

## **IDS Working Paper 225**

### **Mapping trade policy: understanding the challenges of civil society participation**

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## **Summary**

This paper examines the way that a range of development actors view and engage with the arena of trade policy, focusing in particular on the challenges encountered by civil society actors participating in that arena. The dynamics of civil society participation in the trade arena – what might be achieved, and how – are very different from those that shape civil society participation in processes labelled poverty reduction; this paper explores the differences. To achieve this, we provide an overview of the international trade policy landscape, and discuss factors that shape participation at the interfaces of trade and development policy processes. We go on to present the views and perspectives of two sets of civil society actors – UK-based international non-government organisations, and Ugandan and Kenyan civil society organisations – about their experiences and strategies of engagement and participation. Finally we reflect on some of the challenges of civil society participation in the trade arena: structural complexity and inequities, the exclusion of alternatives to trade liberalisation narratives, and the dynamics of representation.



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## Abbreviations

ACP	Africa, Caribbean and Pacific
AGOA	Africa Growth and Opportunity Act
ATPP	Africa Trade and Poverty Programme (DFID)
CA	Christian Aid
CAFOD	Catholic Agency for Overseas Development
CAFTA	Central America Free Trade Agreement
CIDSE	Co-opération Internationale pour le Développement et la Solidarité
CSO	Civil society organisation
DFID	Department for International Development (UK)
D'TI	Department of Trade and Industry (UK)
EAC	East African Community
EPA	Economic Partnership Agreement
EC	European Commission
EU	European Union
FRA	Food Rights Alliance (Uganda)
FTAA	Free Trade Area of the Americas
GATS	General Agreement on Trade in Services
GATT	General Agreement on Trade and Tariffs
IF	Integrated Framework
IFI	International financial institution
IITC	Inter-Institutional Trade Committee (Uganda)
IMF	International Monetary Fund
INGO	International non-governmental organisation
ITC	International Trade Centre
JITAP	Joint Integrated Technical Assistance Programme
LDC	Least developed country
MTTI	Ministry of Trade, Tourism and Industry (Uganda)
NAFTA	North America Free Trade Agreement
NCWTO	National Committee on the WTO (Kenya)
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
PRSP	Poverty Reduction Strategy Paper
RTA	Regional Trade Agreement
SAP	Structural Adjustment Programme
SDC	Swiss Agency for Development and Co-operation

SDT	Special and Differential Treatment
SEND	Social Enterprise Development Foundation of West Africa
Sida	Swedish International Development Co-operation Agency
TRCB	Trade-related Capacity Building
TRIPS	Trade-related Intellectual Property Rights
TRIMS	Trade-related Investment Measures
TJM	Trade Justice Movement
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNFF	Uganda National Farmers' Federation
USAID	United States Agency for International Development
WDM	World Development Movement
WTO	World Trade Organisation



## 1 Introduction

This paper examines the way that a range of development actors view and engage with the arena of trade policy, focusing in particular on the challenges encountered by civil society actors participating in that arena. It reports on an exploratory mapping exercise, carried out by researchers familiar with the policy processes of poverty reduction and participatory development, and less familiar with the policy processes of trade. In our earlier work on poverty reduction policy processes in Africa, we consistently found that economic policy decisions did not get made in those policy spaces carrying the labels of poverty reduction and multi-stakeholder participation (Brock, Gaventa and McGee, forthcoming). Trade in particular was seldom discussed in national poverty reduction policy documents, and trade policy spaces were located in a different domain from poverty reduction spaces, although linked by some actors that engage in both. Yet, despite this apparent separateness of policy processes, changes in trade policy clearly have an impact on poverty and development. At the most basic level, those that cannot access the benefits of the world trading system – whether at the level of countries, or individuals – are also those who experience the most difficulty moving out of poverty.

If, as is argued by advocates of participatory development, those affected by development policies have the right to a role in the processes which shape their lives and livelihoods, so those affected by trade policies should be accorded the same right. The practices and models of participatory approaches to development policy might reasonably be expected to be relevant to trade policy; those advocating the participation of marginalised groups in poverty reduction policy processes might also be expected to advocate their participation in trade policy. On the other hand, as more and more participation has been demanded and granted in poverty reduction policy, questions have arisen as to what has been achieved by this. These tentative expectations led us to define a brief, exploratory study,<sup>1</sup> aiming:

- To map, in broad brush-strokes the international landscape of trade policy, identifying key landmarks, trends and debates relevant to the theme of participation.
- To explore the role of some of the actors who work at the interface of trade and development, particularly in terms of their understandings of the relationship between participation, poverty reduction and trade, and their strategies of engagement in trade policy.
- To capture the perceptions of two selected groups of civil society actors – UK-based international Non-governmental organisations (NGOs) and Civil society organisations (CSOs) in Uganda and Kenya – on their own experiences of participation in trade policy processes as self-identified pro-poor advocates.

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<sup>1</sup> Commissioned by the Participation Group at IDS, whose programme ‘Participation, Power and Change’ is supported by Department for International Development (DFID), Swiss Agency for Development and Cooperation (SDC) and Swedish International Development Cooperation Agency (Sida).

To explore these issues, we reviewed a range of literature, and carried out 25 in-depth interviews with respondents having a range of institutional identities, all of whom participate directly in trade policy processes.<sup>2</sup>

The resulting paper brings to the fore some of the dynamics at the interface of the trade policy arena and the development policy arena. Within national governments – North and South – trade and development fall under the auspices of different configurations of departments and ministries; these often have quite different political identities and ideological approaches, and sometimes do not communicate clearly with one another. The task of making policy for trade or development relates each to different international institutions and systems of governance. Those engaged in the trade arena will negotiate within the structures of the World Trade Organisation (WTO), but also within regional or continental trading blocks. Those engaged in the development arena will have a relationship with the international financial institutions (IFIs).

While separating trade and development in this way is clearly a limited categorisation, with distinctions that are not definitive, it is useful because it begins to give a sense of two distinct but overlapping complexes of actors, each acting within a distinctive policy culture, each connecting processes of national governance to processes of global governance, of trade and development respectively. In the arena of development policy, poverty reduction through economic growth is the current orthodoxy; in the arena of trade policy, the parallel orthodoxy is liberalisation. In both arenas, critics and reformists urge the democratisation of processes, rules and policies.

While the two arenas are separated by having distinct structures and instruments, they are linked in many different ways, not least by actors who engage in both. In this paper, we focus on some of the actors who, rooted in the development policy arena, are becoming increasingly involved in the trade policy arena. In some cases, this increasing involvement is part of a broader move towards “coherence” – whether between the IFIs and the WTO, or between various development partners at a national level. In other cases, particularly amongst non-governmental actors, it is due to an increased consciousness of the potential negative impacts of trade liberalisation on poor people.

By focusing our work on those who directly participate in the institutionalised machinery of national and international trade policy processes, this study excludes those who advocate for or represent the powerless or marginalised outside the machinery: by taking to the streets to protest the WTO and regional trade agreements (RTAs), by exercising their consumer power to support fair trade, or by locating themselves in the global anti-capitalist movement, mass and intellectual. These actors are beyond the scope of direct treatment in this paper. The existence of a powerful and vibrant social movement which avoids direct engagement in trade policy process, but nonetheless opposes trade liberalisation is evidence

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<sup>2</sup> Institutional identities of interview respondents: staff of – bilateral donor agencies (5); UK-based international NGOs (5); Kenyan CSOs (5); Ugandan CSOs (5); WTO Secretariat (2); Kenyan delegation to the WTO (3). To preserve anonymity, interview respondents are not named, and are labelled in the text by their institutional identity.

that, for many, the challenges and contradictions of working “inside the fence” are so significant that more politically radical solutions are the only option.

Of course, however, the fence is permeable. In trade policy, boundaries are dynamic, and as Brown and Fox (2001) note, changes within powerful global institutions are catalysed and held in place by their linkages to external protests and movements.<sup>3</sup> While the notion of participation may have become depoliticised in the development arena, a co-opted concept, those who would reclaim its political meaning by continuing to work inside the fence in the name of social justice and rights are nonetheless part of the social movement. The debates and tensions at this interface present as many new challenges and meanings for participation as do the debates and tensions that are discussed in this paper.

To what extent, and how, does participation figure in the arena of trade policy? Firstly, given the extent to which it now features in the dominant development discourse – particularly in poverty reduction discourse – and the growth of interfaces between development and trade policy arenas, what is most noticeable in the trade arena is how little it features. Secondly, the polysemic nature of participation, manifest in its multiple and mutable meanings in the development arena (Cornwall 2000), is never so clear as when one looks across from development to trade.

In the development arena, participation discourse is generally employed to refer explicitly to, or to mean by default, the participation of poor people or of organisations that act as intermediaries for the poor or specific relatively disadvantaged, marginalised or voiceless groups of people, in processes that affect them. Over time and in rhythm with the shifting sands of development interventions, the subjects of attempts to promote participation have shifted from an early identification as “project beneficiaries” with needs, through “consumers” of development inputs with demands, to citizens with rights, among them the right to participate (Cornwall 2000); and the spaces in which participation has been promoted have moved upstream from micro-level projects to sectoral and macro-level policy formulation. Whereas in early days a broad range of forms of action around any process involving people would have counted as “participation,” as the concept has become mainstreamed and promoted by actors with ever more official and institutional characteristics – the IFIs, country governments – it has frequently come to connote the involvement of a selected configuration of actors (often labelled “civil society,” and considered to represent the poor) in a space created for the purpose by those who have initiated the participation (Cornwall 2000; Brock, Cornwall and Gaventa 2001; Brock, McGee and Ssewakiryanga 2002). Other forms of engagement, in other spaces created without official assistance or sanctioning, have in some cases been obscured, or squeezed out, by the proliferation of “invited” spaces.

In poverty reduction policy, the most marked trend in participation discourse and practice through the 1990s has been towards enriching policy debates with the “voices of the poor” (Ministry of Finance 2000; Narayan *et al* 2000; World Bank 2000; Narayan *et al* 2001). This is seen to strengthen poverty assessment and poverty reduction initiatives by creating legitimacy and support for them through broadening stakeholder involvement; enriching the analysis and understanding of poverty with the

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<sup>3</sup> Thanks to John Gaventa for this observation.

perspectives of the poor themselves; providing diverse information quickly and cost-effectively; and building new relationships between policy-makers, service-providers and poor people that can dynamise policy formulation and implementation (Norton *et al.* 2001). Ostensibly the “voices of the poor” are heard pure and unadulterated, although how purely the poor’s perspectives can, and should, feed into policy content, how much they should be tempered with the knowledge of more traditional “experts,” and how much note is taken of them once they have been aired, have been subjects of debate (Rademacher and Patel 2002).

In the trade lexicon, by contrast, “participation” is used most commonly by inter-governmental and governmental bodies to refer to the participation of poor countries in international trade negotiations, through active membership of the WTO (Prowse 2002; Government of Sweden 2002; World Trade Organization 2003a; World Trade Organization 2003b). Reference to the large and varied conceptual baggage that the term now carries in the development arena is largely absent. This is unsurprising given the different actor configurations in each arena, and the clear disciplinary differences between them, with a strong preponderance of economists on the trade side and a wider range of disciplines, including a high proportion of anthropologists, political scientists and sociologists, on the development side.

Yet narratives of participation – so ubiquitous in development policy discourse today – have seeped into the trade arena in some respects. The WTO clarifies that ‘Individuals can participate [in the WTO], not directly, but through their governments’ (WTO 2003b: 2). As for NGOs, since ‘the very concept of dialogue between the WTO and NGOs runs counter to the WTO’s insistence that it is a forum for member nations and that the primary avenue for participation should be at the national level . . . the organization is expressly limited to engaging only in informal dialogues with NGOs’ (World Resources Institute 2003: 16). The WTO General Council clarified in 1996 the framework for its relations with NGOs in guidelines that recognise, in rather instrumental and functional fashion, ‘the role NGOs can plan to increase the awareness of the public in respect of WTO activities’ (WTO 2003b: 102).

