

5 Relations with other organizations and civil society

My objective when I came here was to get the WTO on the front page of the New York Times, my hometown paper, and I succeeded. But I just didn't in my wildest dreams imagine that it would be with a photo of policemen firing tear gas at kids dressed as turtles and dolphins.

Keith Rockwell, Director, Information and External Relations Division, WTO
Correspondence with the author on 11 February 2013

Introduction

The front-page treatment of the Seattle Ministerial Conference in 1999 symbolized the profound changes that had taken place in the scope and politics of trade over the preceding half-century. At the founding of the GATT significant commitments in GATT; those commitments, especially finance and foreign affairs; and the only domestic interests that cared were firms and workers in the affected industries. By 1999, the subject matter of trade

One way that the WTO carries out this mandate is through the director-general's participation in the Chief Executives Board for Coordination (CEB), comprised of the leadership of 28 member organizations and chaired by the UN secretary-general. These include the heads of the UN specialized bodies (the ILO, WHO etc.) and the other Bretton Woods institutions (the IMF and the World Bank). The CEB's origins date back to 1946, when it was known as the Administrative Committee on Coordination. Its members now hold regular retreats, with gatherings in October or November hosted in New York and those in March or April held at the headquarters of one of the other institutions. These are informal and leaders-only meetings in which note-takers are not allowed. Each meeting will focus on a specific topic of current interest, with the heads of these organizations dealing horizontally with the issue at hand, but the larger aim is to promote coherence among the institutions by ensuring that their chiefs are in regular contact with one another.

The issues taken up in the CEB can sometimes lead to more permanent collaboration between the member institutions. One prominent example is the UN High Level Task Force on the Global Food Security Crisis that the CEB created in 2008 to address the problem of rising food prices. Chaired by the UN secretary-general, with the FAO director-general as its vice chair, this group is comprised of the heads or other representatives of 22 international organizations, including the WTO director-general. Food security is one of many topics on which the perspectives and institutional cultures of different international organization can come into conflict, as demonstrated by the discussion below on the exchanges between the WTO and the UN Special Rapporteur on the Right to Food.

The High Level Task Force on the Global Food Security Crisis is an example of one way that the WTO works with other organizations on collaborative projects, creating permanent, inter-agency bodies to deal with matters of joint interest and expertise. These activities are especially prominent in the area of trade and development, with the longest-running example being the International Trade Centre (ITC). This joint project of the WTO (and GATT before it) and UNCTAD is located at a Geneva site that is roughly equidistant between its parent institutions, and provides training and other assistance to policy-makers and exporters in developing countries. It is a successor to the International Trade Information Centre that GATT created in 1964, and became a joint GATT–UNCTAD institution in 1967.

One of Director-General Pascal Lamy's first steps in 2005 was to launch the Aid for Trade

If its founders had their way, UNCTAD would be where the North and South negotiated the terms of a “new international economic order” (NIEO) in which global institutions would play at least as important a role as the market in setting prices, regulating trade and determining outcomes. Key elements of that proposed order included commodity agreements that guaranteed high prices for developing countries’ raw materials, import protection for these countries’ infant industries, and open access to the industrialized countries markets’ for their manufactured exports. Few of these proposals gained much traction, apart from the creation of the Generalized System of Preferences (GSP) in the early 1970s; that concession to developing country demands required modification of GATT rules. These demands came to a head in 1974 with the UN General Assembly’s adoption of the Declaration for the Establishment of a New International Economic Order, which called for a variety of reforms that relied as much on states as on the market for improving the economic condition of developing countries⁴. The Brandt Commission report of 1980 can be seen as a mid-point in the evolution of this debate, advocating as it did the merging of UNCTAD and GATT into a new international organization (Brandt, 1980: 184-185). Far from consolidating the institutions or producing an NIEO, the 1980s instead saw the movement of ever more developing countries towards accessions to and active participation in GATT. The last time that developing countries made any effort to bring the trading system within the orbit of the United Nations came in the endgame of the Uruguay Round, when Egypt, Pakistan and others urged that the proposed new institution that was then still called the Multilateral Trade Organization (see Chapter 2) be made a specialized UN agency. Their efforts were too little and too late, facing determined opposition from developed countries and Director-General Peter Sutherland. Since that time, there has been more emphasis placed on reforming the trading system from within than on devising alternatives to it.

