**Turnaround: New Multilateral Trade Rules for People-Centered Shared Prosperity and Sustainable Development**

July 2021

1. People around the world need a global economy that facilitates shared prosperity with human, labor, social and economic rights to facilitate the achievement, at a minimum, of the 2030 Agenda for Sustainable Development, adopted by United Nations member states in September 2015 as the Sustainable Development Goals (SDGs). The multilateral trade system should contribute to that vision; but instead, it is in crisis because it has failed to deliver shared prosperity, while trampling over people’s universal rights. This is because corporate elites have hijacked “trade” to rig the rules of the multilateral system to distribute income upwards, while reducing protections for people who work. The promise of increased trade creating win-wins has proven to be a lie and instead the majority of people have experienced increased trade as a race to the bottom on wages, precarity, public services, consumer standards and the environment. The crisis of the real harm to people around the world from the neoliberal economic order, encapsulated by the WTO, and domestic policies of austerity, have led to uprisings on four continents, mass migrations, and the election of right-wing populist governments in many countries. Social instability, which particularly affects women, marginalized peoples, the poor, and indigenous peoples, is a result of these failures, just as the WTO’s crisis is of its own making. Governments must address the fundamental flaws of the current system of corporate-led globalization, not expand and entrench power imbalances. The solution to the current attacks on the corporate version of trade policy is not false nationalism but a new vision of multilateralism which will result in ecological stability and shared prosperity. One blueprint for achieving such an economy is outlined in “A New Multilateralism for Shared Prosperity: Geneva Principles for a Green New Deal.”[[1]](#footnote-1)

2. The COVID-19 pandemic has exposed how the WTO model exacerbates insecurity, inequality and instability. Now, the deeply integrated supply chains created by WTO rules over the past several decades have undermined numerous countries’ fights against the global COVID-19 pandemic. Around the world, countries cannot make or obtain masks, test kits, ventilators, medicines, vaccines, and other necessary equipment. Decades of WTO rules have prioritized large corporations’ demands to concentrate global production to maximize their profits and banned countries’ use of policy tools to ensure local production capacity and diversity of import suppliers. WTO intellectual property rules that are designed to maximize pharmaceutical corporations’ profits instead of public health have driven up prices, and created shortages, of medicines that are essential to combat COVID-19 in scores of countries and are resulting in death and increased sickness across the globe that could have been prevented.

3. While a multilateral system to govern trade and discipline corporate behavior is essential, the specific system of rules embodied in the WTO should be under attack because, in the 25 years of its existence, it has failed to deliver development, promote shared prosperity, and ensure sustainability in trade. Predictions of shared increases in growth under the WTO system have failed abysmally, as many of our organizations predicted at the time of its founding, while inequality has soared, leaving hundreds of millions impoverished. Most developing countries that have gained from trade have done so by exporting to China, whose growth is usually attributed to its divergences with the WTO model, including through the use of industrial policy. While some developing countries have increased their share of global trade, their share of income from global trade has been reduced by transnational corporations (TNCs) who keep the high-value segments for themselves, while outsourcing low-value operations to developing countries that are trapped in sweatshop-led development strategies. Thus, expanding participation in global markets has failed to result in the promised economic development in most developing countries.

4. The WTO was founded on a mandate that trade should serve as a means to raise standards of living and as a means to ensure full employment. However, even as productivity has skyrocketed since the inception of the WTO, workers’ wages and the incomes of people who work have at best stayed flat or even decreased with regards to capital. That is because corporations have used the increased profits they have derived to invest in dominating the policymaking process, particularly through the WTO as well as bilateral and regional trade agreements, and investment agreements, to ensure that policies shape the economy to distribute income to them. It should not just be dependent on national redistribution policies to “make up to the losers” of the harmful rules of trade agreements. TNCs must be required, under national and international law, to embed human rights due diligence throughout the supply chain, and ensure grievance mechanisms, access to remedy and the full implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) and the ILO Fundamental Principles and Rights at Work as a minimum standard. Development policies that promote good jobs and industrialization must not be constrained under global trade rules. We need a new social contract with a labor protection floor, including decent work, universal quality public services and social protection coverage, human rights due diligence and corporate accountability, social dialogue, and a just transition to a zero carbon economy, and new anti-trust policies globally, all of which must not be undermined by global trade rules.