Moving to the level of Southern nations, in many countries CSOs vociferously demand the right for themselves and the public to participate in trade policy debates. As in the poverty reduction policy debates, essentially two roles are open to them, both within invited spaces for participation: the exertion of democratic rights of engagement to make formal democracies more accountable to poor citizens; and the enriching of traditional knowledge bases for trade policy formulation with perspectives derived from nearer the grassroots (Southern CSO interviews). On the former, Kanji and Barrientos see it as a defect of current (international) trade policy debates that ‘the voices of the poor are rarely heard’ (2002: 30) in them. While some civil society trade advocacy organisations have tried to address this by adopting the same “voices of the poor” tactics that have been used in poverty reduction policy processes, putting poor people onto policy platforms to speak directly to policy-makers, more question whether trade policy lends itself to populist micro-level consultations as much as some other policy areas (International non-governmental organisation (INGO) interviews, Southern CSO interviews). They point out that even if the poor were able to identify whether protectionism or regulation were best for them, trade policy-making entails many trade-offs at national and international levels that would necessarily constrain the scope for

conceding to specific demands made by any poor person or group. Others suggest that the gap that exists between community-based organisations and urban advocacy CSOs constrains CSO legitimacy to a major degree, and propose more focused efforts by civil society to bridge these gaps and create alternative knowledge bases to complement those traditionally informing trade policy. Given all the complex trade-offs that dominate trade policy-making, advocates of the poor's participation in trade policy debates tend to distance themselves from any presumption as to linear relationships between what the poor say and what they should get, stressing instead the right of poor people to add their voices to others in analysing and debating alternatives.

The dynamics of civil society participation in the trade arena – what might be achieved, and how – are clearly very different from those that shape civil society participation in processes labelled poverty reduction. Our aim in this paper is to explore those differences, recognising the limits of mapping complex issues in a complex terrain. In Section One of the paper, we provide an overview of the international trade policy landscape, continuing in Section Two by further exploring the context of the interface of trade and development, and understandings and practices of participation at this interface. In doing so, we contextualise Sections Three and Four, in which we present the views and perspectives of civil society actors – based in London, Kampala and Nairobi – about their experience of engagement with trade policy processes. These views draw our attention to the policy spaces of national, as well as international, governance; and the way that these spaces are connected to the landscape described in the first section. Finally, in Section Five, we reflect on some of the challenges and opportunities for widened participation raised in the paper.

## **2 Mapping the international trade policy landscape**

The arena of international trade policy is distinguished by its complexity. Trade policy processes, like any others, are not simple, linear affairs. Multiple, interlinked processes exist; boundaries and borders are mutable, power relations complex and opaque.<sup>4</sup> In the trade arena, however, there is a particularly high density of multiple processes: each space in a national policy landscape is linked to a series of broader spaces, geographically located within the country, regionally, continentally, and globally. All these spaces are infused with profoundly ideological narratives about world trade and how it should be governed.

In this section, we provide an overview of the international landscape in which trade policy is made and implemented, highlighting issues and debates of particular relevance to our focus on participation. Our starting point is a discussion of the WTO, which at first view appears to dominate this landscape. We go on, however, to discuss some of the other processes, frameworks and agreements which proliferate in the trade policy landscape.

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<sup>4</sup> Our thinking on policy processes, influenced by a range of studies, is captured in Brock, McGee and Gaventa (forthcoming) and Brock, Cornwall and Gaventa (2001). We have also often relied on the overview of the broader literature on policy processes presented by Keeley and Scoones (2003).

## **2.1 The WTO: evolving processes, disparate views**

Based in Geneva, the WTO functions as a secretariat that services the interactions of delegates representing each of its 148 member countries. Representatives are often officials of their country's Ministry of Trade. The size of delegations based in Geneva varies from 0 to 23 and some poorer countries' diplomatic corps (Ambassadors to other Geneva-based international organisations) support, or double as, WTO delegates (Jawara and Kwa 2003). The WTO, being an organisation of members, declares itself to be neutral and to advance no policy positions, adducing that these come from members themselves.

The WTO was born in 1994 of the General Agreement on Trade and Tariffs (GATT). The GATT was, in itself, an uneasy compromise between US national interests and those of other participants in the Bretton Woods talks of 1944, which had aimed to create a world trade body as the fourth pillar of the Bretton Woods system and was forced, by US insistence, to settle for a "General Agreement" among parties to hold periodic rounds of talks on trade liberalisation. The 1986 round, held in Uruguay, extended beyond the GATT's earlier areas of import tariff and quota reforms, anti-dumping codes and non-tariff measures, to encompass a much longer and further reaching agenda: tariffs, non-tariff barriers, textiles and clothing, agriculture, trade in services, Trade-related aspects of Intellectual Property rights (TRIPs), Trade-related Investment Measures (TRIMs), the GATT system and articles themselves, subsidies, dispute settlement between members, and anti-dumping. The Uruguay Round included bitter disputes between the growing body of developing country members, and the US, over this wide range of issues. In 1994, the GATT's 124 member countries met in Marrakesh, Morocco, to sign the agreements closing the Uruguay Round, among which was the 'Marrakesh Agreement Establishing the WTO' (Jawara and Kwa 2003).

The WTO holds Ministerial conferences at least every two years, at which member countries' trade ministers take major decisions on any of the WTO's multilateral agreements. In between conferences, the Secretariat's tasks are administering WTO trade agreements; acting as a forum for ongoing trade negotiations; handling trade disputes; monitoring national trade policies; providing technical assistance and training for developing countries (recently); and cooperating with other international organisations (WTO 2003b).

Given claims to neutrality, and the functions and activities of the Secretariat, is it possible to identify any broad narratives on trade and poverty reduction that inform the WTO? The absence of an institutional ideology or position means that in practice much comes down to the positions of individual WTO Secretariat staff. Their positions are coloured by their training, background, nationality and – critically, now – age or generation. There are said to be many different understandings of "development" within the WTO Secretariat, and the earlier tendency among some members to stress "sustainable development" in the language of the institution's founding declaration has more recently given way to a generalised but diffuse discourse of "poverty reduction". The WTO's last Director General, Michael Moore, regularly countered public attacks on the WTO by asserting that trade liberalisation leads to poverty reduction, but without citing evidence. The current Director and other staff are generally more cautious, recognising that the benefits of growth do not "trickle down" with unequivocally poverty-

reducing consequences in any but laboratory conditions; that the link is only made possible through “managed trade” and that the existence of many different, and valid, stances on it, enjoins them to take more moderate positions.

Some representatives of WTO member countries argue that the WTO does have a developmental and poverty reduction mandate, citing the Marrakesh Agreement, which gave life to the institution in 1994. This states:

[Members’] relations in the field of trade and economic endeavour shall be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand, and expanding the production of and trade in goods and services, while allowing for the optimal use of the world’s resources in accordance with the objective of sustainable development [ . . . ]

(cited in Jawara and Kwa 2003: 9–13)

The term “poverty reduction” does not appear, but there is room for argument that this is a more consequence of its relatively recent coining in comparison to terms such as “raising standards of living” and “sustainable development” than of intentional omission from the WTO’s mandate.

The relative dominance of developed or industrialised countries over developing or poorer countries in policy- and rules-making within the WTO is well-researched (Melamed 2002; Chang and Green 2003; Ddamilura and Noor Abdi 2003; Jawara and Kwa 2003; Kwa 2003). The WTO is currently engaged in something of a public relations and information offensive, designed to rebut accusations made by critics about the way it operates. Its booklet ‘Ten Common Misunderstandings about the WTO’ (WTO 2003a) explains the system thus:

The WTO does NOT tell governments what to do. [ . . . ] Rather, it’s a “member-driven” organization. That means:

- the rules of the WTO system are agreements resulting from negotiations among member governments,
- the rules are ratified by members’ parliaments, and
- the decisions taken in the WTO are virtually all made by consensus among all members.

In other words, decisions taken in the WTO are negotiated, accountable and democratic. The only occasion when a WTO body can have a direct impact on a government’s policies is when a dispute is brought to the WTO and if that leads to a ruling by the Dispute Settlement Body (which consists of all members). Normally the Dispute Settlement Body makes a ruling by adopting the findings of a panel of experts or an appeal report. Even then, the scope of the ruling is narrow [ . . . ] In all other respects, the WTO does not dictate to governments to adopt or drop certain policies. As for the WTO Secretariat, it simply provides administrative and technical support for the WTO and its members. In fact: it’s the governments who dictate to the WTO. (2003a: 2)

Further,

The WTO is NOT undemocratic. Decisions in the WTO are generally by consensus. In principle, that's even more democratic than majority rule because no decision is taken until everyone agrees. It would be wrong to suggest that every country has the same bargaining power. Nevertheless, the consensus rule means every country has a voice, and every country has to be convinced before it joins a consensus. Quite often reluctant countries are persuaded by being offered something in return. Consensus also means every country accepts the decisions. There are no dissenters. What is more, the WTO's trade rules, resulting from the Uruguay Round trade talks, were negotiated by member governments and ratified in members' parliaments. (*ibid*: 10)

A major recent exposé of the “behind-the-scenes” workings of the WTO, by staff of the Southern advocacy NGO Focus on the Global South, offers a different perspective:

In theory, the WTO is a democratic organisation, based on the principles of consensus and one member one vote, supported by a neutral Secretariat; and its purpose is to promote trade policies at the country level which help to raise standards of living for population of its member countries. In practice, as the processes at and before the Doha Ministerial and over the subsequent year in Geneva clearly demonstrate, it is not. Much of the outcome of Doha was not wanted by at least a large minority, and quite possibly a majority, of the membership; and the living standards of the poorest countries were at best a minor consideration in the processes which led to this outcome.

(Jawara and Kwa 2003: 271)

This position is substantiated with five main arguments, well documented using material from interviews with developing country delegates: general and constant pressure on developing country delegates by developed country delegations and certain WTO staff including the previous Director General; political dynamics, in particular the manipulative ganging-up tactics used by the “Quad” (the powerful coalition of the USA, European Communities,<sup>5</sup> Canada and Japan) to compensate for their lack of voting power; the use of “artificial” and worthless bargaining chips by powerful members in negotiations; arm-twisting and pay-offs, sometimes covert, sometimes overt and often very personalised; and the euphemistic claim of “flexible” processes which masks a system of governance deeply flawed by lack of transparency or accountability (*ibid*: 271–7).

Looking at the three most recent Ministerial meetings, and associated preparatory processes and ensuing rounds of talks, compounds the impression of widely disparate views in opposing camps. At the third Ministerial of the WTO, held in Seattle in 1999, wealthy member countries' ambitions to launch a

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<sup>5</sup> The “European Communities” is composed of the 15 member countries of the European Union (EU). The individual nations coordinate their positions, and the European Commission (EC) alone speaks on behalf of all members at key WTO meetings, representing a common position of all the EU members' (Jawara and Kwa 2003: 23).



major new round of trade talks were rejected by developing country delegates. In the words of one NGO commentator, ‘member governments at the Ministerial revolted. The ugly facts of how the institution actually functions became public, much to the embarrassment of the majors’ (Kwa 2003: 18–19). This happened in the form of strongly-worded communiqués issued by the African Group and Latin American and Caribbean members. Their main concern was their exclusion from the spaces where decisions were really being made, which were informal and select, centred on wealthy members, were held prior to plenary formal negotiations, and pre-determined the outcomes of these. A walkout by African negotiators led to the abandonment of the talks, and subsequent declarations of commitment by wealthy country members to changing the way the WTO works (*Guardian/ActionAid* 2003; Kwa 2003; World Resources Institute 2003).

In the account of one anti-globalisation protester, the forced breakdown of the meeting, which foreclosed on some members’ ambitions of installing a new round of talks against the wishes of most developing country members, was the joint achievement of ‘well-organised protesters both among the civil society groups inside the convention centre and on the streets outside combined with government delegates embittered by the arrogance of the US hosts’ (Ambrose 2003: 1). Whatever the role actually played by civil society inside and outside the Seattle Ministerial, the organisers of subsequent Ministerials restricted the number of NGO representatives attending, with only 647 accredited to attend the following Ministerial in Doha (WTO 2003b), of which only 388 attended (Jawara and Kwa 2003),<sup>6</sup> compared with 1,300 that attended Seattle (Jawara and Kwa 2003).