Relations between the WTO and UNCTAD can be strained by the differences in their institutional cultures. There is an undeniable tension that separates the officials in these two agencies, and these divisions are based not just on turf battles between potentially competing institutions but on philosophical differences between individuals. Both organizations are devoted to trade and development, but in UNCTAD those priorities are in alphabetical order and in the WTO it is the reverse. Some UNCTAD officials reflect the higher degree of trade-scepticism that one finds in many developing countries, a point that was exemplified by an incident at the Cancún Ministerial Conference in 2003. When the suspension of those negotiations was announced, Director-General Supachai Panitchpakdi (see Biographical Appendix, p. 594) – who would become secretary-general of UNCTAD two years later – observed the jubilant reaction of UNCTAD officials. He saw them grouped together with representatives of NGOs, and heard them shout: “Great!” That infuriated Mr Supachai. “I thought UNCTAD should have supported what we did because we were doing things that would have helped the cause of the developing countries,” he later recalled. His own move up the hill from the WTO to UNCTAD was one of several changes in personnel that would help to bridge part of the gap between the two institutions. Another was the appointment in 2011 of Guillermo Valles (see Biographical Appendix, p. 596), formerly the Uruguayan ambassador to the WTO, as director of UNCTAD’s International Trade in Goods and Services and Commodities Division.

The relationship between UNCTAD and the WTO is now much more complementary than it had been in past decades. That complementarity is partly the result of much closer composition in their memberships. Most developing countries were not in GATT in the 1960s and 1970, many of those that joined were non-resident, and the few that participate actively would generally confine their participation to demands for exemptions, special and differential treatment and less than full reciprocity. The agreements negotiated in the Kennedy and Tokyo rounds were not part of a single undertaking, and thus not binding on the countries that opted not to sign them. That made it easy to think of GATT as the place where industrialized countries negotiated among themselves but UNCTAD as the place where they negotiated with developing countries. The differences in membership narrowed in the ensuing decades, however, when numerous developing countries acceded to GATT and the WTO.

UNCTAD and the WTO cooperate in several ways. One is their aforementioned joint sponsorship of the ITC. Much of the technical assistance that UNCTAD provides on its own is complementary to WTO initiatives, such as aiding countries in their WTO 2.3(i)-0.9(n)-6.447.61d T6 TD

for by the Universal Declaration of Human Rights that the UN General Assembly adopted in 1948, and more explicitly by the International Covenant on Economic, Social and Cultural Rights, which it adopted in 1966. The latter treaty commits its parties to work toward the granting of economic, social, and cultural rights to individuals, including “the fundamental right of everyone to be free from hunger” and “an equitable distribution of world food supplies in relation to need” (Article 11). According to Mr De Schutter’s report (2009: 5), “[t]he realization of the right to adequate food should guide the efforts aimed at the establishment of the multilateral trading system,” which “should not only refrain from imposing obligations which directly infringe upon the right to food” but “should also ensure that all States have the policy space they require to take measures which contribute to the progressive realization of the right to food under their jurisdiction.”

Table 5.2. Organizations with observer status in the WTO

	General Council	TPRB

RELATIONS

The Arab League first requested observer status for the Seattle Ministerial Conference in 1999. That same year it wrote to the director-general requesting observer status in the General Council and several of its subsidiary bodies. In October 1999, the chairman of the

Commission, a joint undertaking of the FAO and the WHO that develops global food-safety standards. Similarly, the Agreement on Technical Barriers to Trade explicitly adopts the definitions used by the International Organization for Standardization in its publication on General Terms and Their Definitions Concerning Standardization and Related Activities. Several articles in the agreement provide for the adoption of international standards by WTO members. Article 2.4, for example, provides that:

Where technical regulations are required and relevant international standards exist or their completion is imminent, Members shall use them, or the relevant parts of them, as a basis for their technical regulations except when such international standards or relevant parts would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued, for instance because of fundamental climatic or geographical factors or fundamental technological problems.