5. At the same time, the future of humans on earth is threatened by our own vast over-consumption of carbon which has resulted in catastrophic climate change that is currently resulting in environmental calamities causing devastating loss of human, animal, and plant life. Trade is a major contributor to climate change, and WTO rules that facilitate high-carbon production systems while limiting green technology transfer and subsidies towards a sustainable energy economy are no longer sustainable.

6. As corporations, through ‘trade’ agreements, amass rights at the expense of people who work, they are also doing so at the expense of democratic states. This has resulted in an erosion of democracy, as states are failing to deliver on the social contract. Corporations have influenced trade rules in the WTO to allow for trade mis-invoicing which has allowed them to avoid or evade taxes which are required for a functioning society. This combined with the broader concentration of wealth facilitated by trade rules has created unacceptable concentrations of power that is fueling dangerous levels of inequality. By requiring commitments to deregulation and foreign ownership of services, trade rules also contribute to privatization which has eroded the provision of public services, and limited states right to regulate TNCs - both further increasing private corporate power over all aspects of human life. Excessive corporate influence is also increasingly evident in other institutions such as the United Nations and particularly in SDG 17 which is aimed to facilitate further corporate influence over global governance.

7. The state has a primary obligation to realize the human rights of its citizens. Its ability to do this depends on its ability to adapt to future challenges; exercise policy prerogatives; establish, maintain and expand public services; and freely regulate capital. The current trade regime does not safeguard these essential functions of the state and subverts them to the logic and needs of commerce.

8. WTO rules on agriculture limit countries’ ability to protect their own rural development, farmers’ livelihoods, and food security and sovereignty, around the world and have contributed to multiple food crises and eroded net food security in many countries.

9. Financial and economic stability and predictability are essential for shared prosperity. However, evidence shows that while the current WTO rules may have created more predictability for investors and trading corporations, workers and communities face increasing precarious work, outsourcing, cuts to public services and a race to the bottom in which they are left to face unprecedented dislocations in the global economy, often caused by financial crises and rapid changes in trading patterns, while very few of them enjoy an inadequate social protection.

10. The WTO is unique among multilateral organizations in the complete lack of facilitation of the participation of civil society, trade unions, and grassroots communities that are negatively affected by WTO policies, while many corporate representatives have close access to the policymaking process, including the drafting of many agreement texts. WTO Members are increasingly secretive about texts and negotiations, which precludes accountability and public debate. The Secretariat is now actively engaging in partnerships with the global corporate community to increase its influence, while failing to remedy the exclusion of civil society representatives from the deliberative process in the WTO. Even more egregiously, the Secretariat is openly and publicly advocating for expanded WTO disciplines in areas like the digital economy, to the benefit of a few members and the Big Tech TNCs based in those countries, while completely failing in its obligation to facilitate the conclusion of long-blocked talks to improve the damaging existing WTO rules to allow trade to promote real development, sustainability, and shared prosperity. Finally, the real crisis in the Dispute Settlement Mechanism (DSM) is in the fact it adjudicates cases using rules that privilege corporate trading rights over the public interest: in 80 cases involving public interest policies, the WTO ruled in favor of corporations’ right to trade 73 times.[[2]](#footnote-2) In addition, powerful countries have been far more able to enforce their rights in the WTO through the DSM than have poor countries, a fact that is rarely mentioned in the debates on the judicial branch of the WTO. It is vastly inappropriate to consider expanding the failed WTO model’s reach over human life.

