

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

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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

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.

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 the UN Conference on Trade and Development, (UNCTAD), 2019.

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 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

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.

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 disproportionately. 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 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.

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.

- 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 and contact OWINFS at djames@cepr.net.

Endorsers as of September 27 include:

International and Regional Organizations and Networks

1	African Women's Development and Communication Network (FEMNET)	The African Women's Development and Communications Network is a Pan-African Feminist and membership-based network. FEMNET ensures that the voices of African women are amplified, and that their needs and aspirations are prioritized in key policy dialogues and outcomes.
2	ACP Civil Society Forum	ACP Civil Society Forum is the platform for ACP Civil Society Organizations in Africa, Caribbean, and Pacific for involvement in ACP EU WTO and all international trade and development cooperation.

3	African Centre for Trade, Integration and Development (CACID)	CACID is a reference resource and expertise center specializing in research, training and capacity building of stakeholders, advocacy and facilitation of multi-stakeholder dialogue on trade and regional integration. CACID works on WTO agreements, Economic Partnership Agreements, the African Continental Free Trade Area (AfCFTA), and other issues.
4	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.
5	Asia Pacific Forum on Women, Law and Development (APWLD)	APWLD is the leading network of feminist organizations and individual activists in Asia Pacific. APWLD's 252 members represent groups of diverse women from 27 countries in Asia Pacific. Over the past 34 years, APWLD has actively worked towards advancing women's human rights and Development Justice.
6	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	DAWN (Development Alternatives with Women for a New Era)	DAWN is a network of feminist scholars, researchers, and activists from the South working for gender, economic and ecological justice, and sustainable and democratic development.
8	East African Trade Union Confederation (EATUC)	EATUC is instrumental in ensuring that the East African Community involves workers in all issues concerning regional integration, establish tripartism as an important mechanism of consultation and dialogue, promote the ratification of international labour standards by the partner states, promote the integration of youth and women in all spheres of socio-economic development, promote the decent work agenda, harmonization of labour laws and policies in East Africa and promote the concept of free movement of factors of production in the region.
9	Eco-Accord	Eco-Accord works on environmental issues and sustainable development, including trade issues, in Eastern Europe, Caucasus and Central Asia.
10	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.
11	Enda Third World	Enda Tiers Monde is an international non-governmental organisation (INGO) created in 1972 in Dakar, Senegal, with the mission to carry out prospective reflection and actions in the field of the environment and sustainable development. It works on issues such as the environment, climate change, energy, health, trade, trade, international cooperation, organic farming, etc. It is active in Africa, Latin America, Asia and the Pacific.
12	Friends of the Earth International (FOEI)	FOEI is the world's largest grassroots environmental network, uniting 73 national member groups and some 5,000 local activist groups on every continent. With over 2 million members and supporters around the world, they campaign on today's most urgent environmental and social issues and challenge the current model of economic and corporate globalization.

13	Friends of the Earth Latin America and the Caribbean (ATALC)	ATALC works to combat the current model of economic and corporate globalization and promotes solutions that will help create societies based on environment sustainability and social justice.
14	Greenpeace	Greenpeace is an independent campaigning organization, which uses peaceful, creative confrontation to expose global environmental problems, and develop solutions for a green and peaceful future. Their goal is to ensure the ability of the earth to nurture life in all its diversity.
15	IndustriALL Global Union	IndustriALL Global Union is a global union federation, representing more than 50 million working people in more than 140 countries, working across the supply chains in mining, energy and manufacturing sectors at the global level.
16	Instituto del Tercer Mundo (ITEM) / Social Watch	ITEM / Social Watch is a network of civil society organizations holding their governments accountable for their commitments to end poverty and achieve gender and climate justice.
17	International Trade Union Confederation (ITUC)	The ITUC's primary mission is the promotion and defense of workers' rights and interests, through international cooperation between trade unions, global campaigning, and advocacy within the major global institutions. The ITUC represents 200 million workers in 163 countries and territories and has 332 national affiliates
18	International Transport Workers' Federation (ITF)	Global Union Federation fighting passionately to improve working lives, connecting nearly 700 affiliated trade unions from 150 countries that may otherwise be isolated and helping their members to secure rights, equality and justice.
19	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)	The IUF is an international federation of trade unions composed of 421 affiliated trade unions in 128 countries representing over 10 million workers.
20	IT for Change	IT for Change aims for a society in which digital technologies contribute to human rights, social justice, and equity.
21	Jubilee Caribbean	Jubilee Caribbean is a nonprofit organization, which seeks to effectuate changes leading to enhanced fiscal policies and smarter efforts to counter the effects of climate change on Small Island Developing States (SIDS).
22	Latin American Confederation of Cooperatives and Mutual Workers (COLACOT)	COLACOT is an integrating entity of the multiple social solidarity organizations of production and services in Latin America and the Caribbean.
23	Latin American Network of Women Transforming the Economy (REMTE)	REMTE is a feminist network that generates political thought and action to resist neoliberalism and the patriarchal capitalist order, recovering the economic role of women as the key to a radical transformation towards the sustainability of life.