One point of recurring legal debate concerns the use of treaty law developed in other organizations as a guide for WTO dispute settlement panels. “Unlike domestic legal systems,” as Pauwelyn (2003: 488) observed, “in international law hierarchy of norms is not determined by the particular source of the norms in question” because all such law “in one way or another, derives from the same source, that is, state consent.” He therefore advocated “an examination of WTO law in the wider context of other norms of international law,” such that –

WTO law is but a branch of public international law. Hence, WTO law must, first of all, be interpreted in a way that takes account of other norms of international law, as long as these other norms represent the ‘common intentions’ of all WTO members. The normal restrictions of treaty interpretation apply, although ‘evolutionary interpretation’ can be safely said to be the rule rather than the exception given the ‘continuing’ or ‘living’ nature of the WTO treaty. Apart from the process of treaty interpretation other rules of international law must also apply to the WTO treaty unless that treaty has ‘contracted out’ of those rules. In addition, before a WTO panel the ‘applicable law’ must include all relevant norms of

Many of the legal instruments and declarations of the ILO address trade issues directly or indirectly. Several of the 189 ILO conventions negotiated from 1919 to 2011 deal with trade-related issues or occupations that are heavily involved in trade; these include five conventions affecting dockworkers and 39 affecting seafarers. The work of the ILO starts from the premise, as stated in 1944 in the Declaration Concerning the Aims and Purpose of the International Labour Organization (also known as the Declaration of Philadelphia) that “labour is not a commodity.” While that same declaration went on to support “a high and steady volume of international trade,” ILO pronouncements on the subject of trade will often include qualifying language that highlights its emphasis on how trade and other economic activity affect the interests of workers. In the Global Jobs Pact that the ILO approved in June 2009, for example, members called for cooperation among international organizations in “promoting efficient and well-regulated trade and markets that benefit all and avoiding protectionism” (ILO, 2009: 9, emphasis added). The role of the ILO in the debate over globalization, according to its Declaration on Social Justice for a Fair Globalization, is to evaluate the employment effects of trade and financial market policy “to achieve its aim of placing employment at the heart of economic policies” (ILO, 2008: 15). In so doing it neither promotes nor condones protectionism, stressing in that same declaration “that the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes” (ibid.: 11).

One of the most divisive issues in the trading system throughout the WTO period has been the proposed linkage between the commitments that countries make in the ILO and the use of the WTO Dispute Settlement Understanding as a means of enforcing them. This is essentially what was done in the case of intellectual property rights, in which the agreements administered by WIPO are, by way of the TRIPS Agreement, made enforceable in the WTO. The conventions negotiated in the ILO are essentially pledges of good behaviour at home that are subject to review through a supervisory system of reports and experts, but while the ILO rules provide for sanctions in actual practice the institution almost never brings to bear anything more than peer pressure on countries that are found not to meet these obligations.

This is in sharp contrast to the WTO, where violations of the rules can lead to the threat or imposition of retaliatory measures. It is only a slight exaggeration to say that in the ILO there

for negotiations by a GATT working party. The text of the agreement was then communicated to UNESCO for sponsorship and administration, and entered into force in 1952.