**Thus, as members and allies of the Our World Is Not for Sale (OWINFS) global civil society network, committed to a sustainable, socially just, democratic and accountable multilateral trading system, we call for a new system of global multilateral rules.**

11. Many of the below organizations have long criticized the WTO’s rules as harmful and inappropriate for global trade governance. At this point, the results of nearly 25 years of the WTO’s existence has proved its critics right; it is not the right system for governing trade for shared prosperity. Thus, a new system of multilateral trade rules must be envisioned that will put shared prosperity, environmental sustainability, and the achievement of the SDGs in Agenda 2030 before the commercial interests of powerful corporations. Given the history of the WTO’s lack of resolution of interests of developing countries; its consecration of rights for TNCs over citizens’ and workers’ rights and environmental obligations; and the Secretariat’s biased role in shepherding the interests aligned with powerful Members and elites over the interests of developing countries and working people, there is no evidence that the WTO itself is able to make the fundamental transformational changes required in the global trade system at this time. Thus, a new vision for multilateralism is necessary in order to create the necessary jobs, infrastructure, and services that are essential to achieve the SDGs, and also to safeguard our planet for future generations. This new multilateralism must involve a new set of rules for governing global trade.

12. In the interim, governments must make *transformational changes to existing rules* while a fundamentally new institution is envisioned. The WTO rules too often limit governments’ ability to use traditional development policies – which were used by all industrialized countries in their development – to promote jobs and domestic industries. Despite hypocritical claims by developed countries and global elites in the WTO, they have stalled the resolution of the development agenda in the WTO for nearly 20 years. Special and Differential Treatment (S&DT) rules must be strengthened and operationalized for all developing countries, focusing on freedom from existing harmful WTO rules which limit the use of evidence-based development policies. Immediately, this would mean that governments would enjoy policy space to ensure domestic food security; to utilize technology transfer and data rights; to make use of job-creating performance requirements such as local content and local labor requirements; and have more flexibility to ensure affordable access to medicines, among other urgent priorities.

13. We also call for an immediate *halt to efforts to expand* the scope and coverage of existing harmful rules, or to expand them to new arenas. In particular, our governments must halt the effort by Big Tech corporations to use the WTO to gain new pro-corporate rights in the digital economy, and to handcuff appropriate regulatory oversight. We call for a stop to the efforts: to deregulate the entire digital economy through the inappropriately named “e-commerce” negotiations; to bring more disciplines on investment policies through “investment facilitation” negotiations; to further encroach on regulatory sovereignty through “domestic regulation” negotiations; to restart talks on services liberalization; and to efforts to limit development flexibilities in the fisheries subsidies negotiations. Corporate boosters are undertaking these negotiations through “plurilateral” negotiations which are illegal under the WTO because they have no mandate, as most developing countries are opposed to them - for good reason.

14. Current WTO rules provide rights to trade and limit the way that trading can be regulated. But governments don’t trade; corporations do. So, the “rights” in the WTO are exercised by corporate interests, while the disciplines in the WTO limit government authority to regulate that trade in the public interest. “Writing trade rules” is in fact often a misnomer for “restricting regulation while empowering corporate privileges”. This is the wrong approach to “regulating” trade. Instead, we need a system that promotes shared prosperity by safeguarding human, labor, economic, and social rights; allows countries the policy space to pursue evidence-based strategies for decent job creation and industrialization; and holds corporations accountable under penalties for all the abuses in their supply chains and trading practices. We call, as part of the new multilateral architecture, for the immediate adoption of a Binding Treaty on Transnational Corporations and Human Rights, currently being negotiated in the United Nations.

Specifically, we call on governments to transform the global trade system through the following:

**1. We Demand Decent Work and Industrial Development Policy Space**

Rather than using trade to increase employment and prosperity, the WTO rules focus on reducing tariffs and regulation and other policies which increase the bargaining power of capital at the expense of labor. This forces workers into unfair competition, resulting in a lack of minimum living wage and labor protections, increased job precariousness, the exploitation of women, and unsafe working environments. Capital’s increased freedom of movement and WTO-led globalization has triggered a race to the bottom where countries and special export zones compete in repressing labor rights in order to attract investment. Global supply chains, the dominant production model today, are beset with slavery, child labor, and all forms of labor exploitation that affect women workers disproportionally. In addition, global corporations are seeking to bring in new rules to guarantee further rights for investors at the expense of workers, regulators, and the public generally, through talks towards an agreement on “Investment Facilitation.” Instead, we need a global trade system that focuses on increasing decent job opportunities and living standards of people who work.

