They conclude that the concept of community necessarily excludes certain groups and may in fact re-intrench power discrepancies.

³⁷ Interviews with Northern NGO’s as well as Southern NGO’s showed that the partnerships were essential on a resource level, and Northern NGO’s indicated that it was more of a division of labor on a global and local level, however, the resolution of specific disagreements remains an unanswered question by both parties.

³⁸ Kuiten 2005.

³⁹ For instance ROPPA, the “réseau d’organisations paysans d’Afrique” is a very strong organisation that lobbies for overall protection of all base products in the name of Food Security.

⁴⁰ Although he goes on to say that their influence “complicates” matters and is not welcomed by the government.

⁴¹ Cf. Ernst-Vilrich Petersmann in « Addressing Institutional Challenges to the WTO » , *Journal of Economic Law* 8(3) 2005. He defends the position that increased financial assistance for LDCs and an institutionalisation for the Annual Public Symposium would increase incentives for NGO participation.

⁴² Ibid, p. 655.

⁴³ Bossche and Alexivocova, “Effective Global Governance by the World Trade Organisation”, *Journal of Economic Law* 8(3) 2005

⁴⁴ Based on Interview with EU delegate 1.

⁴⁵ Ibid.

⁴⁶ Based on Interview with German delegate who underlined the impact of NGOs in negotiations in general.

⁴⁷ Based on Interview with EU delegate 1.

⁴⁸ Governments often complain about the media’s preference for the NGO (i.e. impartial) opinion and are much more concerned with critiquing the State’s policy and make-up (i.e. democratic representation) rather than focusing on the NGO’s.

⁴⁹ Specifically the delegation for Bénin, that included members of Aproca in its delegation.

⁵⁰ Additionally, Panellists at the Maastricht university discussion on the Sutherland Report were proved wrong in their analysis that developing countries were against the involvement of NGOs. P681

⁵¹ From Interview with a member of the French delegation, who works with the WTO and the EU.

⁵² The White Book on cotton p.

⁵³ For example, M. Duclaud, part of the French delegation to the EU dealing with trade said that the detailed reports by NGOs are the only advocacy methods taken seriously by the delegates.

⁵⁴ From conversations with US and EU delegates.

⁵⁵ Interview with French Delegate 1.

⁵⁶ Nye, Joseph, *The « Democracy Deficit » in the Global Economy*, Washington Press, 2003.

⁵⁷ Howse, Robert, « Membership and its Privileges: the WTO, Civil Society, and the Amicus Brief Controversy », *European Law Journal*, 9(4), September 2003. p. 497

⁵⁸ Oxfam interview 1

⁵⁹ At least in reference to the dominant discourse of the WTO which favors such language

⁶⁰ www.enda.sn

⁶¹ Interview with Eric Hazard, director of ENDA tiers monde.

⁶² www.ictsd.org

⁶³ Interview with IDEAS via email. (translation from French by author)

⁶⁴ www.ideascentre.ch

⁶⁵ www.roppa.info

⁶⁶ www.aproca.net

⁶⁷ “We want free trade, but it must be fair, there can not be free trade when agricultural subsidies exist”. The political impact of this was “large” according to Mr. Kuiten. Quoted from an interview with Mr. Bernard Kuiten, director of

external relations of the WTO

⁶⁸ The White Book on cotton, p. 1

⁶⁹ Dates from West Sahel Club publication 2005.

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⁷¹ Timeline from the West Sahel Africa club from the OECD

⁷² The white book on cotton. Article by Pesche and Nubukpo. P.

⁷³ Interview with Romain Benicchio (translation from French by author)

⁷⁴ www.wto.org

⁷⁵ Quote from interview with Eric Hazard

⁷⁶ Originally in the Opening Statement As Delivered of Media Availability by US Trade Representative Rob Portman on the US Agriculture Proposal for the Doha Development Agenda 10/14/2005; repeated in Hong Kong at Cotton Day 12/12/2005.

⁷⁷ See previous conversation by Johnson H. And Wilson G., "Learning and not learning from experience in rural project planning." *Public Administration and Development*. 9,p 1-16,1998).

⁷⁸ See Rosenau's definition of governance: "activities backed by shared goals that may or may not derive from legal and formally prescribed responsibilities that do not necessarily rely on public powers to overcome defiance and attain compliance." Here, the shared goal is a trading system. *Governance without Government : Order and change in World Politics*. Eds: Rosenau James and Czempiel, Ernst-Otto.1992. p. 4.

⁷⁹ Rosenau *ibid.* p.5.

⁸⁰ *Ibid.* P.9.