That cooperative experience stands in contrast to the negotiations over the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Under development since 2001, members adopted a toned-down version of this convention in 2005. While it was still under debate there was some prospect that the instrument might establish principles that could lead to direct conflicts with the commitments of some WTO members. A draft text from July 2004 that served as the initial basis for discussion began from the premise that while the processes of globalization “afford unprecedented conditions for enhanced interaction between cultures” they “also constitute a threat to diversity and carry with them a risk of impoverishing cultural expressions” (Preamble). It provided a series of principles and steps to be taken in order to safeguard cultural diversity, including the adoption of “measures which in an appropriate manner reserve a certain space for domestic cultural goods and services among all those available within the national territory” (Article 6.2(a)). Article 19 of the draft provided for rules on the relationship between this agreement and other instruments of international law, setting out two alternatives. One option would simply state that “[n]othing in this Convention shall affect the rights and obligations of the States Parties under any other existing international instruments.” The other option would provide that:

1. Nothing in this Convention may be interpreted as affecting the rights and obligations of the States Parties under any existing international instrument relating to intellectual property rights to which they are parties.
2. The provisions of this Convention shall not affect the rights and obligations of any State Party deriving from any existing international instrument, except where the exercise of those rights and obligations would cause serious damage or threat to the diversity of cultural expressions.

The language suggested that the instrument would not derogate from the TRIPS Agreement, but that other WTO agreements – including commitments made on goods and services – could potentially be subject to modification or reinterpretation under some circumstances. One could well imagine, for example, the hypothetical case of a WTO member modifying or withdrawing a GATS commitment on audiovisual services on the grounds that doing so would allow it to avoid a threat to the diversity of cultural expression.

The final version of this instrument that UNESCO adopted in 2005 avoided any conflict with WTO law. Article 20 provides that parties “shall perform in good faith their obligations under this Convention and all other treaties to which they are parties.” While they are to “take into account the relevant provisions of this Convention” when they interpret and apply other treaties to which they are parties or when entering into other international obligations, the convention specifies that “[n]othing in this Convention shall be interpreted as modifying rights and obligations of the Parties under any other treaties to which they are parties.” The episode nonetheless offered one of the clearer examples of how problems of coherence could potentially lead to outright conflicts of laws.

World Health Organization

The relationship between the WTO and the WHO is especially complex, given the range of issues in which their jurisdictions overlap. These include trade in medical goods and services, as well as trade in goods that are deemed harmful to human health. In each case, the discussions taking place in the WTO are more likely to focus on the economic than on the public health aspects of the issue, while those in the WHO will place those priorities in the other order.

One way that international organizations can work to avoid problems in coherence is to have their secretariats communicate with one another during the drafting process for new agreements. It was in that spirit that WTO Deputy Director-General Alejandro Jara (see Biographical Appendix, p. 581) held a meeting in October 2009 with WHO officials at a time when their institution was working on recommendations related to noncommunicable diseases. “I come in peace,” Mr Jara told them, and explained that he was there precisely in order to help them avoid challenges²⁵. Having reviewed a draft text that they were then developing, he explained that if they couched their initiatives in “trade language” that would spare them possible trouble in the future regarding coherence and legal challenges in the Dispute Settlement Body. Employing terms related to the GATT general exceptions, for example, could help provide “safe harbour” for the terms of their agreements. That would mean incorporating terms similar to those in the chapeau GATT Article XX, which specifies that the exceptions provided for measures relating to human health and safety (among other matters) are “[s]ubject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade.” Framing the language of an agreement in these terms, Mr Jara explained, would signal to the trade officials in national governments and in international organizations that the agreement was designed to coexist with the relevant trade rules. This advice helped to shape the terms of drafts that the WHO Secretariat prepared for agreements in trade-related areas.

These inter-secretariat consultations came at a time when the WHO was either developing or implementing several instruments that might have implications for trade. These included the Global Strategy on Diet, Physical Activity and Health (2004), the Framework Convention for Tobacco Control (2005), the 2008-2013 Action Plan for the Global Strategy for the Prevention and Control of Noncommunicable Diseases (2008), and the Global Strategy to

Settlement Body of the WTO, and hence is in no position to enforce any agreements that its members might reach in the same way that the WTO routinely does.