Of the 2001 Ministerial in Doha, very different accounts prevail among WTO staff and developed country actors, on one side, and civil society advocates, on the other. While the former see it as the Ministerial which launched an all-important new round of negotiations, the “Development Round,” that was to go a long way towards responding to the concerns that undermined the Seattle Ministerial, the latter roundly reject the claim that at Doha and in the subsequent round development issues were finally taken seriously and permitted to influence the course of events. The following excerpts illustrate a range of differently-positioned sentiments on this issue:

One new development at the WTO Ministerial Conference in [. . .] Doha [. . .] was that the very poorest member states came to be crucial to the outcomes of the conference thanks to successful coalition building. These countries believe that they lack the capacity to negotiate new areas but no longer want to see them being left to the industrialised countries alone. To resolve this dilemma, the industrialised countries have agreed to provide the necessary technical assistance.

(Government of Sweden 2002: 10)

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<sup>6</sup> Generally numbers at Doha – of official delegates as well as NGO representatives – were far lower than expected, due to the 11 September attacks on the World Trade Centre and consequent fears of terrorist attacks and difficulties of international travel.

Doha was a watershed – there was not too much emphasis on development, in practice, before Doha. [But] post-Doha, it has become very clear that the Special and Differential Treatment (SDT) provisions<sup>7</sup> had not worked – there is lots of resentment about this among the Southern countries. Expectations had been raised by the SDT provisions. [. . .] It is factually correct to say that the majority of Southern countries were made unhappy by the “concretisation” of development under the SDTs, which had been ineffectual.

(WTO staff member interview)

Doha has become a byword for the perversion of democracy and the thwarting of the will of the majority via intimidation.

(Kwa 2003: 5)

Kwa characterises the lead-up to Doha as ‘the false dawn of democracy,’ (2003: 19) and describes how despite initial signs that the preparatory process was more inclusive than previous WTO negotiations, ‘the moment the powerful countries felt the pressure, the same secretive, non-democratic and exclusive negotiating practices [as in previous Ministerials’ preparations] re-emerged’ (2003: 19). While the round of talks launched there is still referred to as the “Development Round,” a WTO staff member reflects in retrospective: ‘Was Doha a development round? Many of the Southern countries say no.’ (WTO staff member interview). Jawara and Kwa cite one developing country delegate who reflected afterwards that developing countries should have, at least, demanded the removal from the Ministerial declaration of all references to the development interests of Least Developed Countries (LDCs), so as to prevent the strongest countries from cynically exploiting their supposed commitment to development (*op cit*: 121).

By the time of the 2003 Cancún Ministerial, a number of novelties are apparent in the preparatory process, and particularly in the participation of developing country representatives. The Cancún agenda was large and complex, the result of failure to gain agreement on as many points as was hoped between Doha and Cancún. A strong element of confidence-building between diverse members in advance would have been needed to shepherd this agenda through the Ministerial and sign off on all outstanding Doha issues.

For the first time, a large group of developing countries, under the leadership of powerful nations such as Brazil, China and India, made and held a strong coalition throughout the Ministerial in the shape of the G21, making them a power to be reckoned with. This might be seen as the successful emulation of some of the political tactics used by the Quad, in this case not to retain dominance but to redress historic imbalances. This G21 group in its initial press conference stressed firstly its representativeness, pointing out that countries in the grouping included 63 per cent of the world’s farmers and 51 per cent of the world’s population; and secondly, its affinity with the positions being espoused by many protesters outside

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<sup>7</sup> SDT is a provision which ‘states that countries can grant special concessions to developing countries without having to do so for the entire membership. To date, however, these SDT provisions have been in “best endeavour” language, and have not been implemented’ (Jawara and Kwa 2003: 12).

the conference fence. Moreover, many developing country delegations, besides including NGO representatives in unprecedented numbers, also included Parliamentarians, enhancing their claims to representativeness. Brazil's Foreign Minister voiced the hope that whereas at previous Ministerials it might have appeared that the fight for social justice was going on outside the WTO meeting rooms while delegations focused narrowly on specific issues, 'now we hope you will see that we have brought the struggle inside' (Ambrose 2003: 1).

The Cancún Ministerial is described by many who were present as passing through a long lull and then being set alight on the penultimate day by the drafting team presenting a draft Ministerial text that took on board none of the key concerns presented and well-articulated by developing country delegates, not least through the G21. These delegates had taken care to participate more actively in this Ministerial than any previous one and their participation bore the marks of the increased capacity since Doha. The draft text was seen as inflammatory and arrogant in the extreme in its neglect of key issues raised by the G21 – such as their opposition to extending the scope of WTO negotiations to include any new issues.<sup>8</sup> The fact that the draft text continued to push for the new issues despite the fact that at least three coalitions of developing countries had clearly articulated their disagreement might have resulted from the drafting teams' unawareness of strong undercurrents of opinion at the meeting, or from them caving in under extreme pressure from European and US governments.

In any event, the presentation of the draft led to the Cancún Ministerial 'collapsing from within' (INGO interview) when the G21 rejected the draft text and the host Mexican government rather abruptly brought the meeting to a close. In contrast to Seattle, where the collapse was sparked by developing countries' rejection of the undemocratic and exclusionary process, Cancún is seen by most to have failed over differences in position on content, exacerbated by aspects of process; and to offer a novelty in the form of well-organised, sustainable coalition-building between a significant block of developing countries whose stance was generally supported, in advance and during the Ministerial, by civil society activists.

There were fissures between accredited civil society representatives inside the Ministerial – between those there to protest and those there to lobby (INGO interview). The latter found the protesters' actions ultimately unhelpful because they led to measures that constrained civil society delegates' access to their lobbying targets. There were also fissures between civil society positions outside the fence, between reformists seeking to reform and improve the WTO and radicals seeking to dismantle it.

What happened at Cancún is seen as a success among many – not all – non-governmental actors because developing country governments utilised the WTO system itself to avoid being railroaded into a "consensus" with which they did not agree. Developed country governmental and WTO actors consider it a failure, mainly because it did not attain the signing-off of what *they* consider key development issues but

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<sup>8</sup> The "Singapore issues" – investment, competition, government procurement and trade facilitation – forced onto the agenda at the EC's insistence at the Singapore Ministerial in 1996.

also, in some cases, because it has undermined the WTO as the right – multilateral – forum for such negotiations and will inevitably lead to powerful member governments “picking off” opponents in bilateral negotiations.

Regardless of whether it is viewed positively or negatively, the failure to make an agreement at Cancún means that, for at least the next two years, the focus of international trade policy will to an extent shift away from the WTO, and towards a range of other multilateral trade agreements, frameworks and processes in which WTO member countries are engaged. In the following section, we discuss several of these which have particular relevance to the themes of our discussion.

## **2.2 Beyond the WTO: multiple layers in the international trade policy arena**

It is tempting, on exploring the trade policy landscape, to be entirely distracted by the WTO and the range of perspectives and debates about its structures, rules and activities. If however one is seeking to clarify the policy context in which developing countries attempt to pursue economic growth and poverty reduction through trade, layer upon layer of additional interfaces with the international arena – agreements, frameworks, regimes and institutions – become important.

Multiple regional and other trade agreements have been entered into between developing countries and others, most of them of course members of the WTO and therefore party to over-arching WTO provisions. For Latin America and the Caribbean alone, Green (2003) lists seven regional agreements, and mentions that there are several bilateral ones. The North American Free Trade Agreement (NAFTA), which came into being in January 1994 amid armed resistance from indigenous Mexicans in Chiapas, Green cites as a special example, as the first RTA between a first and a third world economy. NAFTA aims to eliminate nearly all trade and investment restrictions between the US, Canada and Mexico over a 15-year period: ‘Whereas Latin American RTAs are, at least to some extent, a marriage between equals, the disparities within NAFTA are stark. The US economy is almost 25 times larger than Mexico’s, and the social and developmental gulf is arguably even wider’ (2003: 20). He describes as ‘the spectre at the free trade feast’ the exclusion from such RTAs of labour migration, in this region where households have depended on labour migration as their most effective poverty-reduction strategy for decades. Labour migration is not contemplated, despite the fact that such exclusion ‘has no justification in economic theory’ (Bulmer-Thomas, cited in Green 2003: 18).

The Free Trade Area of the Americas (FTAA)<sup>9</sup> is more of the same, due to come into effect in January 2005. This, in the US’s vision, will be a “NAFTA plus,” extending the same regime to the whole continent minus the regional pariah state, Cuba. Latin American states have negotiated hard to ensure that it does not emerge as irretrievably skewed towards the US’s interests. The FTAA process has been conducted with rather more transparency than was the case with NAFTA, and Latin American NGOs have engaged actively and critically, as the “Hemispheric Social Alliance,” producing an alternative proposal “Alternatives for the Americas”. Their position is based on a careful analysis of the

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<sup>9</sup> Better known by its Spanish abbreviation ALCA, Área de Libre Comercio de las Américas.

disadvantages that Mexico has suffered under NAFTA, which include job losses, wage falls, and the collapse of small and medium industry and small-scale farming (Green 2003: 24–5).

The extent of organising, strategising and alternative proposals that the advent of FTAA has generated among Latin American civil society, particularly Mexican NGOs who have learnt the hard lessons of NAFTA, has been phenomenal and unprecedented compared to civil society trade activism anywhere else in the world. This is related to core differences between Latin American CSOs and their counterparts elsewhere, and also to the greater and longer experience of Latin America in international trade and liberalisation. Potential for civil society elsewhere to learn from it has been limited, however, by language differences and by the fact that the civil society activists in question relate more closely to US-based networks of NGOs, rather than to the Europe-based networks which tend to be active on WTO- and EU-related initiatives, and to have partnerships with African CSOs.

In Africa, the major additional trade-related agreement to which a significant number of countries are party is the Cotonou agreement, between the EU and the African, Caribbean and Pacific (ACP) group of countries. This is essentially an aid-and-trade agreement, described thus by the UK's Department of Trade and Industry (DTI):

The Cotonou Partnership Agreement replaced the Lomé Convention in 2000. Lomé had since 1975 provided a framework for trade, aid and political relations between the EU and 77 ACP [...] countries. [...] Under Cotonou, the ACPs had open, non-reciprocal access to the EU market for substantially all industrial goods and for a wide range of agricultural products. Lomé also provided for EU official development assistance to the ACP, financed by the European Development Fund.

The fourth Cotonou Convention expired at the end of February 2000 and was replaced by a new overarching agreement on 1 March. This new agreement was signed on 23 June 2000 in Benin, and is now known as the Cotonou Agreement. One of its main objectives is the integration of ACP States into the global economy. Current trade arrangements with the ACP will be rolled over during the eight-year transitional period. The EU obtained a waiver from WTO rules to cover this period.

(Department of Trade and Industry 2003)

The “ACP waiver” referred to here, according to Jawara and Kwa (2003), was used as a powerful bargaining chip in negotiations between European and ACP countries at the 2001 WTO Ministerial meeting in Doha. In return for the EC “helping out” ACP countries by pressing other WTO members to accept the waiver, ACP countries found themselves giving up their opposition to the launching of a new round of trade talks on the controversial “new issues” which they, like the great majority of developing countries, had been firmly opposing. The fact that Cotonou covers both aid and trade obviously has implications for the extent to which ACP governments, or CSOs, feel able to negotiate on the trade content.