24	Latin American Network on Gender and Trade	Network of organizations in South America advocating for feminist policies on trade and related issues.
25	Ongd AFRICANDO	It is an NGO of international cooperation with Africa in which they help especially in the field of health and education.
26	Pacific Network on Globalisation (PANG)	PANG is a regional watchdog promoting Pacific peoples' right to be self-determining.
27	Peasant Action Movement (MAP)	The MAP (Mouvement d'Action Paysanne) is an association of citizens who have created an "Independent Farmer School" (ASBL EPI) to transmit peasant knowledge and know-how. On a daily basis, they defend the rights of peasants and the principles of food sovereignty of peoples through the practice of the principles of agroecology and work to unite peasants and producers.
28	Peoples Health Movement	PHM Europe is the regional branch of Peoples Health Movement, a global network bringing together grassroots health activists, civil society organizations and academic institutions from around the world, particularly from low- and middle-income countries (L&MIC). They currently have a presence in around 70 countries. Guided by the People's Charter for Health (PCH), PHM works on various programmes and activities and is committed to Comprehensive Primary Health Care and addressing the Social, Environmental and Economic Determinants of Health.
29	Public Services International (PSI)	PSI represents 30 million workers in 170 countries to promote quality public services in every part of the world.
30	Quinoa	Quinoa's general objective is to support citizens, young people, towards a better understanding of the political, social, economic, cultural, and environmental issues of the contemporary world to strengthen their capacities for lasting commitment, individually and collectively in alternatives conducive to social change.
31	Repongac: Network of National Central African NGO Platforms	Repongac is a framework for exchange and advocacy of NGOs from Central African Countries. They work on issues of civic space, conflict, and on issues of internal governance of CSOs, particularly regarding legitimacy, transparency, and accountability.
32	Seattle to Brussels Network (S2B)	S2B is a network of development, environment, human rights, women's and farmers' organisations, trade unions and social movements, as well as research institutes, challenging the corporate-driven trade agenda of the European Union and European governments and contributing to a new, democratically accountable trading system that advances economic justice, social wellbeing, gender equity and ecological sustainability, and that provides decent jobs and necessary goods and services for all people.
33	Society for International Development (SID)	The Society for International Development (SID) is an international network of individuals and organizations founded in 1957 to promote socio-economic justice and foster democratic participation in the development process.
34	Southern African Development Council of Non-Governmental	The SADC-CNGO is a regional umbrella body of NGOs operating in all SADC countries with the aim of facilitating effective and meaningful engagement between civil society and SADC institutions at both national and regional levels.

	Organisations (SADC-CONGO)	
35	The Latin American Network for Economic and Social Justice (LATINDADD)	The Latin American Network for Economic and Social Justice (LATINDADD) is made up of institutions and social organizations from Latin American countries that work to solve the problems derived from the systemic crisis and to create conditions that allow the establishment of an economy at the service of the people. , in which economic, social and cultural rights are enforced.
36	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.
37	Third World Network-Africa (TWN-Africa)	TWN-Africa is a Pan-African research and advocacy organization which works for economic and social equity within Africa and for an equitable place for Africa in the global order.
38	WIDE+ gender and trade WG (Women In Development Europe+)	WIDE+ is a European network of associations and activists that fights for women's rights, as part of a larger struggle for social justice, sustainable livelihoods and human rights. WIDE+ promotes inclusive and intersectional feminist movement building in Europe, in solidarity with feminists in the global South.
39	World Forum of Fisher Peoples (WFFP)	The WFFP is a mass-based social movement of small-scale fisher people from across the world established in response to the increasing pressure being placed on small-scale fisheries, including habitat destruction, anthropogenic pollution, encroachment on small-scale fishing territories by large scale fishing fleets, illegal fishing, and overfishing.
40	Yolse, Public Health and Innovation	Yolse aims to promote a holistic approach to access to innovation and medical technologies in the countries of French-speaking sub-Saharan Africa.