The Tokyo Round's Government Procurement Agreement (GPA) offers an example of a fruitful collaboration between GATT and the OECD. The OECD was not the forum in which the GPA was negotiated, but it did play an important role in exploring the issue and the options before the negotiations began in earnest. There is no doubt that the negotiations

Representation and relations with other stakeholders

Although the WTO is formally an intergovernmental organization, and one in which some members insist that only governments should have any role in deliberations and decision-making, it has reached out more to non-state actors than did its GATT predecessor. This is partly a matter of combating the negative public image from which the WTO suffered at the turn of the century, especially after the 1999 Seattle Ministerial Conference, but remains a point of contention between developed and developing countries.

Transparency

Box 5.2. Rules for the derestriction of WTO documents

Text taken from Procedures for the circulation and derestriction of WTO documents, WTO document WT/L/452, 16 May 200.

preparation of notes for the members on this topic and the identification of suitable candidates (e.g. the International Chamber of Commerce, the International Association for the Protection of Industrial Property, the World Federation of Trade Unions, among others)³⁷ All of this came to naught when the ITO collapsed. With no corresponding provisions in GATT 1947, apart from a weak link between its dispute settlement provisions and the UN Economic and Social Council,³⁸ GATT never established formal ties to any NGOs. It nonetheless came to engage in an informal and ad hoc fashion with some of them, especially in the final years of the institution. NGOs were never given direct access to meetings.

WTO members revisited the issue during the transition from GATT and in the early years of the new institution. The WTO Agreement deals much more explicitly with NGOs than did GATT 1947, but those provisions still left considerable room for manoeuvre and interpretation.

consultation by interested delegations and the continuation of past practice of responding to requests for general information and briefings about the WTO.

The guidelines acknowledged the “broadly held view” among the members “that it would not be possible for NGOs to be directly involved in the work of the WTO or its meetings.” It nonetheless suggested that closer consultation and cooperation could be achieved “through appropriate processes at the national level where lies primary responsibility for taking into account the different elements of public interest which are brought to bear on trade policy-making” (ibid.).

The guidelines did not go as far towards the involvement of NGOs as might be authorized under the legal instruments of the organization. “While the legal basis in the WTO Agreement is broad enough to allow for” the direct participation of NGOs in the activities of WTO bodies, according to Van den Bossche (2009: 314), “NGOs do not have consultative status in any WTO bodies.” NGOs nonetheless have many other options for interacting with WTO members and the Secretariat, including public symposia and forums on WTO-related issues, informal briefings, opportunities for information exchange, the Informal NGO Advisory Body and participation in dispute settlement cases as experts and friends of the court. Starting in May 2008, the Secretariat granted access to the WTO building for NGO representatives from Geneva and its wider region, with a view towards improving transparency and promoting closer working relations with the local NGO community. Through early 2013, the Secretariat had issued 59 badges granting access to individuals from 23 organizations. The badges are valid for one year, allowing the bearer to enter the Centre William Rappard without having to register or having a specific appointment.

Some proposals would expand the role of NGOs in the WTO. Lacarte (2005: 449) and others advocated the establishment of an Advisory Economic and Social Committee to the WTO that “would allow civil society to contribute to the furtherance of world trade and to its links with other areas of endeavor.” The function of such a group would be limited, and “[w]hatever proposals came out of any new NGO advisory body would certainly have to be just that: proposals that Members would take up if and when they saw fit (ibid.).

The perennial disputes over the role of NGOs in the deliberations of the WTO are partly a manifestation of the split between developing and developed countries. While developed countries often urge that the institution be made more open to NGOs, developing countries generally oppose these proposals. “This deep resistance to proposals aimed at making the institution more responsive and responsible to the world community,” according to McGrew (1999: 200), “is not primarily the product of an anti-democratic impulse.” He instead attributes it to “reasonable fear that a WTO which is more open to the influence of private interests and NGOs will become even more Western dominated,” and that a “‘democratic’ WTO could thereby legislate the global application of Western standards, whether in the environmental or social domain, which would erode the competitive advantages of developing economies.”