A second process of importance to Africans in the trade arena is the New Partnership for Africa's Development (NEPAD), initiated by the new democratically elected government of Nigeria and the new post-apartheid government of South Africa in 2001 and born out of the Organisation of African Unity. It describes itself as 'a vision and strategic framework for Africa's renewal' (NEPAD 2003). NEPAD's priorities include many diverse policy reforms, including several trade-related ones, that seek to strengthen Africa as a trading bloc as well as the trade balance of African countries, and tighten and exploit the links between trade, poverty reduction and growth. NEPAD's stated objectives are poverty eradication; placing African countries, individually and collectively, on a path of sustainable growth and development; halting the marginalisation of Africa in the globalisation process and enhancing its full and beneficial integration into the global economy; and accelerating the empowerment of women (*ibid.*).

Critical observers note:

NEPAD is largely reflecting in a rather uncritical way the dominant neo-liberal paradigm and discourse of the international financial institutions. It hence offers no alternatives to the current trends of economic globalisation but instead adheres to the underlying concept of liberalised trade regimes and the dogma of the private economy.

(Melber 2003: 1)

While some note that the diversity of interests among, for instance, South Africa and some of Africa's poorest countries weakens the potential of NEPAD as a continental negotiating platform (Southern CSO Interview), it is, at the very least, an African initiative to which many African WTO members are signatories, and as such possibly indicates that coalition-building and coordination between African WTO members is likely to be strengthened in future.

Thirdly, in addition to Cotonou and NEPAD, there is the optimistically-named African Growth and Opportunity Act (AGOA). Promulgated in the US in 2000, AGOA liberalises trade to a significant degree between the US and 38 designated African countries for an eight-year period. The African countries, 'have been chosen according to various pre-determined criteria, including progress made towards a market-based economy, respect of the rule of law, the embracement of general democratic principles and human rights' (AGOA 2003). The Act is therefore explicitly designed to reward countries with whose trade policy tendencies the US finds favour. The description of AGOA on its official website, hosted by the Trade Law Centre for Southern Africa, makes no mention of poverty. However, a search for references to "poverty" on the site uncovered many press statements in which US government officials, and even some by African government officials, make unequivocal but often unsubstantiated connections between the introduction of AGOA and the reduction of poverty in African countries.

Even from this most cursory of overviews, the complexity of international trade policy is very clear. In addition to what happens at the WTO, the processes around Cotonou, NEPAD and AGOA – and any other similar processes that a country might be engaged in – all influence the trade policy any single African country might be able to pursue. Thus in this arena choices are moulded not only by domestic

politics and priorities, but by a web of other considerations and relationships. Of particular importance in the African context, where debt and aid dependency are considerable, is that many of these layers of agreements do not concern trade alone, but also aid. Broad cooperation agreements between wealthy and developing countries often relate aid and trade; this fundamentally constrains the negotiating power of aid-dependent nations.

Upstream of these multiple regional and bilateral frameworks, aid and trade are also increasingly linked by a tendency towards coherence between the IFIs and the WTO which is not only operational and structural, but ideological. The twin narratives of neo-liberal orthodoxy – trade liberalisation and poverty reduction through economic growth – dominate the international arena, their dominance reinforced as the WTO and the IFIs move closer and closer into line with each other. This increasing coherence is reinforced through the packages of technical assistance, which are delivered to Southern countries to strengthen their capacity to participate in trade policy processes. Although the IFIs and WTO do not have complete dominance here – United Nations Conference on Trade and Development (UNCTAD), for example, has a long history of research and capacity building in this area, but has steadily decreased in power and influence since the early 1980s (Patel 2003) – it has been argued that much trade related capacity building does not equip its recipients to decide between different approaches to trade policy, but instead to engage more effectively with the ongoing hegemonic project of trade liberalisation (Powell 2003b). Both the dynamics of increased coherence, and the challenges of capacity building are discussed in more detail below; we mention them here as another important aspect of the interface between a national government making trade policy, and the international system of trade governance.

The landscape of the international trade policy system – the WTO itself, the multiple frameworks and agreements that affect any given country, and the various layers and processes designed to make the system work better – is one which the governments of poor Southern countries have to navigate in order to make policy about trade. But they also have to balance a sometimes conflicting set of political imperatives which arise firstly from their domestic political constituencies, and secondly from their interfaces with other international institutions, notably those providing development finance.<sup>10</sup> As already noted, there is an increasing tendency to coherence and coordination between the WTO and the IFIs, and between the IFIs and bilateral and multilateral donor agencies. These tendencies have important implications not only for the participation of Southern governments in the international trade policy system, but for the ways that development actors advocating participatory approaches can influence trade policy processes.

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<sup>10</sup> The same conflict is described in Abrahamsen's discussion of Structural Adjustment Programmes (SAPs) (2000), and Durotoyé's discussion of the challenges of African democratisation (2000).

### **3 Participation at the interface of trade and development: IFIs and bilateral donor agencies**

In the introduction, we discussed the idea of two distinct but overlapping complexes of actors, engaged in development policy and trade policy. In the previous section, we mapped the landscape of the international trade policy system. Here, we examine some of the actors most associated with development – the IFIs and the bilateral donor agencies – whose role in trade policy has evolved and changed over the last decade. These actors are critical to the possibility of development-centred trade policy: they identify themselves as associated with development and claim poverty reduction as their mandate; they have a growing role in trade policy processes; they often have a strong presence in developing countries; and they have been the drivers behind the scaled-up versions of participation which culminate in the Poverty Reduction Strategy Paper (PRSP) model.<sup>11</sup>

We examine these actors from two angles. First, we look at the issues of coherence and coordination, two tendencies which shape the way that IFIs and donors themselves participate in the trade arena. Secondly, we discuss narratives of ownership and participation, closely associated with the PRSP model, and translated into IFI and bilateral-supported processes in the trade arena.

Like the overview of the landscape we presented in the first section, our discussion here is necessarily broad. We do not address the multiple positions and narratives that are embraced by institutions like the World Bank, or bilateral donor agencies, or the internal debates and struggles that take place within them. By discussing such institutions as “actors” in a broad arena at a large scale, we are continuing with our portrayal of the backdrop against which aid-dependent Southern countries make trade policy.

#### ***3.1 Coherence and coordination in approaches to trade and development***

Tendencies towards increased coherence and coordination have an influence on the development-trade interface at a number of different levels. Firstly, coherence between the WTO and the IFIs has cemented existing ideological similarities; as Caliri (2002) notes, ‘in most of the cases, WTO rules on trade in goods simply locked in a degree of liberalisation that had already been reached under policy-based lending’. This “locking in” implies an equivalent locking out, in which alternative approaches to trade policy are given no quarter.

Secondly, increased “donor coordination”, particularly in development interventions in Southern countries, has strengthened existing relationships between the World Bank and bilateral donors, part of a new architecture for aid. The closeness of these relationships is replicated in strategies of intervention in trade policy, particularly in the Integrated Framework (IF), a multilateral Trade-related Capacity Building (TRCB) initiative currently being implemented in many developing WTO-member countries.

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<sup>11</sup> For a general explanation of the PRSP model, and its participation dimension, see McGee with Norton (2000).



Thirdly, bilateral donor agencies are part of government in their own countries. For staff of these agencies, focused on development, there is often a need to ensure that their trade activities are congruent with the approaches of the other parts of government, who may not take a primarily “development” perspective on trade issues. In the case of Sweden, the Minister for Foreign affairs in 2003 tabled a bill in Parliament which, if passed, would oblige coherence within the Swedish government across all policy areas relevant to development – including trade (Government of Sweden 2003).

These three aspects of coherence illustrate some of the ways which powerful actors in the development and trade arenas – WTO, IFIs, bilateral donors and Northern governments – are linked and interlocked. Although all of these actors are multi-faceted institutions in themselves, containing a diversity of perspectives, it is equally true that they form part of an important discourse coalition with a prescriptive ideological agenda. Through relationships of coherence and coordination, this discourse coalition is consolidated.

The perception that the international trade policy system is primarily the domain of the WTO is therefore unhelpful. The World Bank, while taking a less front-stage role in trade policy than it does in development policy, has a well-staffed trade department and implements many trade-related activities, operating within the Bank paradigm of neo-liberal economics, growth and poverty reduction. The International Monetary Fund (IMF) too has close and influential links with the WTO, having observer status, being party to consultations about the policy advice given to individual member countries and providing key data for WTO Committees to use in deliberations (IMF 2003). In each of the two Bretton Woods institutions also, of course, the influences and interests of all constituent members are played out (Christian Aid 2003a); but the Bank and the Fund differ from the WTO in not presenting themselves as neutral institutions whose orientation and processes are entirely determined by members through consensus and voting systems.

There is every indication of a concerted effort towards greater coherence – or perhaps greater overlap – between the IFIs and the WTO. The World Bank is currently building up its presence in Geneva, and internally is assigning a mandate for trade to ever more departments. The Poverty Reduction and Economic Management unit, Country Offices, and the development economists’ cadre are all, since October 2002, accountable to the Bank’s Trade Department which is headed by a figure who strongly advocates the rapid, autonomous liberalisation by all countries, regardless of their stage of development. The provenance of the mandate for the Bank to engage so heavily in trade is unclear, especially since most Bank borrower countries tend to prefer support from UNCTAD to support from the Bank on trade matters, viewing it as more neutral and nuanced (INGO interview). The departments with a trade mandate are predominantly staffed by macro-economists, whereas expertise in micro-level analysis resides in the Social Development Department, separate from and not well integrated with the Trade Department (INGO interview).

Despite an ostensible thematic division of labour between the IFIs and the WTO – poverty reduction for the former, trade for the latter – the World Bank and IMF actually have a range of mechanisms at their disposal through which they strongly influence trade policy in borrowing countries.

These include policy-based lending (even in these post-structural adjustment days), project lending, country performance assessments, research and policy analysis, and training and trade-related technical assistance (Caliari 2002). As one analyst comments, ‘an important, usually overlooked way the WB exercises its influence is through its role as provider of knowledge’ (Caliari 2002: 17). Examples cited are annual World Development Reports and the Bank’s PRSP Sourcebook, which includes a long and highly normative chapter on trade (Hoekman *et al.* no date).

The move towards greater and more effective coordination between the WTO and the IFIs is mirrored by a parallel trend among development donors. This has been welcomed by many, not least by developing country governments who had been finding it increasingly impossible to meet different expectations, priorities and standards required of them by a multitude of donors with divergent agendas and ways of working. From a technical perspective, it clearly makes much sense for donors to a particular country or sector to communicate and coordinate their priorities and activities. However, viewed from a more political perspective, the implications of donor coherence or coordination change considerably.

One common aspect of most current moves towards greater coordination and coherence among donors is the positioning of the World Bank as the central knowledge source on which other donors rely for data and statistical projections, as well as judgements and assessments, to inform them in decisions and negotiations affecting their partner countries (Bilateral interview; Powell 2002; Wilks and Lefrancois 2002). When these judgements are emitted by an institution with a clear and unapologetic ideological stance on issues where there is great contestation and controversy voiced by other actors, as is the case of the links between international trade, poverty reduction and growth, this centrality and exclusiveness clearly carries inherent risks. Moreover, it raises questions about the source of other influential actors’ ideological positions themselves, and how far these are formed by relying on this one central information source. One donor agency representative interviewed states that while in other fields the agency challenges and seeks to influence Bank positions, ‘in trade . . . we share the same views’. Some view such donor coherence or coordination as an effective means for donors to gang up in support of a hegemonic project based on one set of widely shared but partial views (Cling, Razafindrakoto and Roubard 2002). As such, it has been dubbed by one IFI-watching NGO a ‘Trojan horse’ (Powell 2003).

Although, in its role as a source of definitive knowledge, the Bank undoubtedly holds a great deal of sway in shaping the agendas of other actors, in the case of bilateral development agencies there are many other factors which influence the position taken on any particular issue at any particular time. One such factor, which has particular relevance in the trade arena, is relationships between the bilateral development agency and its own government.<sup>12</sup>

In interviews, staff of three European bilateral development agencies noted that they employ strategies of alliance-building and negotiation in their engagement with their own governments, to advocate developing country perspectives on trade. Sida, for example, works closely with the Ministry of

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<sup>12</sup> Some bilateral development agencies are departments of their governments (DFID, UK); others are independent agencies on which government relies (Sida, Sweden).