* Any current or future agreement must focus on using trade to promote and expand Decent Work with a new social contract and a labor protection floor as called for in the ILO Centenary Declaration, and protecting policy space of countries to pursue shared prosperity through full employment, through structural transformation and industrialization and through higher wages and social dialogue.
* Talks to bring further investment rules in the WTO through “Investment Facilitation” must be stopped.
* In addition, we call for Social Impact Assessments including on inequality, the quality of employment and on job creation with regards to current, and any potential future changes to WTO policies and negotiations, and the implementation of changes to existing rules that are necessary to ensure a multilateral trade system that promotes full employment and decent work.

**2. We Demand Policy Space for Digital Industrialization and the Ability to Use Data for the Public Interest**

Now, the largest corporations are seeking to use the WTO to rewrite the rules to legally entrench their monopolistic practices through access to and control of the world’s most valuable resource, data, forever. But data must not be controlled by private corporations for private profit maximization. Instead, many people and governments are starting to realize the need for national and community ownership of data, and data sovereignty. All countries and communities should have the right to use their data, as well as technology and digitalization generally, to foment industrialization, decent jobs, and for the general public interest, such as improving access to quality public services. In addition, corporations are seeking to use digital trade negotiations to consolidate their damaging business model of avoiding regulation, exploiting labor, evading the payment of taxes (both corporate taxes and trade taxes or tariffs) and demonstrating a total lack of accountability to the communities from which they profit. Appropriate, democratic, and participatory internet governance, and rights to privacy, people’s economic rights to their data, and data protection, must not be subsumed to private commercial interests. Current negotiations towards an agreement on digital trade go far beyond e-commerce and would jeopardize our privacy and people’s economic rights to their data; exacerbate inequalities including through the digital divide; promote tax avoidance by digital corporations; decimate micro-, small-, and medium enterprises (MSMEs); cement monopolistic control of first-movers; make us less safe by proscribing appropriate oversight over source codes and algorithms; and forever abrogate policy space for digital industrialization. Negotiators are claiming alleged benefits to women entrepreneurs and MSMEs while the actual negotiations include provisions that would be extremely harmful to the vast majority of women and small businesses. We demand that:

* Plurilateral and multilateral (as well as bilateral) negotiations towards a binding agreement on digital trade (“e-commerce”) must be halted.
* The appropriation of “women’s empowerment” and MSMEs in the name of promoting digital trade rules must be abandoned.
* Governments should agree outside the WTO a global high-quality standard for personal data protection, national and community ownership over their data, as well as enforceable principles for the use of data, artificial intelligence and machine learning in ways that are ethical and promote equity and social justice.
* Efforts to enforce new obligations on members through accepting the “technological neutrality” equivalence of services commitments through new technologies must be stopped.
* New pro-competition policies must be agreed and enforced, in a venue outside of the WTO.
* Current rules, including in the WTO, which facilitate tax avoidance, tax evasion, and other illicit financial flows, particularly by digital corporations, must be altered to ensure that countries have an appropriate fiscal base to fund the achievement of the SDGs.
* In addition, any current WTO constraints on policy space for digital industrialization, the use of data for the public good, and the achievement of the SDGs on access to information and communications technology, including industrial diversification and value addition – such as limits in performance requirements such as technology transfer, hiring of local workers and managers, use of local inputs – should be removed.