spectrum of activities range from seminars in adjoining conference rooms to protests in nearby streets. It has been the practice at all WTO ministerial conferences to allow NGOs to

reject amicus curiae briefs. In this case, the United States had attached to its submission briefs from the Earth Island Institute, the Center for International Environmental Law and the Philippine Ecological Network, among other NGOs. Other parties to the case objected, but the Appellate Body ruled that “the attaching of a brief or other material to the submission of either appellant or appellee, no matter how or where such material may have originated, renders that material at least prima facie an integral part of that participant’s submission.” The Appellate Body went further still, ruling not only that a panel may consider amicus material that makes its way into a case by way of a party’s submission, but also that unsolicited briefs may be accepted:

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called for the Secretariat to “play a more active role in its direct contacts with NGOs” which “should be developed through various means” including “informal arrangements to receive the information NGOs may wish to make available for consultation by interested delegations.” Among the steps that the Secretariat undertook in pursuit of this mandate was creation of a

Parliamentarians

Starting with Seattle in 1999, parliamentarians have held formal meetings in conjunction with the WTO ministerial conferences. Meeting in 2001 in Geneva, where one conveniently finds the headquarters of both the Inter-Parliamentary Union (IPU) and the WTO, the first global parliamentary meeting on international trade produced the Final Declaration that called for “a parliamentary dimension to international trade negotiations and arrangements.” Formal organization among parliamentarians advanced further at the Doha Ministerial Conference later that year, where the IPU and the European Parliament jointly sponsored a meeting. The

a “Consultative Parliamentary Assembly of the WTO would be an adequate instrument to channel the interests and aspirations of individuals into the decision-making process of the WTO” (bid: 420).

The press

While not a stakeholder

during the selection of the new director-general in 1999, when Mr Rockwell was ordered not to provide real-time information to journalists on the conduct of this process. The fiasco in Seattle decisively brought home to many delegations the importance of enhancing the institution's outreach to media and civil society.

The higher political profile of the WTO ensured that the older GATT practices were dead. Attention was especially intense in the most active period of the Doha Round, when the ranks of journalists in attendance .9(Cg-2.3(i)-0.98n)-1.68istenials irsend cfeik in 1ougy ihe sine tatennnb

This is not to say that even the most traditional area of trade policy-making is easy. Preparing for and conducting tariff negotiations requires not only access to the raw numbers – bound tariffs, applied tariffs and data on imports and exports – but also the capacity to “crunch the numbers” and relate actual or potential proposals to the effects that they may have on one’s individual industries and the economy as a whole. That can be hard enough to do in a static approach that identifies individual tariff lines that might be affected, much less in a dynamic model that forecasts how those changes might affect actual levels of production, trade, employment, consumer welfare and government revenue. Developed countries that have sophisticated research facilities at their disposal, whether in government agencies or in their academic/think tank communities, can routinely conduct both types of analysis. At the other extreme, the issue is moot for the least-developed countries (LDCs) that are generally exempt from making new commitments. The rest of the developing countries can be divided between the “haves” whose research capacities sometimes rival the developed countries and the analytical “have-nots”. This is one respect in which the use of formulas as an instrument of market access negotiations can add to the complexity of the task. The transition from linear to non-linear formulas (see Chapter 9) might be compared to moving from slide rules to spreadsheets, but that is an advance only if everyone owns a computer and is proficient in its use.

The analytical problems associated with the traditional issues of trade in goods may nevertheless be deemed simple when compared to the more complex issues that the system began to take on in the Uruguay Round. Trade in services is far more analytically complex than trade in goods, encompassing not just border measures but the whole array of laws and other instruments by which countries regulate and promote such diverse activities as law, medicine, accounting, tourism and education. When one adds to that such topics as intellectual property rights and investment, not to mention the subjects that can be tied to trade through dispute settlement or proposed new negotiations (e.g. environmental issues and competition policy), it is evident that not even a modern Renaissance person can master all of the topics that might arise in Geneva.