National Organizations

41	The Citizen's Forum for Participation for Justice and Human Rights (FOCO)	Argentina
42	Argentine Federation of Trade and Services Employees (FAECYS)	Argentina
43	Friends of the Earth Argentina	Argentina
44	World of Work Institute (IMT)	Argentina
45	ActionAid Australia	Australia
46	Australian Fair Trade and Investment Network	Australia
47	New South Wales Nurses and Midwives' Association	Australia
48	Sutherland Shire Environment Centre Inc.	Australia
49	Attac Austria	Austria
50	Information Group Latin America (IGLS)	Austria
51	Bangladesh Krishok Federation	Bangladesh
52	Bangladesh NGO Network for Radio and Communication (BBNRC)	Bangladesh
53	Center for Participatory Research and Development (CPRD)	Bangladesh

54	COAST	Bangladesh
55	Integrated Social Development Effort (ISDE)	Bangladesh
56	Public Health Center	Bangladesh
57	SETU	Bangladesh
58	UBINIG	Bangladesh
59	Voices for Interactive Choice and Empowerment (VOICE)	Bangladesh
60	11.11.11	Belgium
61	Cense équi'voc ASBL	Belgium
62	Centre tricontinental (CETRI)	Belgium
63	Confederation of Christian Trade Unions (ACV-CSC)	Belgium
64	Mutual Aid and Fraternity	Belgium
65	Namur Food Belt	Belgium
66	National Central Employees (CNE)	Belgium
67	Responsible Consumer Network (RCR)	Belgium
68	REJEB	Benin
69	Internet Bolivia	Bolivia
70	Brazilian Network for People's Integration (REBRIP)	Brazil
71	Gestures - Seropositivity, Communication and Gender	Brazil
72	Institute of Socioeconomic Studies (INESC)	Brazil
73	Network for Social Justice and Human Rights	Brazil
74	Tax Justice Institute	Brazil
75	Relief Sans Frontier Foundation	Cambodia
76	Canadian Centre for Policy Alternatives (CCPA)	Canada
77	Canadian Fair-Trade Network (CFTN)	Canada
78	Mining Watch	Canada
79	National Farmers Union	Canada
80	National Union of Public and General Employees	Canada
81	Physicians for a Smoke-Free Canada	Canada
82	Quebec Network on Continental Integration (RQIC)	Canada
83	The Association for the Taxation of Financial Transactions for Citizen Aid (ATTAC)	Canada
84	The Council of Canadians	Canada
85	National Association of Nursing Professionals (ANPE)	Costa Rica
86	Network in Defense of Humanity (REDH)	Cuba
87	Citizen Action for the Integral Development of Congo (DRC)	Democratic Republic of Congo
88	Ecuadorian Foundation for Action and Education for Health Promotion (FEDAEPS)	Ecuador
89	Human Rights Documentation Center Segundo Montes Mozo S.J. (CSMM)	Ecuador
90	National Front for the Health of the Peoples of Ecuador	Ecuador
91	Egyptian Initiative for Personal Rights (EIPR)	Egypt

92	Salvadoran Center for Appropriate Technology (CESTA)	El Salvador
93	Pro Ethical Trade Finland	Finland
94	Attac France	France
95	Sherpa	France
96	SOL (Agroecological and Solidarity Alternatives)	France
97	Attac Germany	Germany
98	Bread for the World	Germany
99	Trade expert working group German Forum on Environment and Development	Germany
100	Consumers' Association the Quality of Life (EKPIZO)	Greece
101	Nature Friends	Greece
102	Association for Women and Development Actions	Guinea
103	Andhra Pradesh Agricultural Professionals Union (APVVU)	India
104	Forum for Trade Justice	India
105	GenDev Centre for Research and Innovation	India
106	Green Foundation	India
107	National Campaign Committee for Rural Workers	India
108	New Trade Union Initiative (NTUI)	India
109	Peoples Health Assembly India	India
110	SAKAR	India
111	Socialist Party	India
112	Sunray Harvesters	India
113	Tamilnadu Organic Farmers Federation	India
114	Indonesia for Global Justice (IGJ)	Indonesia
115	Trócaire	Ireland
116	Fairwatch	Italy
117	Pacific Asia Resource Center (PARC)	Japan
118	Action Green for Trade & Sustainable Development	Kenya
119	Daughters of Mumbi Global Resource Center	Kenya
120	Kamukunji Paralegal Trust (KAPLET)	Kenya
121	Kenya Smallholder Farmers Forum	Kenya
122	Mazingira Istitute	Kenya
123	Policy Analysis and Research Institute of Lesotho (PARIL)	Lesotho
124	Youth Network for MDG	Madagascar
125	Consumers Association of Penang	Malaysia
126	Positive Malaysian Treatment Access & Advocacy Group (MTAAG+)	Malaysia
127	Sahabat Alam Malaysia	Malaysia
128	Center for Alternative Research and Studies (CARES)	Mauritius
129	Federation of Democratic Labour Unions	Mauritius
130	Federation of Local Government and Other Labour Unions	Mauritius