Foreign Affairs, and is part of an inter-Ministerial group which formulates the Swedish trade positions which will go forward to the EU. This work brings Sida into contact with other domestic actors – for example the National Board of Trade, the central administrative body dealing with trade in Sweden, which provides the government with analyses and recommendations. The Ministry of Foreign Affairs has overall responsibility for policy coherence.

Sida also has a role to play in awareness-raising within other government departments, often through analysing information and writing reports. This work is often about highlighting unforeseen negative consequences of certain EU measures for developing countries. Sida staff strategically use their comparative advantage as a “listening post” to simultaneously forward a development agenda in the trade arena.

Within the UK government, there are also a variety of actors engaged on trade issues. The DTI leads on trade, and has its own Trade and Development Unit of 12 staff, which has a good relationship with the Department for International Development (DFID). The Foreign Office is another central actor, particularly concerning political relationships with other EU member states. When interviewed, DFID staff observed that in the South, where there is both diplomatic representation and a DFID office working on trade, their position and approaches tend to be very different. DFID’s strategic work to influence other parts of the UK government takes place almost exclusively in London, focusing on the relationship between DFID and the DTI.

In Switzerland, the configuration is slightly different, and the strategies the SDC adopts in regard to its own government mirror this. In Swiss politics the agricultural and rural lobbies and the Ministry of Agriculture are particularly powerful, advocating protectionism with zeal. Despite this, the Ministry of Economics and Trade leads on formulating Swiss trade negotiating positions, through its Trade Board; and also within the Ministry sits a multi-stakeholder Trade and Development Task Force. An SDC staff member interviewed for this research noted that their messages met little resistance, speculated that this was because the Task Force itself is removed from the power centre of the Ministry of Economics and Trade, looked at with “benign neglect” as something that might create goodwill with potential trading partners, rather than an important centre of decision-making.

For all three bilateral agencies, engaging in dialogue to influence other parts of their own governments constitutes an important strategy, but one which is usually not visible in their published statements of intent with regard to trade, which are entirely externally-focussed. As these three brief examples illustrate, a range of interests and institutions within government are engaged by bilateral development agencies in the effort to influence national policies on trade and give them a stronger development perspective.

What is less clear is the extent to which national policies on trade shape and influence the strategies and activities of bilateral development agencies in their engagement with their Southern partners in the trade arena.

### **3.2 From PRSPs to trade related capacity building to consultative approaches to policy: principles and strategies of engagement**

Both the bilateral development agencies and the World Bank have considerable programmes of engagement with their Southern partner governments, in terms of both multilateral programmes for capacity building, and bilateral country programmes. While each individual intervention has its own design, characteristics and objectives, there are also important continuities with policy instruments and interventions in other arenas. These continuities are of particular importance given the coordination and coherence discussed above, and given that multi-sectoral policy instruments like PRSPs are considered by some as useful instruments for making national trade policies pro-poor. In this section we discuss the continuities which connect PRSPs, TRCB and ownership with the tendencies towards coherence introduced above.

PRSPs are a key instrument for advancing the donor coordination and coherence agenda – intentionally, on the part of their architects, and worryingly, in the views of their detractors. WTO provisions to which member countries have committed themselves are regularly undermined or overlooked in conditions attached by the IFIs to the funding and policy reform packages they develop for borrowing countries. Such cross-conditionality is extensive in negotiations over the funding packages that support PRSPs. Often, Bank and Fund conditions applying to Poverty Reduction Support Credits and Poverty Reduction Growth Facilities<sup>13</sup> – the funding packages that support PRSPs – include trade-related conditions that are more stringent, in terms of requiring more, or faster, or deeper liberalisation, than WTO provisions to which the respective country has agreed.<sup>14</sup> Such practices render meaningless the WTO principles of “consensus” and “democracy,” from the perspective of aid- and credit-dependent member countries. They are also difficult to understand given that most PRSPs do not cover trade, or do so only tangentially or without underpinning their coverage with appropriate analysis (Hewitt and Gillson 2003; Ladd 2003). The contradictions of cross-conditionality are dismissed by some as increasingly insignificant given the ever closer coordination and cooperation between the Bank and Fund and the WTO, manifest in improved information-sharing and communication as well as in the recruitment of significant numbers of staff from the WTO into the Bank’s Trade Department, leading to greater Bank awareness of the nature and extent of WTO provisions (Bilateral interview). As noted above, however, such convergence can be regarded as benign or malignant, depending on standpoints.

Different actors also take different positions on whether the way forward is for PRSPs to deal more comprehensively with trade, or for trade to be clearly hived off from PRSPs as relating to countries’ dealings with the WTO rather than the IFIs. Christian Aid (CA) (Ladd 2003) argues that the WTO is the forum for trade negotiations, in which Southern governments can negotiate their own deals and concessions; and that if they enter into it with their hands tied by IFI conditions imposed upstream which

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<sup>13</sup> These are explained at [www.worldbank.org/poverty/strategies](http://www.worldbank.org/poverty/strategies)

<sup>14</sup> See, for example, Caliri (2002: 4-5) on the trade-related conditions imposed by the IFIs through Uganda’s Poverty Reduction Support Credit on the national Plan for Modernisation of Agriculture.

are in essence more restrictive, this undermines the WTO's case that it is run by the full range of its members through democratic processes. Catholic Agency for Overseas Development (CAFOD) concurs, considering it "dangerous" to strengthen trade coverage in PRSPs as it strengthens the voices and extends the reach of the Bank and the Fund (INGO interview). In any case, advocacy actors point out, PRSPs' field of vision is inherently national, making it a far from ideal vehicle for addressing trade issues. One described PRSPs as 'development policy in a box' (INGO interview), devoid of international linkages or broader contextualisation, narrowly focused on inter-sectoral distribution at national and sub-national levels, with policy choices insufficiently grounded in analysis of the prevailing external conditions which will, undoubtedly, affect chances of success.

Among those bilateral donor staff interviewed, the opposite view prevailed, reflecting perhaps a heavy investment in the PRSP "project" and less critical views on how PRSP processes have unfolded. In interviews, DFID and Sida staff expressed commitment to keeping trade within the PRSP fold and ensuring it is more comprehensively dealt with there in future. Their arguments included the positions that PRSPs are a vital vehicle for increasing coherence including between IFIs and the WTO; that PRSPs are intended to be comprehensive national development strategies and therefore have to include trade; and that PRSPs are about poverty reduction, and that trade liberalisation contributes to poverty reduction.

PRSPs, as well as potentially embracing trade, have versions of "participation" and "country ownership" embedded into their basic design. As indicated earlier, "participation" in the trade arena tends to refer to the participation of poor countries in multilateral trade negotiations and the WTO. There is a curious coincidence between the long list of procedural and political flaws that block or undermine the participation of the less powerful countries, especially the poorest countries, in the WTO,<sup>15</sup> and those which have blocked or undermined the participation of poor people or their representatives in PRSP processes to date, which in turn closely reflected those that had marred a range of earlier attempts by donors, IFIs and governments at engaging the participation of the public, the poor and NGOs in policy-formulation processes (McGee with Norton 2000). Salient examples are the non-transparency of ostensibly participatory and consultative processes, which effectively rule out participation by any but the instigators; the allowing of insufficient time for all the interested parties to formulate considered positions; and the questionable representativeness of those assigned leading roles through non-transparent processes. The coincidence is so close, and yet the experience in this field now so substantial, as to raise questions about the extent to which these flaws can be accidental and based on oversights, or driven by more fundamental power inequalities. In the specific case of less powerful countries' participation in the WTO, on reading the evidence it is hard to reach any conclusion other than that the WTO mechanisms and processes are designed and implemented – or flouted – to suit the handful of most powerful countries, while the discourse of participation is liberally applied in an effort to divert attention from this and pre-empt questions about it.

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<sup>15</sup> A long and detailed catalogue of which is Jawara and Kwa (2003), and most specifically the 'Like-Minded Group proposal' therein, pp 143–7.

To Caliri's (2002) list of mechanisms at the IFIs' disposal to influence trade policy, cited in the previous section, one might add the coining and sharing of discourses. WTO- and trade-related dealings with developing countries increasingly reflect the adoption of key terms and approaches advanced by the IFIs in their own dealings with borrowers and aid recipients. A topical example is the concept of national ownership, which looms large in PRSP language and now appears writ large in certain trade frameworks.<sup>16</sup> While the principle and practice of ownership are as desirable in trade as in poverty reduction policy-making, it is ironic that the migration of this particular term and approach would seem to uphold claims, made by many international and Southern NGO trade activists, that the increasing convergence between donors' positions, approaches and conditions relating to trade signal precisely the *diminishing* possibility of Southern countries' national ownership of their own policy-making processes and policy content, since it conspires to bring them into an ever tighter liberalisation orthodoxy which leaves ever less room for national specificity or preference.

The growing convergence between international actors' agendas broadly speaking, but particularly between the positions and agendas of the IFIs with those of the WTO on trade, represents nothing short of a "tying-in" of neo-liberalism far upstream from the points where developing countries are invited and encouraged by these same actors and their bilateral colleagues to take "national ownership" of their poverty reduction, development and trade policy agendas. For now most manifestations of this process occur in and around the PRSP framework, but the tying-in process looks like a long-term agenda that will mutate and adapt to whatever aid, debt relief or policy innovation might eventually replace the PRSP. Such a strong pull towards unanimity among the most powerful set of actors in the trade arena, in spite of the highly contested nature of the terrain and of links between trade, development and poverty reduction, is surely not healthy, and jars harshly with the accompanying discourse of developing countries' ownership of trade policies and their genuine participation, as members among equals, in multilateral trade negotiations.

The vacuousness of the discourse of "country ownership" has been pointed out and demonstrated with numerous examples in the great majority of reviews of PRSPs (Action Aid 2002; Cling *et al.* 2002; Knoke and Morazan 2002; McGee *et al.* 2002; Stewart and Wang 2003). Indeed, some have gone further, regarding it as not simply vacuous but actually insidious, in presenting PRSPs as precisely what they are not so as to mask their true role as the newest vehicle for furthering the same policy prescriptions of the IFIs as SAPs did, while squarely placing accountability and blame for potential failures with in-country actors. This has not deterred the funders of the Joint Integrated Technical Assistance Programme (JITAP) and the IF – the two principle multilateral programmes for trade related capacity-building – from embracing the concept with gusto, regardless of arguments that their capacity-building efforts are heavily shaped by the ideological perspectives of the funding agencies (Powell 2002).

"Capacity building" has a distinct genealogy within narratives of trade and development, and a lengthy history; the term is a mutation of "technical assistance," which in turn became "technical

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<sup>16</sup> Most notably the IF for TRCB.

cooperation”. Prowse notes the previous dominance of a form of TRCB in which multilateral and UN agency staff built the capacity of developing country government staff, with bilaterals having little scope to be involved; she points to a multiplicity of poorly coordinated efforts, not well-founded on individual countries’ development paths and needs (Prowse 2003).

In the eyes of the Organisation for Economic Cooperation and Development (OECD), contemporary TRCB is part of ‘a comprehensive approach to achieve a country’s overall development goals and poverty reduction strategies’ (Powell 2002: 1). This explains the important position of TRCB in bilateral aid flows. It conveniently unifies the trade and development narratives, as well as aiming to change a situation that developing countries have consistently raised their voices about, namely their relative lack of technical capacity to participate in trade policy arenas, compared to the Northern industrialised countries.

The most recent multilateral instrument for capacity-building is the IF, a joint initiative of the IMF, World Bank, WTO, UNCTAD, the United Nations Development Programme (UNDP) and the International Trade Centre (ITC). It is described on its website as ‘a multi-agency, multi-donor program that assists the LDCs to expand their participation in the global economy thereby enhancing their economic growth and poverty reduction strategies’ (Integrated Framework 2003).