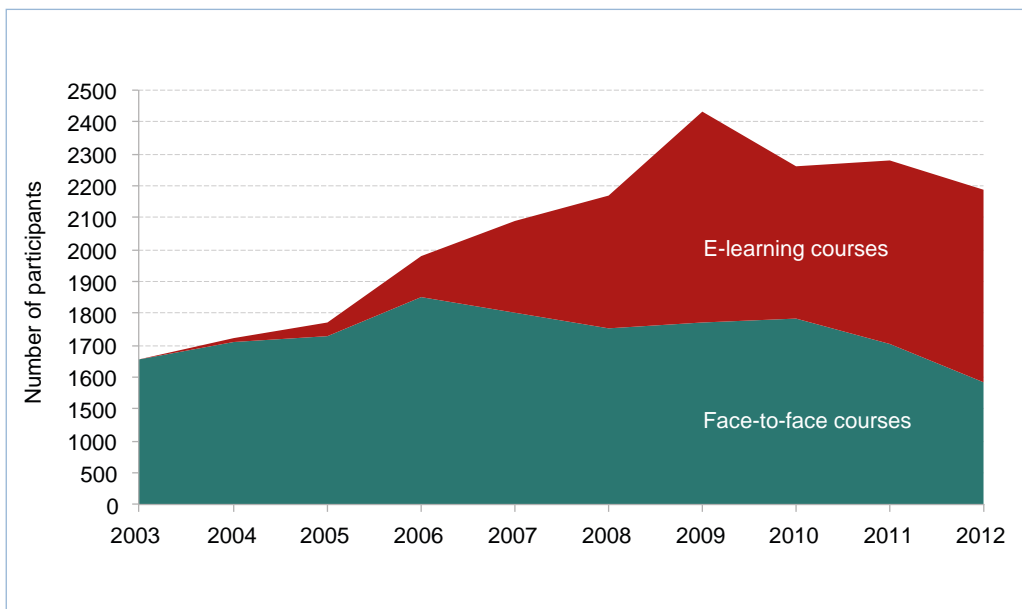
The most direct way for the WTO Secretariat to assist countries with these analytical problems is to provide the services to them. Any WTO member can request assistance from the Secretariat in determining how a given proposal might affect its tariffs and those of its trading partners, for example, and that aid can be indispensable in getting past the immediate problem. It also exemplifies the cliché about how giving a man a fish will feed him for a day but teaching him to fish will feed him for life. The capacity-building services that the WTO Secretariat provides, both on traditional matters such as market access negotiations and on the more complex subject matter that distinguish the WTO from its GATT predecessor, are even more useful in helping members to cope with the ever-growing demands for facts and analysis.

Trade policy-making requires not only that the trade ministries be ready to handle a wide range of issues but that they coordinate with all of the other governmental bodies whose “turf” is at issue. Capacity-building therefore requires more than the training of trade ministry officials.

about making people in a trade ministry understand what a specific multilateral agreement entails than about helping the ministry to bring together all the other agencies which one way or the other have something to do that will have an impact in trade policy. The need to bring in an array of different ministries is matched by the need to call upon the expertise of an equally wide range of international organizations. One task of the WTO Secretariat is to promote capacity in the members, both by providing assistance itself and by coordinating activities with other organizations. The Enhanced Integrated Framework (EIF) that the WTO coordinates is a partnership with the IMF, the ITC, UNCTAD, the UNDP and the World Bank Group.

The main purpose of the Secretariat's trade capacity-building programmes is to provide direct support to the beneficiaries, enhancing their human and institutional capacities to confront the challenges of trade policy-making. Training is delivered in a variety of ways and in different sites, including courses in Geneva, in the members, and increasingly through Internet-based e-learning⁵² Figure 5.2 illustrates how this electronic pedagogy began in 2004 and rapidly came to be the leading form of training. The e-learning programme is based on the concept of progressive learning, and allows participants to move from basic to more advanced topics. Another way that the WTO takes advantage of information technology as a tool of training and technical support is through the funding of reference centres that provide a dedicated, physical location where any relevant information on the WTO can be accessed via the WTO Internet site, on CD-ROMs, in print and in electronic format. There were reference centres in 86 countries as of 2011, including 35 LDCs and 14 members that did not have permanent missions in Geneva.

