

(82)

**Comments on Preparations for the Fourth Ministerial Conference
of the World Trade Organization, November 9-13, 2001, in Doha, Qatar
from Public Citizen and Friends of the Earth
May 22, 2001**

These comments are submitted by Public Citizen and Friends of the Earth in response to the Office of the United States Trade Representative's (USTR) request for comments concerning the U.S. objectives and preparations for the upcoming meeting of the World Trade Organization (WTO) Ministerial Conference in Doha, Qatar on November 9-13, 2001.

Assessment of WTO Impacts Instead of New Round

In November 1999, the proposal to expand World Trade Organization (WTO) rules through a "Millennium Round" to be launched at the WTO's Third Ministerial Meeting in Seattle collapsed in the face of unprecedented protest from governments and people around the world. Many developing country government and non-governmental organizations worldwide were critical of the WTO's record during its first five years of operation. Despite growing concern, however, the WTO and many of its developed country members failed to reassess the impacts of the WTO and global trade on developing economies, the environment, consumer and health safeguards, economic livelihoods, and labor and human rights. In addition, criticisms of the WTO's lack of transparency and democratic accountability went almost entirely unheeded. Unfortunately, the central criticisms of the WTO have not been addressed since the conclusion of the Seattle ministerial.

The on-going negotiations concerning the WTO Agreements on Agriculture, Services and Trade-Related Intellectual Property Rights have steered away from reviewing and repairing the problems that have already been caused or exacerbated by the WTO. Meanwhile, governments are under enormous pressure to accept a new round of WTO-expanding negotiations at upcoming ministerial. However, the agenda for the expansive new round is mostly the same as that proposed in Seattle: to expand the scope of the WTO regime in a number of arenas, including investment, government procurement, and competition policy.

Given the continuing concerns about the impact of the WTO, we oppose the continuation of "built-in" negotiations in agriculture and services and the launching of a new round of negotiations at the Fourth Ministerial Meeting in Doha, Qatar. Instead, these negotiations should be replaced by an objective and thorough review of the state of the world trading system and the WTO's impacts thus far, including an identification of remedies in the areas in which the WTO has had negative impacts. Indeed, we believe that the past six years have demonstrated that the concerns of consumer, environmental and labor groups expressed prior to approval of the Uruguay Round in the early 1990s were frequently justified.

Such an assessment must be conducted with the participation of UN agencies, parliamentarians from WTO member countries, academics, and civil society groups from around the world. A review is necessary to identify flaws and gaps in the existing trading system, to address the perceived lack of political legitimacy of the institution, to educate politicians and the public about the real impact of trade rules, and to guide negotiators in any future work. The U.S. government should insist that this assessment be completed before any new WTO negotiations begin and before "built-in" negotiations continue

Transparency and the Selection of Doha, Qatar

The decision to locate the next WTO Ministerial in Doha, Qatar sends a clear message to people, non-governmental organizations and the media that transparency of WTO Ministerials, negotiations, decisions, or operations is neither desirable nor acceptable. Raising the level of openness and transparency in the WTO has been one issue on which WTO critics and WTO supporters in government have been increasingly in accord. The selection of Doha, with its highly restrictive limitations on assembly and association makes it more likely that trade negotiators will act without democratic accountability, public scrutiny or media attention. This is a sudden, significant and unwelcome departure from the slow progress the WTO and its promoters have made over the past several years to at least recognize the total absence of transparency at the WTO as one of its most obvious shortcomings.

As early as the 1998 Geneva WTO Ministerial, President Clinton delivered a speech in which he acknowledged the concerns harbored by environmentalists and other public interest groups towards both the closed nature of WTO proceedings of the GATT/WTO agreements and dispute panels. In response, the President suggested the establishment of new fora for business, and labor, and environmental, and consumer groups to provide regular and continuous input to help guide further evolution of the WTO. The President's speech also laid out additional procedural changes for the WTO, such as opening dispute panels to public view and addressing labor and environmental concerns.

The choice of Qatar for the next ministerial will have a chilling effect on any further transparency that might develop at the WTO. While sympathetic to the difficulty the WTO must face in finding a willing host-city, the choice of a nation with such strict prohibitions on public assembly and limited capabilities for hosting NGOs and other citizens suggests the WTO is more interested in concealing its activities than finding an appropriate venue. Qatar will provide a total of only 4,400 travel visas for accredited WTO attendees, continuing Qatar's policy of not issuing tourist visas for the month preceding conferences.¹ The 4,400 slots the WTO and Qatar now have total discretion to distribute without any oversight,

¹ See WTO to Decide Who Enters Qatar for Fall Meeting, *Associated Press*, Apr. 30, 2001.

transparency or accountability corresponds exactly to the total number of hotel beds available in Doha.²

We are concerned that the WTO and Qatar will use the scarcity of entrance visa and hotel accommodations to unfairly limit the number of civil society NGOs that attend. Without even considering WTO staff, the 140 WTO member country delegations, the 39 delegations from countries with WTO observer status, and the 62 intergovernmental bodies participating in Doha³ would alone consume more than 3,800 of the proposed slots, even conservatively estimating that each member nation brought on average a delegation of 20 and observers and intergovernmental groups brought delegations of 10.

The WTO and Qatar must make every effort and assurance that all NGOs will be considered on an equal footing and that accreditation will be provided in a balanced manner. Accredited NGOs must not be unduly focused or weighted towards business trade associations or industry groups.

The accredited NGOs that participated officially at the Seattle WTO Ministerial would consume a considerable portion of the available visas and hotel beds in Doha. In Seattle, 728 NGOs were present, half of which (361 or 49.6%) were from neither the U.S. nor Canada.⁴ Thus, if each accredited NGO that attended Seattle sent merely one representative to the Doha Ministerial, the 728 NGO representatives, when added to the approximately 3,800 member government, observer government and intergovernmental groups, would exceed the visa limitation by more than 100 (without a single WTO staff member included). In Seattle, accredited NGOs were permitted four attendees. If all of the same NGOs attended the Fourth Ministerial in Qatar and each were permitted the same number of accredited spots as in Seattle, the NGOs would utilize two-thirds of the hotel bed space.

Conclusion

We urge the U.S. government to play a leading role in addressing the WTO's impact on developing economies, the environment, consumer and health safeguards, economic livelihoods, and labor and human rights. Unless these issues are addressed, and unless WTO institutions and negotiations are made transparent and open to citizen participation, public support and acceptance for the WTO will not be achieved. A thorough and meaningful assessment of the WTO's impact, undertaken in a fully transparent manner with full citizen participation, is critical to addressing these concerns.

² See Paul Blustein, A Quiet Round in Qatar, *Washington Post*, Jan. 30, 2001.

³ See "NGOs Wishing to Attend WTO Qatar Ministerial Must Apply by July 2," *Bureau of National Affairs*, May 10, 2001.

⁴ Calculation from WTO list titled NGOs Attending the Third WTO Ministerial Conference, Seattle, 30 Nov. - 3 Dec., 1999, available at WTO website, www.wto.org/english/forums_e/ngo_e/ngoinseattle_e.htm.