**3. We Demand the Right to Protect the Policy Space for Development**

Trade can contribute to shared prosperity, under the right set of rules, which are different depending on a country’s level of development. Trade is not the goal *per se*. If the actual result of trade under the current or proposed rules hinders the ability of countries to develop and of workers to prosper from their labor, then new rules are needed. Developing countries have experienced harmful impacts of WTO rules since they began implementing them, and have put forward myriad proposals to allow them to access the benefits of trade while maintaining policy space for development. These “Implementation Issues,” now packaged in the G90 proposals on Special and Differential Treatment (S&DT) were designed to address some of the asymmetries and biases of the Uruguay Round. Instead, some developed countries are attacking the few flexibilities from damaging existing WTO rules that are allowed for developing countries, through calls for “differentiation” of countries with large populations that would force them to adopt even more onerous disciplines that would foreclose their ability to develop their economies. According to the latest research by UNCTAD,[[3]](#footnote-3) this “differentiation” is entirely inappropriate and has no basis in economic reality. Even further, some countries propose even more onerous burdens on developing country members under the banner of “transparency and notification.” At the same time, in negotiations to discipline subsidies in the Fisheries sector, some countries are pushing to limit SDT provisions (which are mandated by SDG 14.6) which would prevent developing countries from benefiting from their fisheries resources and ensuring livelihood security for small-scale fishers while allowing first-mover advantages for large commercial fishing fleets which have caused the vast majority of overfishing. In addition, the trade concerns of the Least Developed Countries (LDCs) should not fall victim to the extreme demands of TNCs for more market access in developing countries with larger populations. Thus:

* A strong package of proposals for policy space for development, known as the Special and Differential Treatment agenda, must be re-centered as the main focus in the WTO and agreed to immediately.
* Attempts to prevent developing countries from accessing rights and flexibilities in the WTO through “differentiation” must be abandoned.
* The expansion of binding commitments to cut tariffs through the Non-Agricultural Market Access (NAMA) negotiations, the Environmental Goods Agreement (EGA), or the pressuring of countries to join the expanded Information Technology Agreement (ITA-II) must be abandoned.
* Any agreement to limit subsidies in the Fisheries sector must not undermine sovereign rights already set out in the UN Convention on the Law of the Sea. Any outcome must include a strong component of S&DT provisions to ensure that developing countries can pursue sustainable development of their fishing sectors while the harmful subsidies of large industrial fleets must be disciplined.
* The LDC package, including Duty-Free Quota-Free access for LDCs, a fair and immediate resolution to the demands of the cotton-producing countries, and a services waiver for LDCs, should be implemented immediately.
* Proposals to increase administrative burdens of developing countries under the rubric of “transparency and notification” are wholly inappropriate and should be replaced with changes to make the institution function in a more transparent and democratic manner that is respectful of capacity constraints of member countries, including through not holding simultaneous meetings; ensuring that meetings properly documented and that interpretation is universally provided.
* If LDCs pursue accession into the WTO, their entry must not be conditioned on market access demands, but they should be able to accede on terms that allow them to use trade according to their development needs. These terms should not go beyond those applied to original LDC Members of the WTO. Countries that are “graduating” from LDC status should be provided flexibility to undertake new rules in ways that are compatible with their development trajectory.
* A thorough assessment of existing constraints to countries’ ability to pursue domestic policies and use trade for development must be conducted so that rules across the WTO on intellectual property, agriculture, investment, services, and goods can then be transformed in accordance with structural transformation development policies.

**4. We Demand Access to Health and Affordable Medicines, Not Patent Monopolies**

Patent monopolists are the most protected class within the rules of the WTO through the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement. The TRIPS agreement has resulted in a massive transfer of wealth from patients and health budgets of states to corporations, and from the global South to pharmaceutical corporations, almost exclusively based in the global North. As corporations pursue patent extensions rather than innovating needed medicines, a crisis in innovation has resulted. The abolition of the TRIPS agreement would save millions of lives around the world by facilitating access to essential medicines for people in all countries. Advocates for access to health care and affordable medicines gained an important victory in 2001 through the adoption of the Doha Declaration on Public Health and the TRIPS. This declaration reaffirmed the flexibilities contained in the TRIPS agreement and its use to address the public health needs of WTO member states. However, the negotiations that followed the Declaration that were to have facilitated export of medicines under compulsory licensing for countries concluded without establishing a workable mechanism to translate the agreed rights into real access. Public health has suffered due to the complex and stringent patent monopolies that are prioritized above ensuring access to medicine. During the Covid-19 pandemic, the lack of immediate agreement to the TRIPS waiver as proposed in October 2020 has resulted in millions of unnecessary deaths and illnesses. Thus, in the immediate term:

* Members must agree immediately to the TRIPS waiver, as it has been proposed by more than 60 countries, in order to save lives during the global pandemic of Covid-19.
* Member states must review the August 30th decision of 2003 on TRIPS and the subsequent decision to amend the TRIPS in 2005 and improve these decisions to make them workable.
* Members should agree to a *permanent* moratorium on non-violation TRIPS complaints.
* Members must make permanent the waiver of TRIPS obligations for LDCs, *as long as they are LDCs,* without any conditions, including allowing LDC members to roll back existing TRIPS implementation.
* In addition, members should conduct an assessment of the impact of the TRIPS agreement on innovation and access to medicines worldwide, and should then fundamentally transform the regulation of medicines based on the right to health and the promotion of research and development of, and access to, vaccines and medicines.

**5. We Demand Trade Rules that Support Food Security and Food Sovereignty**

The persistence of nearly one billion hungry people worldwide, increasing corporate consolidation in the agriculture industries, and multiple global food crises, have highlighted our broken system of trade in food. Poor farmers are exposed to floods of imports when prices are too low (often due to unfairly dumped exports from rich countries) while at the same time the ranks of humans suffering from hunger expands when food prices spike. This volatility is a result of excessive speculation in the commodities markets, and global food rules in the Agreement on Agriculture (AoA) – written largely to satisfy corporate agribusiness – that treat food as a product for corporate profit instead of a Human Right. In addition, current rules constrain developing countries to the lower rungs of the global value chains in agriculture. SDG 2 – “End hunger, achieve food security and improved nutrition and promote sustainable agriculture” – is a key component of achieving sustainable development in all countries, especially developing and least developed countries. Goal 2 targets relate to, among others, ensuring access to food for all groups especially the poor and marginalized, improving nutrition, doubling productivity of small farmers, maintaining biodiversity, and use of genetic resources. It is time for a fundamental transformation of the food system. The following changes to the global trade rules are essential to allow countries to ensure Food Sovereignty and Food Security and promote rural livelihoods:

* All countries should have the right to subsidize food, to protect farmers’ livelihoods and to promote rural development, as long as their subsidies and other policies do not hurt farmers in other countries.
* The right to subsidize food for the poor, including through direct payments to poor farmers, as proposed in the current negotiations (by the G33 group of 47 countries) should be immediately agreed as essential to promote food sovereignty to ensure food security.
* Developing countries should have the right to use trade instruments such as tariffs and use other measures to protect farmers’ livelihoods, rural development, and food security, especially when facing import surges from subsidized production. This ability, called the Special Safeguard Mechanism (SSM) in the WTO, must be agreed to, but in a way that is far more flexible than is reflected in current WTO proposals for it to be useful in achieving food security.
* No additional commitments on Agriculture should be sought from LDCs.
* Developing countries should be able to exempt products from any potential future tariff cuts as they deem necessary to protect farmers’ income, food security and rural development; the Special Products designation in the WTO must be expanded.
* Subsidies for products that are exported should be disciplined, including so-called “Green Box” subsidies and Aggregate Measure of Support (AMS) entitlements.
* Trade rules must be modified to facilitate proper regulation of commodities to prevent excessive speculation and volatility in the global markets.
* In addition, members should conduct an assessment of the impact of the AoA on food security, farmers’ livelihoods, land diversion for agro-fuels, and rural development, and then completely redesign global agricultural trade rules to allow countries to exercise food sovereignty.

**6. We Demand Protection of Biodiversity and the Banning of the Patenting of Life**

One of the important outcomes of the Doha declaration was to examine the relation of TRIPS agreement with the UN Convention on Biological Diversity (CBD). Through ten years of deliberation, some Members have made concrete proposals to amend the TRIPS agreement to prevent biopiracy, but others have blocked these from being agreed. We demand that:

* Members must amend the TRIPS agreement in order to guarantee coherence with SDG 2.5, 2. A, 15.6, 15.9, 15.a to require disclosure of country of, and proof of, prior informed consent and fair and equitable benefit sharing, at least as strong as that agreed in the CBD / Nagoya Protocol and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). This amendment must also cover digital sequence information (DSI) as demanded by many biodiverse rich developing countries.
* The mandatory review of the patenting of life obligation under Article 27.3 (b) of the TRIPS Agreement must be completed. We reiterate the call for a ban on patenting of life forms as many developing countries have proposed.