To its advocates, an intervention like the IF is justifiable on the grounds of market failure: technical assistance is defined as a public good, which cannot be effectively left to private enterprise alone in a failed market; external agencies therefore are justified in being involved in its provision. The “integrated” nature of the framework refers to two areas where improvements on previous practice are needed, namely the need to integrate a country’s trade policy with the rest of its development strategy, and secondly the integration of all external agencies’ capacity-building initiatives into a single framework. (Prowse 2003). To its critics, the IF, and the donor coherence it represents is another manifestation of the further consolidation of global power amongst a few powerful, unaccountable international agencies. One NGO respondent observed that while bilaterals make a lot of noise about re-building capacity in trade, they actually contributed to its decline in the first place, by giving technical assistance almost exclusively to Finance Ministries during the era of Structural Adjustment.

Some critics argue against the IF in terms of the monopolisation of knowledge and knowledge construction (Powell 2002), which reinforces the ‘soft hegemony of international arguments on trade’, (INGO interview) and makes them almost impossible to refute. Powell notes that even

... when nationals are brought in to lead capacity building efforts, individuals are usually identified who belong to the same epistemic communities as the external agencies. ‘These exercises had more the character of cloning than the production of people with critical analytical skills’ (Mkandawire 2002: 155).

(2002: 11)

One INGO staff member agreed with this, pointing out in addition that the IF builds capacity to implement – not to define questions, collect data to answer them, analyse it and then make policy. Under this critique, TRCB faces particular problems in contributing to positions and policies on trade which have a strong domestic constituency, or “national ownership”. The model of TRCB put forward by the IF approach is in many ways congruent with the PRSP approach – especially in terms of donor coordination; it also faces many of the same problems, ownership principal amongst them.

Multi-agency, multi-donor programmes are not the only routes through which development assistance reaches the trade arena. Bilateral development agencies implement a wide range of trade initiatives with their development partners in the South. Looking briefly at some of DFID’s interventions in East Africa is revealing about the way that different actors see “ownership” and “participation” as they unfold in practice.

In Kenya and Uganda, DFID has been active in funding work with the Ministries of Trade on making trade policy pro-poor. In Uganda, this has involved funding the elaboration of a draft Trade Policy, a Trade-Poverty Assessment and an Institutional Review, working with the Permanent Secretary of the Ministry of Trade, Tourism and Industry (MTTI). After a stakeholder meeting, including actors from other parts of government, CSOs and donors, the documents were brought to “zero draft” stage, and used to help focus the work programme of the EC’s forthcoming project on trade. A DFID member of staff involved in the project outlined the proposed future for the draft documents:

The zero draft is just that, it has gaps and flags areas where Government has more than one piece of legislation. It proposes options to streamline and improve coverage and content of trade policy. Government – the Permanent Secretary in the MTTI – will decide which areas to do further work on – analysis, capacity building, making new laws, getting rid of old laws. Government will then get the required support for this action plan from the EC’s project of capacity building. The policy will thus be completed and polished through the support of the EC but with the Permanent Secretary of the Ministry of Trade Tourism and Industry driving it. And once completed to MTTI’s satisfaction, it will be submitted to the Inter-Institutional Trade Committee (IITC) for approval.

DFID staff described the efforts which had been made to make the process of this intervention as consultative as possible, especially given that the budget was relatively small. Although technical work was done by UK consultants, all three components of the intervention – a Trade-Poverty Assessment, an Institutional Review and a Draft Trade Policy – had “several consultations” around them, including planning and feedback workshops, all of which involved some CSO actors. The IITC, where it is proposed that the draft policy will eventually be approved, is a multi-stakeholder forum that includes CSO participants.



An actor heavily involved in civil society advocacy on trade policy, and a member of the IITC described the same process from a civil society perspective. He attended the multi-stakeholder meeting where the draft policy was presented, but was not otherwise involved in the process. His view, from a different angle, raises some issues about DFID's strategic approach:

DFID were supporting the process of putting up the policy; they say 'we will get you consultants', and they get [UK consultants]. I think they might have interacted with some people, and maybe with the government and others. We had a meeting to look at the document. The people got in touch, and I kept saying if you want me and my colleagues at this meeting, you have to send the document in advance. Coming and sitting there and being lectured to is not something which I am interested in. So we got the document and we went through it page by page, and it wasn't that good – basically telling us how to implement WTO instruments. We said, yes OK, we are concerned about the WTO, but that is not the biggest priority, WTO is a framework at international level, we engage in negotiations, but how do you prepare the farmers to take advantage of what you are talking about at the global level? That was our concern. Much as they said it was pro-poor, we could not see anything, because to us the poverty element of development has to be looked at from the farmers' point of view, from the rural aspects. Implementing the WTO instruments, how is it going to boost our exports? Give us this projection. Is it going to help the country reverse the downward trend in exports? Is it going to help the country take shocks in global prices in coffee and other global commodities? Tell us how it is going to help us. How are you going to make sure our food security is not tampered with? We are looking for instruments which would give us these elements, and they were not in these documents.

Seeing this process from two angles puts into stark relief the different approaches and priorities of two actors who both claim a pro-poor development identity. From one perspective, the process is described as an example of an intervention in a national trade policy process, funded by a bilateral donor agency, which has used a multi-stakeholder approach. From another perspective, the consultation is seen as tokenistic, a rubber stamping of a policy direction decided on by the bilateral, written by the foreign consultant, and bought into by government. The second perspective may well be based on a very partial understanding of the entire sequence of the intervention, but nonetheless raises valid questions about both the process and content captured under the rubric of "pro-poor trade policy".

While relying exclusively on foreign consultants is a strategy that DFID was at pains to avoid in the design of both the Uganda Trade Policy process and another regional initiative, the Africa Trade and Poverty Programme (ATPP), the services of some UK consultants were used in both processes. Perhaps as important as what they actually do, is how such actors are seen by participants in the process who do not share their views. One CSO respondent in Kenya had just attended a meeting of CSOs called under the ATPP programme, aimed at sharing experiences and best practice, and put forward the following perspective on the proceedings:

CSOs there – they reacted quite strongly to the imposed agenda. It was actually quite obvious that it was an imposed agenda, and so we had quite a strong discussion. The [UK] consultant had a very critical view of most civil society campaigns and actions on the whole issues of subsidies, dumping – he said it was completely misdirected and only benefits a few rich farmers somewhere. He had very strong standpoints on some of these things, that most groups reacted to quite strongly. And the way they were being pushed and directed towards what should be done.

This perceived problem, of ‘being pushed and directed towards what should be done,’ is symptomatic of the far broader phenomenon, addressed above, of a consolidated and embedded ideological approach to trade policy “upstream”. As long as there is a perceived sense that the basic agenda, or even the menu of options, is predetermined, domestic ownership of “national” policies is likely to be constrained.

Equally clearly, however, the problems – and those identified by the Ugandan respondent – are partly defined by the position of the narrators. Both are located in civil society, one in an NGO with an environmental agenda, and the other in a trade-focused national civil society network. They are both embedded in a transnational network of civil society actors engaged in advocating rights and social justice issues in the trade arena. Although CSOs have become increasingly involved in trade debates and trade policy processes at many different levels, they remain “outsiders,” sometimes invited in, sometimes tolerated, sometimes marginalised, sometimes heeded. Particularly in national trade policy processes, their participation is often held up as evidence that trade policy takes into account the view of poorer people.

CSOs engage at many different points in the landscape we have described in the preceding sections, their opportunities and entry points shaped by the tendencies and trends we have discussed. Their views offer us valuable insights into the workings of the machinery already described, and the prospects for different versions of participation and ownership to emerge.

#### **4 Europe-based international NGOs in trade policy processes**

International NGOs familiar from the development arena have become important actors in processes of global trade governance. They engage in a wide range of spaces, and have different focal points for their activities, which can be characterised broadly as campaigning, advocacy and lobbying. The interviews for this section were carried out with staff of CA, CAFOD, World Development Movement (WDM) in the UK, and Oxfam-UK in Kenya and Uganda. Of these, development NGOs with Southern programmes and partners, like Oxfam and CA, have very strong vertical linkages to Southern networks engaged in trade policy process, as well as being embedded in wider programmes of development activities. Sometimes, as in the case of Oxfam in Kenya and Uganda, staff and former staff are at the core of the domestic and regional civil society networks (described in more detail below). CA and CAFOD do not directly implement a programme of activities in the South but engage in the programmatic work of a number of partners, with which they have a close and sustained relationship. WDM does not have

programmes or partners in the South, instead choosing to focus more strongly on working through European and international campaigning networks and developing links with other campaigning organisations in the South to influence policy processes in London, Brussels and Geneva.

#### **4.1 Identities and positions**

Identities amongst this cluster of actors are mixed. INGO staff are highly qualified, conversant with engagement in a range of spaces in the policy process, articulate and motivated. Despite their entirely professional identity and expertise, most retain a strong sense of connection to the missions and motivations of their organisations, and in some cases to a public base of membership; it is from this that their legitimacy derives.

Their positions on trade, argued from a diversity of positions, are essentially aimed at the reform of different aspects of trade liberalisation. Narratives on what should be reformed, and how, vary. The result of this variation is a spectrum of activities which has a very broad reach, often enacted through strategic networks and alliances, by a loose coalition of actors whose agendas are broadly coherent.

A respondent at CA described her approach to trade liberalisation – not saying that trade liberalisation doesn't work and something else does, but that there is not a single orthodoxy that works for everyone. Recognising the lack of a single orthodoxy implies a need for countries and institutions to become more pragmatic in trade policy, recognising particular problems and working out distributional consequences of a range of solutions, in order to formulate policy. A key word in CA's position on trade is flexibility: there should be a diversity of international rules and trade policy conditions, and the ability to develop trade policies that address particular objectives and circumstances.

Taking this kind of rationalist perspective on the policy process leads to a focus on particular activities. In this narrative, one of the key ingredients for a country to become more pragmatic in trade policy is knowledge about the possible implications of pursuing particular approaches or policies. This area is fraught with difficulty: another CA staff member described the sealed, ideological homogeneity of knowledge, information and analysis in the trade arena. This is the background against which technocrats in the Ministries of Trade of Southern countries acquire their expertise to become pragmatic, and alternative – even mildly reformist – viewpoints do not penetrate.

Much of CA's trade activity, therefore, is on a directly-focused campaign with many activities within it, which aims to raise the public profile of trade issues, delivering key messages to advocacy targets. Congruent with their argument about diversity, however, CA also supports its existing Southern partners to become involved in trade campaigns and networks in their own countries. Each of these campaigns is localised, and has a different focus – in Latin America, opposing the FTAA; in Africa, the relationship between debt relief and trade. CA staff note that it is challenging but important to enable a global movement without overriding the individual priorities of partner organisations; they are motivated by a belief in a person's right to have input into decision-making processes that affect them.

CAFOD's position on trade, like CA's, is critical of trade liberalisation. Historically rooted in the Vatican Council II declaration, CAFOD identifies itself as working in the interests of the poor. This leads

to an argument that is not anti-trade, but which is based on the understanding that export-led growth can be poverty reducing under certain circumstances. The CAFOD respondent observed that the link between trade and poverty is an intellectual challenge, noting that ‘the evidence is flimsy and it is easy to lose sight of your goal with only the most tenuous links between trade and poverty reduction. This leads to a tendency to moral positioning as a default’. For an agency like CAFOD, he continued, with basic values rooted in a moral discourse about poverty, adopting such a position is not difficult; the question is, how legitimate others see it to be.

CAFOD may gain moral legitimacy from its basic values, but its legitimacy as an actor in the trade arena is derived from different sources. Legitimacy is seen as coming from the quality of thinking and argument, and from alliances with developing country delegations to the WTO. Such sources of legitimacy simultaneously imply trusting relationships with key allies, and a history of providing much-needed resources to policy actors who have conventionally been marginalised at the WTO.