⁸¹ Yanacopulos, Helena, "Patterns of Governance: the rise of trans-national coalitions of NGOs", *Global Society* 19(3) 2005.

⁸² See comment in reaction to a Democratic Deficit in the WTO by Patrick Messerlin, "Three variations on 'The Future of the WTO'", *Journal of Economic Law* 8(2). 2005. He describes the methods in which domestic sovereignty stays intact exactly because of the domestic negotiations that must take place. Thus the interactions with States and the WTO forum actually increase augment their domestic sovereignty.

⁸³ See « Policy Space Development of the South », *South Centre*, No. 1, November 2005.

⁸⁴ Krasner, Stephen, *International Regimes*, Cornell University Press, 1991. Regimes are defined as intervening variables between basic causal factors and outcomes and behaviour.

⁸⁵ Coleman, William D. "Policy Networks, Non-state Actors and Internationalized Policy-Making: a Case Study of Agricultural Trade." in Daphné Josselin and William Wallace, eds *Non-State Actors in World Politics*. Hound Mills, Basingstoke: Palgrave, 2001

⁸⁶ However, see Johnson H. and Wilson G., « Biting the bullet: Civil Society, Social learning and the Transformation of Local Governance. » *World Development*. 28(11) 2000 for an analysis of these coalitions which are not necessarily based on equality between the respective partners. Johnson H. and Mayoux break down these "partnerships" into a 3 level matrix of "power to" power over" and "power with" (in " Learning and not learning from experience in rural project planning." *Public Administratin and Development*. 9,p 1-16,1998) and challenge the normative claim of "participation" leading to the empowerment of disadvantaged groups ("invisible individuals, groups, or organizations"), p 149. They conclude that power relations between stakeholders don't disappear and complex social dynamics are not necessarily resolved between partners. Although the article is on a micro level it can be extrapolated to the macro level especially in NGOs who claim to "speak for the other."

⁸⁷ http://www.wto.org/english/thewto_e/minist_e/min05_e/final_text_e.htm (accessed 1/26/06)

⁸⁸ http://www.ustr.gov/Document_Library/Transcripts/2005/December/Closing_Remarks_by_Deputy_US_Trade_Representative_Karan_Bhatia_Cotton_Day_Public_Conference_Hong_Kong_Jockey_Club.html (accessed 1/26/2006)

⁸⁹ Class notes IEP 2005 Public International Law

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When subjective impressions of “political events” are mentioned in journals, if they are indeed allowed due to the process of peer review (which constrains the minority to join the majority’s viewpoints), they are at once discarded as trivial, non-essential and perhaps worse yet, useless. However, the subjective impressions of an event such as the WTO ministerial conference (where my colleague Ting Shao and I had the opportunity to attend), are perhaps the most important part of our analysis. One can not be unbiased in research, as even the most “unbiased” study is based on some axis of thought handed down from someone. This pursuit of an unbiased analysis becomes even more illusive in research that touches the lives of those before one physically. Our axe of research was unmistakably marked by our experiences in Hong Kong.

The following are our impressions of the Hong Kong ministerial conference: It should be noted that we did not have the duly accredited badges (except for one day in exchange for translation services) to enter the main NGO conference center and so most of our observations are from an “outsiders” prospective.

Impressions by Ting Shao:

The Chinese government seems to be only interested in “real actors” such as States, and not NGOs. This was confirmed later when I met a Chinese negotiator (from the commerce department) in the elevator and he didn’t give me the impression that he was interested in NGOs. I thought that this was normal because in my studies in college the majority of professors taught in the Realist school of thought (i.e. State centered).

As a Chinese citizen I thought that the fact that China held the WTO ministerial conference was an indicator of the continuing presence of China in world trade. Additionally, they were a counterbalance to the largest trading powers; the US and the EU, by the fact that China pressured them on the cotton issue by stating in the Chinese press that they would refuse to buy both US and EU cotton if they couldn’t reach a compromise. This was to avoid a failure in the negotiations at Hong Kong. I thought that this proved that China was integrating itself in an even greater manner due to the opening of Chinese politics post events such as June 4, 1989 – Tiananmen square- and others that had effectively blocked their ability to enter into the negotiations. This is positive for China because it proves that there is an even greater movement for open thought and expression.

As someone that has spent four years in Shanghai, a large and burgeoning metropolis, the main reason it wasn’t held in this new trade capital was because Hong Kong is the traditional “pearl of the east” – a gateway between the East and the West. In this way, China created a balance between the emerging commercial power of Shanghai and the long-established commercial ties of Hong Kong. However, I felt that Shanghai would have been a better choice because this would have created more opportunities for the city in showing the world its trade capacities, creating positive press and increasing investment. They are, in my opinion, the new engine of the Chinese economy and deserve international exposure.