**7. We Demand Financial Stability Instead of Financial Deregulation**

The deregulation and liberalization rules of the WTO in the financial services sector helped set the stage for the debacle of the global financial crisis. Yet, while the G20, most governments and even the International Monetary Fund (IMF) have recognized the need for financial re-regulation in the wake of the financial crisis, the WTO’s General Agreement on Trade in Services (GATS) rules can actually hinder financial regulation efforts. And current proposals in the GATS negotiations would actually extend the market access rules which establish even further limits on domestic regulation of financial services. Digitalization of finance and digital currencies specifically pose further risks that are not being understood adequately, and for which trade rules – including under new digital trade proposals – will constrain proper regulatory oversight. Immediate changes are needed to current GATS rules regarding financial services, and no further deregulation or liberalization of financial services should be undertaken outside of or within the WTO. Specifically:

* Countries should not take any additional commitments for liberalization of trade in financial services within GATS negotiations or through any other trade agreement.
* Countries must maintain the power, in any trade provision or agreement, to require the storage of financial data locally for the purpose of effective financial regulation, reviewing assets for tax purposes and for the prevention of fraudulent or predatory practices.
* In addition, existing GATS rules should be reviewed and evaluated in light of the financial crisis, and then modified in order to ensure policy space for all countries to use macroprudential measures, such as capital controls and financial transaction taxes, as well as to implement other financial regulation measures.

**8. We Demand that Trade Rules Not Limit the Role of the Democratic State to Provide Universal Quality Public Services nor Limit Regulation of the Economy in the Public Interest.**

The existing GATS rules provide corporations rights to operate in markets under conditions favorable to them, while constraining public regulatory oversight, and should not be expanded. Corporations have too much control over policymaking including in foreign countries. In spite of the need to roll-back corporate influence over public interest policymaking, some countries are proposing further disciplines in the “Domestic Regulation” negotiations. Thus, we demand that:

* Efforts to achieve further disciplines on Domestic Regulation should be abandoned.
* Current and future public services in particular must be excluded from any existing or future agreements that include services with a broad and authentic carve-out. This must include services that may need to be re-municipalized in future.
* In addition, a fundamental assessment of the implications of the GATS on ensuring proper regulatory oversight of services and ensuring access to quality public services should be undertaken by member states and the WTO. Any constraints on achieving the SDGs with regards to good health and well-being, inclusive and equitable quality education, clean water and sanitation, affordable and clean energy, and other services should be removed without challenge from the WTO rulebook.

**9. The WTO Is Not the Venue to Establish Climate Change Policy**

Expanded trade is a major cause of climate change, which is resulting in environmental, economic, and social crises worldwide. However, putting climate change on the agenda of the WTO would represent a grave danger to climate stabilization, as WTO rules structurally favor the increasing of trade flows – a huge contributor to the greenhouse gases that cause climate change – over environmental sustainability. Ideally, the Paris Agreement should set a floor for the respect of environmental standards and climate goals in production and trade. Instead of this, WTO rules currently constrain countries from greening of industries and consequently promoting a “Just Transition,” a decent work-centered approach to transitioning to climate-friendly technologies. Several aspects of current WTO rules should be altered to allow more policy space for countries to protect the environment and pursue sustainable development policies. Other multilateral agencies are far more appropriate venues for the discussion of and implementation of rules related to the global climate than the WTO.

* TRIPS rules should be altered to allow countries additional flexibilities to the intellectual property regime, regarding technology transfer, including in other multilateral venues.
* Climate change policies, including those mandating a job-creation focus to clean energy technologies, should not be subject to challenge through the WTO’s Dispute Settlement Mechanism.