Oxfam’s work on trade is based on narratives of economic justice and fair trade, congruent with Oxfam’s broader institutional identity as an advocacy and campaigning body. A major international campaign, “Make Trade Fair,” resulted in a petition with three million signatures being presented to the Director of the WTO at Cancún. The campaign has been reviewed since Cancún, and whilst it will remain focused on agriculture, it will now also emphasise labour issues, and the way that trade affects workers. Beyond this international campaign, Oxfam facilitates its Southern partners in a programme of work which, while it seldom has trade as a central focus, provides strong connections to those who are directly affected by changing trade regimes in the South. Oxfam’s identity remains that of a liberal development organisation; its activities and positions on trade are an extension and outgrowth of that identity.

By contrast, the WDM has no such programme of work with partners and is fundamentally a campaigning organisation, with 13,000 members, which exists to try and change UK, European and international policies on development. Trade is seen as something to be managed, or regulated, rather than made “free” according to a mantra in which one size fits all. In common with other INGO positions, trade is seen as something far more complex than the orthodox discourse allows, and it is in this complexity that context-specific solutions must be sought. Orthodox trade policy is also seen as something which is made and controlled by the governments of industrialised countries, in which poor and marginalised people from the South have no voice. WDM therefore seeks to work with organisations and individuals who have a direct interaction with this voiceless constituency, and to take from them messages and concerns which are turned into campaigns in Northern countries. WDM derives the legitimacy of its position from the two arenas that it seeks to bridge: firstly, amongst citizens in the UK who care about development issues; and secondly, from the networks and connections it has built up with the Southern constituencies it seeks to represent. It also maintains linkages to the anti-WTO protest movement, and values its independence from any single funding source. Unlike the other INGOs discussed here, WDM does not rely heavily on funding from the UK Government or from the EU.

This brief overview of the positions of those international NGOs we interviewed illustrates that while all have similarly reformist positions on trade policy, each occupies a slightly different part of the

trade policy arena, focusing on slightly different elements of the system. As well as acting individually, the UK-based INGOs act together, as part of the Trade Justice Movement (TJM), a coalition of over 40 members, including development NGOs, campaigning organisations, fair-trade companies, religious groups and unions. The aims of the TJM are broad and overarching, which allows a diversity of identities and positions under the umbrella it provides. TJM objectives are to stop forcing poor countries to open their markets, and to champion their right to manage their own economies to regulate big business and their investments to ensure people and the environment come before profits; to stop rich countries promoting the interests of big business through trade interventions that harm the poor and the environment; and to ensure that trade policy is made in a fair, transparent and democratic way.

The TJM is only one element of the interlocking sphere of networking in which INGOs engage. CAFOD, for example, as well as being in the TJM, is also active through the Co-opération Internationale pour le Développement et la Solidarité (CIDSE), a network of European and North American Catholic development NGOs, the European Trade Network and the Development Box listserv. The principal purpose of this networking, according to a member of CAFOD staff, is information-sharing. The same respondent noted however that the kind of information being shared has changed as networks have developed and strengthened: formerly, there used to be 'lots of sitting around the table and telling each other what we are doing', but now meetings are much more about tactics, particularly concerning research, and using information already in the public domain in different ways, to 'give policy punch to what is already out there'.

Formal and informal networks overlap, with key individuals being active in several networks. CA staff, for example, noted that there is a very close collaboration between themselves, CAFOD, ActionAid, WDM and Oxfam – a small group of individuals who collaborate closely on a day-to-day basis without the encumbrance of formality. Each individual brings to this core group a unique set of competencies and connections.

The labour-saving function of networks is particularly important for small NGOs, like WDM, which 'can't afford to travel to Geneva every other week'. Networks also supply a medium for joining up different spaces in the trade policy arena. A WDM staff member narrated an example concerning WTO agreements about investment. Most developing countries in the WTO did not want a new round of talks towards agreements on investment to be launched at Cancún; they were actively engaged in a Working Group at the WTO in the run-up to Cancún, arguing the case against new issues. In engaging with this working group, they had to be seen to engage constructively, not just say no to an agreement. The EU's response to engagement in the Working Group was to suggest that an alternative rule-making process for investment could be modelled on the way that the General Agreement on Trade in Services (GATS) issue had been handled. WDM, which has been campaigning around GATS, was invited to use its experience in this arena to debunk several of the benign myths about GATS that the EU was rehearsing, through doing work directly with Southern delegates and through a network of INGOs which are located in Geneva and who work directly with Southern delegates. While this experience was only one link in a very long chain of

activities and events leading up to Cancún, and the collapse of the Ministerial, it illustrates the way that networks – both formal and informal – are used to channel scarce resources to the places where they are most needed.

Such synergy is not always the case beyond small groups of individuals working closely together. Oxfam’s activities in trade policy, for example, have been controversial within the wider trade campaigning movement: their approach has been criticised for deflecting attention away from the TJM’s main message of “no new issues,” by campaigning to come to a new agreement abolishing agricultural subsidies and allowing more market access for Southern products. Correspondence between Walden Bello of Focus on the Global South and Angus Cleary, Campaigns Director of Oxfam, illustrates the “framing” of trade policy by both organisations.<sup>17</sup> Bello accuses Oxfam of ‘promoting the paradigm of export-oriented growth’ and forming a strategy based upon ‘an internal organisational imperative to have a “winnable” short-term campaign’. Oxfam, of course, denies this.

One outcome of the Cancún process was a heightened sense of realisation amongst civil society actors of the importance of South-South linkages and alliances, as Southern countries worked together much more effectively at the Ministerial than had previously been the case. Currently, civil society networks in the North and South are connected – as mentioned above, through the programmes and activities of INGOs, but also through the personal networks of key individuals – but many suggest that these links need to be strengthened. A staff member of a Kenyan NGO based in Nairobi observed that

One outcome, consequence – realisation, rather – from Cancún – is the realisation that Southern countries are much stronger when they form alliances – that’s when they can be counterweights to the EU and the US. This realisation is also to see how we as CS can support those country alliances, as we ourselves also make sure we are building alliances between different continents much more concretely. The work has now certainly grown from WTO to more regional agreements to linkages with other processes – the Bretton Woods Institutions for instance. And then the next level is [. . .] between advocacy in the North and advocacy work here. One of the aims is also to draw an organisation like ours – and others in region – into a more wide global civil society work, and exchange with different networks.

One of the inherent challenges of engaging in trade policy processes is the sheer complexity and volume of potential spaces for engagement. There is a need to strengthen and diversify civil society networks to strategically engage in these spaces, maximising the possibilities for action. The challenges implied by this need concern both the diversity of positions within a movement that encompasses the radical alongside the reformist, and the logistical difficulties of building effectively for action when human resources are scarce. As a result, INGOs engaged in trade policy processes use a number of distinct strategies to access different spaces. These are the subject of the next section.

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<sup>17</sup> Copies of this correspondence is available on the Focus website: [www.focusweb.org](http://www.focusweb.org)

## **4.2 Perspectives on trade policy processes and strategies of engagement**

INGO analyses of trade policy processes themselves are an important key to understanding their strategies of engagement. Concerning the WTO, there is a broad consensual focus on the rules and processes of the WTO itself, which have become a central point of concern and campaigning since the Seattle Ministerial. The way that processes are managed and draft texts developed, the extent to which Southern countries are included or excluded from these processes and the way that agendas are put up: all these are areas which many non-governmental actors argue need to be changed. As such, INGOs strategically engage with WTO member countries in a variety of ways to campaign for alterations and reforms to WTO processes.

The WTO focus of trade policy engagement was inevitably almost all-pervading in the run-up to Cancún. The cyclic structure of WTO activities, however, means that in the post-Ministerial phase, spaces around the WTO have relatively less importance than other spaces in which bilateral and other multilateral trade agreements are made. In Central and Latin America, trade activists quickly turned their focus to the FTAA negotiations in Miami and the Central America Free Trade Agreement (CAFTA) negotiations in Washington, playing a part in forcing considerable concessions from the USA in the former case. In Africa, attention is turning towards the African, Caribbean and Pacific Countries' (ACP) negotiations with the EU on Economic Partnership Agreements (EPA), part of the Cotonou negotiations. EPAs concern more than trade, but making them WTO-compliant is an important aspect of negotiations between ACP countries and the EU.

The spaces in which the EPA negotiations take place provide different challenges for CSOs from those presented by the WTO, although the two are not unconnected. One important aspect of the work that needs to be done is ensuring better communication between the different parts of governments, both North and South. A CSO actor in Kenya recalled that when the Cotonou Agreement between the ACP and EU was negotiated, one part of the Kenyan government agreed to WTO rules on competition, without realising that another part of the government was opposing the same rules in a different space. One Northern INGO respondent observed that working on the UK Government is made much more complex by the fact that the UK is part of the EU, so as well as working as an individual government, it also functions as part of a collective policy debate. He noted that the EC seems to operate like a civil service, putting forward policy positions to EU member states to discuss and sign off on; then EC commissioners go to Geneva to try and secure what the position aspires to by negotiation with the WTO. As such the position of any individual government – which may or may not have been shaped by the lobbying and campaigning activities of NGOs – is filtered and shaped by two extremely complex processes of political negotiation, with battle lines of power play already pre-determined.

Most of the INGOs interviewed were involved to some degree in lobbying the UK government to take more pro-poor positions on trade. Such lobbying activities may involve attending meetings, providing briefings to Parliamentary Committees, and getting involved in the consultative initiatives of the government itself. The DTI, for example, has a trade policy consultative forum, and DFID holds NGO consultation days with specific themes. In the UK government, the DTI leads on trade, but DEFRA leads

on agriculture, and DFID, seen as the junior partner, leads on development. The public position of the government on trade is that all three of these departments are joined up and in agreement; the reality is less neat.

Lobbying government in invited spaces has limits. CA staff observed that the DTI's consultative forum rapidly became unproductive as a lobbying space because it has so many members. In this case, a more effective strategy might be to directly lobby targeted individuals. For each NGO, targeted individuals are different – CA, for example, has good links with DFID and the Treasury, but fewer links to the DTI, which it sees as being unused to dealing with NGOs.

Individual lobbying has a two-way function for NGOs, with information passing in both directions. One respondent observed that he spends time having cups of tea with DTI staff in order to try and find out what goes on in the EU's Article 133 Committee, where the top trade officials meet once a month, supposedly to manage Pascal Lamy, the EU's Trade Commissioner. This Committee is a particularly non-transparent space, yet the conversations that go on within it have far-reaching effects.

For INGOs, engaging directly in Geneva and Brussels frequently has this dual function. There is an imperative to constantly track changes in ongoing processes of negotiations, and to make this information widely available to partners and allies. Although considerable difficulties remain, the WTO is making publicity-conscious attempts at increased transparency, and has a member of staff responsible for NGO liaison, who frequently speaks in public debates and seminars, organises regular briefings for the Geneva-based NGOs, and arranges NGO accreditation for Ministerials. The Geneva-based NGOs also have their own networks inside the WTO, beyond the formal channels of liaison.

One INGO respondent argued that he is able to have most impact in Geneva. The most important element of this is about sharing information, but at the heart of the information-brokering role, INGOs are able to show Southern country representatives that Northern governments do not represent the views of their entire populations. When INGOs 'say why they think their governments are wrong,' they are able to boost the morale of Southern countries at the same time as providing information.

The same respondent argued however that in many ways the WTO as a main focus for engagement is a distraction from other, more important processes, which tend to be bilateral or between regional groups of countries and their trading partners. Because the WTO, despite its faults, is a multilateral organisation, there may be opportunities for movement within the WTO which "knock on" to other arenas where the balance of forces against Southern countries is even less favourable than at the WTO – arenas like CAFTA, and the EPA negotiations. In the WTO also Southern countries *can* work together, and maximise their power.

Another respondent argued that for some actors there may be more room for manoeuvre at the WTO than there is in other spaces. He noted that members of Southern country delegations have a greater chance of influence in Geneva than members of European country delegations, because in EU member states, policy has already been made in Brussels, and they have absolutely no chance of influencing it at the interface with the WTO. As such, working with Southern delegations in Geneva can be much more influential than working with Northern ones, where strategic engagement has to be



directed further upstream. In addition, Southern governments and development-focused NGOs are much more likely to be working on the same issues, and will have a degree of complementarity of interests and capacities.