Despite this new opening in the Chinese economy, there are still certain political realities, such as the fact that, as a Chinese citizen, I had to apply for a special visa in order to enter Hong Kong. The limit for this visa was only 7 days. This was in stark contrast to the visas given on entry to almost every other citizen in the world for 1 month. In my opinion this discrimination was due to a historical animosity between the Hong Kong Cantonese and the rest of the population in China. As a citizen from Beijing, I felt like a visitor in my own country, however, it was understandable because there are many Chinese who want to immigrate into Hong Kong.

At the Cotton Day seminar specifically, the West African delegates defended the interests of the cotton producers, aided by large NGOs. However, there were large differences of opinions between each group of delegates. As there was not one identical strategy between them it became evident that they would be at a disadvantage in negotiations with richer countries. Another example of the large disparities among the delegates was their hotel choices: most representative and large NGOs stayed in the luxurious Hong Kong hotels, but most of the West African delegates stayed in incredibly small hotels.

This experience overall taught me that one must be tolerant in order to understand the differences between peoples.

Impressions of the Cotton Day seminar by Amy Herrick

As an American who has spent the last 4 years in France, it was amazing to see the absolute power and presence of “my” country as it worked the room. At each table sat an American representative amongst important members of other governments that wore badges identifying them as “recognized” individuals. The American representative sipped coffee with the duty of tactfully inserting the US’s point of view on cotton subsidies into casual conversation. This was no small task and led to conversations that started out with pleasantries about where people were from, who they knew (insert business card trading here) and then BAM- “did you know that the US has already cut Step 2 subsidies?” Actually I hadn’t. I thought the process was still going through congress.

The West African Delegations came in one by one in wildly colourful outfits and in a very non-linear fashion. Many representatives were held up in other conferences and came in late. Certain key speakers were not able to make the presentation, such as François Traoré, the president of the Association des Producteurs de Coton Africains (Burkina Faso). There seemed to be no “strategy” involved in their presence but rather an emotive, heterogeneous plea to stop US subsidies based on their incredibly competitive cotton production. Additionally, separate issues were brought up that diminished the original argument that US cotton subsidies were creating a distortion in the market and that this reason alone would destroy African cotton producers’ livelihoods. One representative from the African Delegation started a speech stating that “the real problem is AIDS” which is causing massive poverty in Africa. Another delegate stated that African cotton was the most competitive in the world because of its exceptional quality due to hand picking and then continued to argue that it was impossible to compete against large cotton picking machines in the States. This blurring of arguments did not aid the West African delegates and allowed the USTR to stick to their arguments concerning the benefits of food aid and the fact that West African cotton is not competitive, i.e. subsidies are not the problem.

Other people worth noting were the journalists and bloggers, dressed appropriately in jeans and t-shirts with their Imacs and gym shoes in order to show “street cred”. “We are not one of them!” their messy haircuts seemed to shout. The official press corps seemed more interested in the USTR and the NGOs present (OXFAM, ENDA tiers monde, ICTSD and IDEAS) rather than the West African Delegates. The major points of contention were over the US’s inaction following the ruling that their cotton subsidies are illegal under WTO rules and the proposition of an “early harvest” (treating one issue in the negotiations separately in order to resolve it — essentially de-linking an issue in the hopes of a quicker resolution) on the cotton issue. One ROPPA delegate posed a question linked to food security that was primarily a statement critiquing the West African delegates. This was met with more emotive arguments from those producer organisations that chose to collaborate with northern NGOs in order to push the more limited issue of cotton. The interplay between the ROPPA representative and the other West African producer organisations highlighted the split between the two groups.

The impressions that stand out the most in my mind, however, are the speeches that were made by each camp. The Americans had pre-written speeches and party lines and carefully listened to each presentation by the West African trade ministers and ambassadors, quickly jotting down notes. However, the notes seemed to not enter in their speeches as diplomacy took over. The function of a diplomat is not to express his or her reaction to a situation, but rather to react to a situation in the form of whom they are representing. This led to many lines being repeated over and over such as, “I’m glad that we’ve been able to sit down and talk about this issue of cotton subsidies which is very important to the United States and we stand committed to working with our West African partners in resolving this issue.” And then there was the EU issue: “However, we are very disappointed with the completely un-ambitious plan offered by the European Commission on agricultural subsidies.” This led to a counter-attack from the EU that centered on the remaining domestic subsidies that the US had not eliminated. The allegations literally thrown across the room (as the EU was seated at a round table, in the spectator section, while the US was at the delegates’ table) were an eloquent example of what the West African

country delegations argued were a “ping pong game” between the US and the EU that leave them out. Politically there are arguments on both sides of that debate, but at cotton day it was physically real.