**10. The WTO, Including the Secretariat, Must Stop Secretive, Undemocratic Functioning**

The WTO is not fit for purpose to govern global trade. While a new system is being created, immediate changes to the way in which the WTO functions are also required, including:

* The WTO, including negotiations and other meetings, must be open to and facilitate proper civil society participation.
* Documents and texts in the WTO must be publicly available.
* Current “collaborations” between the business sector and the WTO must be halted.
* The Secretariat’s role must not be expanded beyond the current mandate.
* The Secretariat must not act in favor of certain members’ demands to the exclusion of other members’ demands in the negotiations.
* A review of the decisions of the DSM must be conducted with a view towards abridging those which place commercial concerns over the public interest.

There are many more changes that must be made to the global trading system, including a fundamental review, abrogation, or transformation of bilateral and regional trade and investment agreements. The above represent a minimum of immediate changes that must be made in the multilateral trade system to provide more policy space for all countries to implement solutions towards promoting shared prosperity for the benefit of all.

OWINFS is a global network of over 200 civil society organizations from more than 50 countries. For more information, see [www.ourworldisnotforsale.net](http://www.ourworldisnotforsale.net) and contact OWINFS at djames@cepr.net.

**Initial endorsers as of July 14 include:**

***International and Regional Organizations and Networks***

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| **1** | Arab NGO Network for Development (ANND) | ANND aims at strengthening the role of civil society, enhancing the values of democracy, respect of human rights and sustainable development in the region.  |
| **2** | Econews Africa (ENA) | ENA is a Pan-African research and advocacy organization which works to bridge the local, national, regional, and global information gaps on development issues. |
| **3** | IT for Change | IT for Change aims for a society in which digital technologies contribute to human rights, social justice, and equity. |
| **4** | Pacific Network on Globalisation (PANG) | The Pacific Network on Globalisation (PANG) is a regional watchdog promoting Pacific peoples’ right to be self-determining. |
| **5** | Public Services International (PSI)  | PSI represents 30 million workers in 170 countries to promote quality public services in every part of the world.  |
| **6** | The Association for Women's Rights in Development (AWID) | AWID is an international, feminist, membership organization committed to achieving gender equality, sustainable development and women's human rights established in 1982.  |
| **7** | Third World Network (TWN) | TWN is a research and advocacy organization working to bring about a great articulation of the needs and rights of peoples in the South, a fair distribution of world resources, and forms of development which are ecologically sustainable and fulfill human needs. |

***National Organizations***

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| **8** | World of Work Institute (IMT)  | Argentina |
| **9** | Argentine Federation of Trade and Services Employees (FAECYS)       | Argentina |
| **10** | COAST | Bangladesh |
| **11** | Institute of Socioeconomic Studies (INESC) | Brazil  |
| **12** | Canadian Centre for Policy Alternatives (CCPA) | Canada  |
| **13** | Indonesia for Global Justice (IGJ) | Indonesia  |
| **14** | Fairwatch | Italy |
| **15** | Pacific Asia Resource Center (PARC) | Japan |
| **16** | Association for Proper Internet Governance (APIG) | Switzerland |
| **17** | Alliance Sud | Switzerland |
| **18** | Public Eye | Switzerland  |
| **19** | Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) | Uganda |
| **20** | Global Justice Now | United Kingdom |
| **21** | War on Want | United Kingdom |

1. “A New Multilateralism for Shared Prosperity: Geneva Principles for a Green New Deal” by Kevin Gallagher and Richard Kozul-Wright. Published by the Global Development Policy Center (GDP Center) at Boston University and the Globalization and Development Strategies (GDS) Division of t-he UN Conference on Trade and Development, (UNCTAD), 2019. [↑](#footnote-ref-1)
2. Research by Public Citizen from the WTO website, available at <https://www.citizen.org/wp-content/uploads/wto_disputes_summary_-_march_2019_final.pdf>. [↑](#footnote-ref-2)
3. “From Development to Differentiation: Just how much has the world changed?” by the Division on Globalization and Development Strategies (GDS) of UNCTAD, UNCTAD Research Paper 33: June 2019. [↑](#footnote-ref-3)