131	Mauritanian Association for the Promotion of Human Rights (AMPDH)	Mauritius
132	Mauritius Consumers Association- ACIM	Mauritius
133	Mauritius Trade Union Congress	Mauritius
134	Migration and Sustainable Development Alliance	Mauritius
135	Resistance is an Alternative	Mauritius
136	State and Other Employees Federation (SOEF)	Mauritius
137	Center for Promotion and Professional Education "Vasco de Quiroga"	Mexico
138	Dinamismo Juvenil A.C.	Mexico
139	Other Worlds Chiapas- Friends of the Earth	Mexico
140	Tacuba Group	Mexico
141	All Nepal Peasants' Federation (ANPFA)	Nepal
142	GEFONT Nepal	Nepal
143	Campaign Against Foreign Control of Aotearoa (CAFCA)	New Zealand
144	Generation Zero	New Zealand
145	It's Our Future	New Zealand
146	New Zealand Alternative	New Zealand
147	New Zealand Council of Trade Unions	New Zealand
148	Unite Union	New Zealand
149	Uyghur Solidarity Aotearoa New Zealand	New Zealand
150	Nigerien Network of NGOs and Development Associations for the Defense of Human Rights and Democracy (RODADDHD)	Niger
151	Nigerian Women Agro Allied Farmers Association (NIWAAFA)	Nigeria
152	Noble Delta Women for Peace and Development International (NDWPD)	Nigeria
153	Attac Norway	Norway
154	Norwegian Trade Campaign	Norway
155	Noor Foundation	Pakistan
156	Roots for Equity	Pakistan
157	Ecological Voices Collective (COVEC)	Panama
158	National Federation of Public Servants (FENASEP)	Panama
159	FENTAP	Peru
160	Peruvian Association of Consumers and Users (ASPEC)	Peru
161	Peruvian Fair Trade and Ethical Consumption Network	Peru
162	United Central of Workers of Peru	Peru
163	IBON Foundation	Philippines
164	Initiatives for Dialogue and Empowerment through Alternative Legal Services (IDEALS)	Philippines
165	WomanHealth Phillippines	Philippines
166	Green Zone Foundation	Poland
167	African Research and Cooperation for Endogenous Development Support (ARCADE)	Senegal
168	Alternative Information & Development Centre	South Africa

169	Congress of South African Trade Unions (COSATU)	South Africa
170	Health Justice Initiative	South Africa
171	Institute for Economic Justice (IEJ)	South Africa
172	People's Health Movement South Africa	South Africa
173	Rural Health Advocacy Project	South Africa
174	Universal Union for Solidarity Development	Spain
175	National Fisheries Solidarity Organization (NAFSO)	Sri Lanka
176	Alliance Sud	Switzerland
177	Association for Proper Internet Governance (APIG)	Switzerland
178	International Trade Center for Development (CECIDE)	Switzerland
179	Public Eye	Switzerland
180	Switzerland-Guinea Solidarity	Switzerland
181	Governance Links	Tanzania
182	Mazingira Network (MANET)	Tanzania
183	Sustainable Holistic Development Foundation (SUHODE)	Tanzania
184	Tanzania Organisation for Agricultural Development (TOFAD)	Tanzania
185	Agriculture Coalition for Just Trade	The Netherlands
186	Both ENDS	The Netherlands
187	Platform Earth Farmer Consumer	The Netherlands
188	The Centre for Research on Multinational Corporations (SOMO)	The Netherlands
189	Trade Differently! Coalition	The Netherlands
190	La'o Hamutuk, Timor-Leste Institute for Development Monitoring and Analysis	Timor-Leste
191	Humanitaire Plus	Togo
192	HURIC- Uganda	Uganda
193	Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI)	Uganda
194	Global Justice Now	United Kingdom
195	Trades Union Congress (TUC)	United Kingdom
196	War on Want	United Kingdom
197	Food & Water Watch	United States
198	Global Exchange	United States
199	Milwaukee Fair Trade Coalition	United States
200	The Oakland Institute	United States
201	Social Ecology Network (REDES) - Friends of the Earth Uruguay	Uruguay
202	Classist Tendency Coalition (CTC-VZLA)	Venezuela
203	SCODE	Vietnam
204	Think Big Experts-Thicos	Zambia
205	Zambia Social Forum (ZAMSOF)	Zambia
206	National Association of Non-Governmental Organisations (NANGO)	Zimbabwe