Figure 5.2. WTO technical assistance for government officials, 2003-2012



Source: WTO Institute for Technical Cooperation and Training.

Notes: Data for 2012 are preliminary and incomplete.

The WTO also sponsors internship programmes that promote a learning-by-doing approach, especially for entry-level personnel from developing countries. These include the Missions Intern Programme (MIP) and the Netherlands Training Programme (NTP), each of which supports several individuals while assigning them to specific divisions in the WTO. Interns are given a stipend that is not much less than what a junior officer is paid, as well as health insurance. From 2005 to 2011, the MIP hosted interns from 38 developing countries (21 of which were LDCs), and the NTP hosted interns from 55 developing countries (35 of which were LDCs).⁵⁵ The internship programmes can contribute to more than just the improvement of specific persons' knowledge and skills, as they can also help to catalyse countries' decisions to move from non-resident to resident status. They have led some countries to follow up by establishing a mission and, in some cases, sending that former intern back as a delegate (in some cases as ambassador). One example is Benin, which helped to form the Cotton-Four coalition. Niger and Togo are other examples of the same phenomenon.

This is not the only issue in residency, as many countries find it difficult to support a full-time mission in one of the most expensive cities in the world to work and live. Non-residency has nevertheless declined since the start of the WTO period, roughly halving from 1997 to 2012. That may be attributed in part to the assistance that the Swiss government provides to LDCs, as well as to aid that the British Commonwealth and other organizations offer to these and other developing countries. Non-residency thus tends to be more of a problem for the countries that are slightly richer than an LDC than it is for the LDCs themselves, and especially those that have small populations and thus very limited tax bases. LDCs are eligible for Swiss support that amounts to some Sfr 3,000 per month, which is about what is needed to pay the rent on office space in Geneva. Assistance from other sources can offset some of the other costs associated with operating a mission in Geneva.

Funding has generally not been a problem in the WTO trade-related technical assistance programmes, with Director-General Pascal Lamy having secured commitments to the Aid for Trade initiative at the Hong Kong Ministerial Conference in 2005. This could, however, become a problem area as a consequence of the financial crisis and tighter budgets. In 2011, for example, the incoming funds did not cover all of the expenses of the WTO technical assistance plan, requiring the cancellation or postponement of several projects.⁵⁶ This may be attributed in part to a decline in the contributions and pledges that members make to the Doha Development Agenda Global Trust Fund (DDAGTF), as shown in Table 5.5. The contributions and pledges to this trust fund totaled Sfr 19.7 million in 2009, but by 2011 these had declined to Sfr 15.1 million – a fall of 23.6 per cent. These reductions can sometimes be attributed to changes in the value of the Swiss franc; as is explained in Chapter 14, the general WTO budget is denominated in francs but contributions to the DDAGTF can be in any currency. The European Union and its member states provide about two thirds of the funding for the DDAGTF, but pledges and contributions declined from 2009 to 2011 for ten member states and from the European Union itself. The same may be said for the pledges and contributions of China, Japan, the Republic of Korea and the United States. The decline in the trust fund led to a similar reduction in technical assistance activities, as can be seen for example in the lower number of attendees in face-to-face courses (see Figure 5.2).

Endnotes

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- 53 Courses are limited to verified government officials who have been approved by their ministries. They are accessed via user identification and password that are obtained when a user registers online and sends a note signed and stamped by the supervisor. Participants should generally be allowed to devote five to six hours a week to follow the course during normal working hours, and have up to three months to complete a course (after which the password expires). Each course is divided in a certain number of modules for which there is an end-of-module multiple choice questionnaire, followed by a final examination. Participants who correctly answer the required number of questions will receive a certificate and move