One major problem with research on development issues is that there is this notion that one can stay “objective” or *should* stay objective in face of the harsh realities that many people live. Regardless of whether Benin’s cotton production is actually competitive or not, hearing Mrs. Massiatou Latoundji Lauriano crying about how her country’s people were going to die because of US subsidies makes focussing a research project for a Western country on NGO participation difficult. The stark difference between her and her colleague’s emotive discourse and the repetition of phrases from the US delegation was extraordinary.

Impressions on the NGO center:

In exchange for translation services, I was able to get a temporary one-day badge in order to sit in on the seminars in the NGO conference hall. The NGO hall was massive, as it held more than 2000 people; all running around networking, discussing and frantically relaying information “back home” about the negotiations/texts. The main computer area was incredibly large and fully equipped down to waterless hand soap in order to ward off any infectious diseases (transmitted by dirty hands on the keyboards I assume). There were flat-screen TVs displaying when and where press conferences would be held and NGO seminars. The actual conference rooms were large and while some were full (one particularly full was mentioned in this paper: the Peter Mandelson- civil society meeting), others were pitifully empty. The problem with so many seminars is that they all compete for one another. Despite discrepancies in NGO drawing power, the buzz in the air was amazing and the press conferences were an exciting display of deft from the negotiators and cunning questions from the press corps.

The strategies of those NGOs that “play by the rules” and those that didn’t were apparent. During the press conference for Mandelson a group of protestors (officially part of an NGO) came into the conference dressed in full Christmas garb with a large, brightly wrapped, empty box. They sang a Christmas song that included phrases describing the July package as “empty” (referring to the Cotton July package of 2004). Their interruptions were handled quite well by Mandelson who accepted the present and then seamlessly continued the press conference. However, the commotion did draw quite a few photographers and delegates out into the hallway in order to watch the protestors. On the other end of the NGO spectrum, for those that chose to network in suits without presents, they were delighted to find a large buffet (complete with a cascading chocolate fountain and fondues of all sorts) and an open bar at the NGO lunch, thanks to the Hong Kong ministerial conference organizers.

Outsiders/insiders

Since Seattle there have been protests at every conference and photos of protestors sell newspapers. So it is no shock that there were incredibly vivid pictures of “clashes between protestors and the police”. However, despite what my morning newspaper showed me, the actual reality was far from the truth. The principal of precaution was taken to an extreme that I have never experienced before. There were probably about 100 police officers for each “protestor” and the streets were blocked off, creating an eerie feeling of the scene in some film where a virus kills everyone and the police are the only ones on the streets. The police marched, unbothered, through the city as if performing military exercises. Where there were actual “clashes” with protestors they consisted of shooting water at people and I believe that one man was pepper-sprayed.

Despite this lack of terror, at our hotel the windows and doors were boarded up and we were cautioned not to step outside. There was a great commotion in the air and the whole hotel staff was quite alarmed. However, after some cajoling, the doormen let my friend Ting and I step outside into perfectly calm streets where we subsequently went for a meal in the only restaurant that was still open (everything else was boarded up). For some, this may have been a good sign that there was relatively little violence and mayhem, but, as one French NGO worker put it, “This is nothing! This isn’t a protest! In France we know how to protest... we would be lighting things on fire” (loosely quoted and translated by myself).

Impressions of Geneva

Impressions by Ciel Grossmann

Geneva is home to the WTO and probably the smallest international city (capital) on earth. It was essential, therefore, to visit the city to obtain an interview with key contacts.

Geneva is a francophone city, yet one can often hear English and sometimes German as there are a lot of foreigners from different cultures.

IDEAS Centre is located in the heart of Geneva in a small, unassuming house and was the focus of my short visit in Geneva. The location and appearance of IDEAS centre headquarters revealed to me how often negotiations themselves are informal and behind the scenes just as IDEAS centre is not physically a remarkable structure. This explains why IDEAS Centre is considered an important player by some on the inside of the power process and not necessarily by the general public.

IDEAS Centre distinguishes itself from an NGO or lobby group as it does consultancy work, and thus does not have the same mandate as other actors in Geneva. It is an organization which has important influence and a major role with both governments and NGOs and a particular relationship with the WTO. In fact, IDEAS Centre is one of few organizations that have a special badge to enter the WTO because of their strategic relationships with Member states of the WTO.