Whether lobbying their own governments or working in Geneva and Brussels to work with other governments, all INGOs do a degree of campaigning work, with and through their members, or aimed towards the general public. Most have media strategies; some of them, like CA and Oxfam, have in-house journalists as part of their headquarters. In some cases, part of the function of media and campaigning work is to integrate the NGO's trade activities with the rest of its programme of work, and to build on the theoretical linkages between different areas of work. One such example are WDM's two major campaigns, on GATS and the policy conditions attached to debt relief. While the two issues are clearly related, there is very little public attention paid to how the connections between the two arenas work. By choosing to campaign on both issues, WDM introduces those linkages to a broader audience.

Since Seattle, WTO Ministerials have had extremely high media profiles. The arrangements at Cancún reflect a close relationship between civil society actors and the media, not least in the eyes of the WTO itself. Ambrose, notes that

The WTO accredited some 980 non-governmental organisations to enter the convention centre, though they were not allowed very close to the rooms where the actual negotiations took place. There were also well over a thousand reporters using the media centre, which contained generous banks of computers, printers, fax machines, and DSL lines. Indeed, the media centre constituted most of the area into which the NGOs were allowed. That overlap fostered dozens of interesting actions.

(Ambrose 2002: 3)

Several INGO respondents, reflecting on Cancún, mentioned working with Southern delegations in order to penetrate the massed ranks of the assembled media. While the Quad countries had well prepared media strategies many Southern countries did not. An Oxfam staff member who was present at Cancún observed

When I got to Cancún, we found ourselves making a case for African governments to regularly hold press conferences – we pointed out that the EU and US had already blocked an hour each day to provide commentary. It took us almost a day and a half to get this prioritised – nearly half way into the four day conference – and for them to hold the first press conference. In that conference they committed to hold daily briefings, and then it started. Publicity was crucial in Cancún. A critical factor in the success of Africa was its capacity to be visible and vocal in pursuing its interests.

Provoking Southern country politicians to talk to journalists is one part of the process. Another, identified by the same respondent during the Africa Trade Ministers Meeting in Mauritius in 2003, was persuading some African NGO trade activists to do media work:

During the Mauritius meeting, there was no real attempt by the African Union or host Government to work the international and national media beyond the opening and closing ceremonies. In a meeting of 150 Government and African Union personnel there was not a single officer responsible for media liaison. There was lots of people to do photocopying, lots of people to do logistical work, but no-one for the media to go to and say ‘what’s going on?’

With ActionAid and Eco-news Africa, Oxfam took a number of journalists to Mauritius and put them at the disposal of NGO trade groups present. We said, these are the experts on trade, please work with them to get their voices across, help them to frame the publicity around this. Having organised all this I was surprised that the response we got from some of the trade activists was, ‘why are we doing this, it’s a waste of time. We should be following the text, that’s what matters’. I thought this was too narrow a perspective, we may get a great text, but if it’s not projected at the international community, if we don’t have some commitment or a political line coming out of the African Union that is actually known by the public, you cannot build the accountability we need. We will need this when the USA starts to pressurise them or offer them goodies. It was seen as distraction, as a waste of time.

Journalists also have to be convinced that the issues, debates and campaigns on the table meet their criteria of newsworthiness. Convincing journalists of newsworthiness is easier at an international media event like the Cancún Ministerial, but there is still a great deal of demystifying necessary for clear media messages to be constructed and communicated:

The journalists kept saying to us, you can’t get people excited about issues around the green box, red box, orange box – please explain it to me in a language that people can understand. OK, I said, what we want is for countries to have a right to protect themselves against dumping. Then she said, OK, that makes sense. But to get that kind of lock open was quite a struggle. So my sense is that there’s probably room in the global trade advocacy arena for another cadre of people who are looking at it from a different perspective and packaging it that way – and that would give a lot of support to people who need to follow and contest the text.

The highly technical nature of trade negotiations makes media and campaigning work a particular challenge. Demystifying processes by carrying out popular education is a task which most INGOs are engaged in, whether at the level of development education activities, research and policy briefings, bringing policy-makers to poor communities or numerous different kinds of meetings, seminars, press briefings and workshops.

Such strategies involve INGO staff in direct engagement with a range of other actors, in spaces that are usually located in the North. But for some of the INGOs, other elements of their work illustrate a strategy of accompaniment of Southern organisations, doing solidarity work and funding the efforts of Southern partners. In Oxfam’s coffee campaign, for example, Oxfam was able to “provide platforms” so

that Southern partners could talk directly to policy-makers, without Oxfam staff being present. On the other side of this equation are the debates Oxfam has with its CSO partners, where policy messages on key issues are developed. Joint media work is also often part of such a strategy.

The strategies of INGOs are formed as much by the shape of the landscape in which they are engaging, as they are by the narratives and identities of the organisations themselves. Most of the INGO staff we talked to had also done policy advocacy work around PRSPs. PRSPs are both the major international policy framework for poverty reduction and development strategies, and according to some arguments, a logical policy space in which trade policy should be lodged if it is to work for poverty reduction and development.

Some take a political view of PRSPs. A CA staff member argued that if WTO is the forum for trade, it is for Southern governments to negotiate trade in that forum. The argument here again is that *at least* the WTO is, in some senses, a multilateral forum; the governance structure of the IFIs cannot be considered democratic or multilateral, and thus the more that can be removed from their hands, the better the prospects for accountability. Some developed this argument, saying that if PRSPs “did what they said on the tin” – created country-owned development strategies based on participatory processes – then allowing them to embrace trade policy would not be so problematic. The consensus, however, was that PRSPs fall far short of their narrative form, and thus that they remain essentially tools for economic liberalisation, in the hands of the IFIs.

While some focus on political challenges, others reflect on the type of approach to policy that a PRSP represents, and thus on the technical challenges of applying a populist consultative approach to trade issues. Amongst our respondents, however, there was one example of this approach, albeit on a very small scale. CA, with Ghanaian partners Social Enterprise Development Foundation of West Africa (SEND), have undertaken a study, entitled ‘Participatory Flexible Trade Policy Development: the case of small-scale producers, traders and low-income consumers of selected products in Ghana,’ (unpublished) intended by both organisations for use in influencing policy in their countries. Although a single study such as this is only a relatively small initiative, and the impact on policy is likely to be limited, it is a very rare example of an attempt to use participatory approaches to enter the trade arena, which can be learned from.

This research project was founded on the principle that ‘people affected by policies have a right to not only be informed about them, but to debate and influence them’ (Christian Aid 2003b: 2). The research was carried out using participatory methods and participants were low-income producers, traders and consumers of some of Ghana’s agricultural produce – cassava, maize, soybeans and peppers. All three groups were engaged in order to avoid simplistic responses that ignored trade-offs between the needs and priorities of different stakeholders. The key finding of the research was that amongst all three groups – producers, traders and consumers – vulnerability was a more important factor than anything else, including prices. The policy recommendations which stemmed from this research initiative include protecting the domestic Ghanaian market from unfair competition, and involving affected stakeholders in the formulation of trade policies through the debating of policy options.

For SEND, a development NGO working at the regional level in Ghana, the participatory trade research was part of a wider set of institutional goals and objectives. SEND defines itself clearly as an advocacy NGO: ‘Our emphasis in advocacy isn’t representational advocacy – we don’t want to become spokespeople for the poor, but build their capacity to that they can access others with confidence.’ The opportunity to do participatory trade research with CA was perceived as a way to further this agenda. It was also framed as a learning opportunity: ‘trade doesn’t come easily to us. We aren’t economists, like all the gurus on trade. We’re learning.’

SEND has found the process and findings of the research useful in developing trade education internally and for their constituency, as well as in campaigning more widely. What marks the process as unique is its explicit focus on attempting to develop a methodological framework for bringing the poor’s perspectives into trade policy arena. As such both SEND and CA recognise that this is perhaps the first step in a much longer journey; but it is an experience which shows that there may be room for productive alliances which support local people to get their voices heard.

Like many of the strategies discussed in this section, the CA-SEND partnership has a strong focus on information, knowledge and learning, with INGOs as key nodes in the networks through which the learning process is facilitated. Many people, from the WTO to a small national NGO like SEND, talk of the importance of INGOs in building their own understanding of different processes and issues. Interestingly, in the lexicon of trade policy, these learning processes are very seldom referred to as “capacity-building”. In trade, capacity building is usually held to mean the building of government technical capacity through programmes funded by bilaterals, IFIs, the UN and the WTO, in various configurations. The strategies of INGOs can be seen in some ways to represent a silent reversal in capacity-building, but one which lacks the enormous resources of the machinery which dominates the conventional relationships of capacity-building.

## **5 Civil society participants in Ugandan and Kenyan trade policy processes**

This section views the trade policy process landscape through the eyes of a small cluster of policy actors, those with a civil society identity who engage directly in national processes in Kenya and Uganda.<sup>18</sup> In interviews, ten such actors reflected on the roots of their engagement around trade policy, the processes they have been engaged in, and the intentions and strategies of their own engagement. Their reflections draw our attention to the national level. All those interviewed had a range of linkages and alliances with others outside their own countries, but all were principally focusing their actions and their narratives at the level of their own country. Most framed trade as a development issue, despite having become involved in trade policy processes from a range of different starting points.

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<sup>18</sup> Ddamilura and Abdi’s paper *Civil Society Participation in the WTO: Participation in National Trade Policy Design in Uganda and Kenya* (2003) provided invaluable background for this section, and we are very grateful to its authors for sharing their ideas with us.

There are many contrasts between Uganda and Kenya, not least concerning the history and traditions of civil society, and the dynamics and structure of the state. At the time of the research, Kenya was suspended in an historical moment of opportunity and possibility, as the new government consolidated its attempts to act on election promises, whilst maintaining popular support. A major shift had occurred in the identities of many political actors, whose opposition to the former regime was located in the realm of civil society, but who now find themselves in government. One outcome of these changes is that CSO actors are offered an expanded range of opportunities to engage in the policy process. In Uganda, by contrast, the government has been in power for 17 years, and contemporary civil society has been indelibly shaped by the corporatist structure of the “no-party state,” and the politics of consensus. The interface between government and civil society is also shaped by aid dependency, and Uganda’s place as the laboratory of transnational development actors. In development processes, civil society actors in Uganda are accustomed to being invited to participate in the policy process via a range of invited spaces, some influential, some marginal.

In both countries, the main space for direct civil society engagement in the national trade policy processes is a multi-stakeholder government committee; Kenya and Uganda are relatively unusual in having such structures. The committees – the IITC in Uganda and the National Committee on the WTO (NCWTO) in Kenya – are located in their respective Ministries of Trade. Both the IITC and the NCWTO were the focus of activity in the run-up to Cancún as Kenyan and Ugandan trade officials elaborated their negotiating positions for the Ministerial; in both countries, civil society actors were directly engaged in these activities. The negotiating teams of both Kenyan and Ugandan government in Cancún included civil society actors, as they have done since Doha (Kenya) and Seattle (Uganda).

The degree of integration suggested by the invited participation of CSO actors in the national delegations is the fruit of several years of strategising, alliance-building and proactive lobbying by core civil society participants, and no small amount of support provided to government actors by CSO researchers, academics and staff of international development NGOs. In both countries, trade ministry bureaucrats speak highly of their civil society colleagues; hard work has been done on both sides to overcome mutual suspicion (Ddamilura and Noor 2003). This situation in Uganda and Kenya, where civil society actors have been part of a multi-stakeholder process to elaborate a government position, has been held up as an example of best practice in the trade arena (INGO interview).

From some angles, these look like textbook cases of invited participation in the policy process. The complexity of the broader landscape of trade policy, however, makes it imperative to ask why the invited space has arisen, and what participation in it amounts to. Each micro space in a national trade policy process – such as the IITC or the NCWTO – has a history and a series of complex linkages to other actors and spaces, both national and supra-national.

The IITC and the NCWTO are committees seeded by the JITAP, referred to above, a predecessor to the IF. Given this background, activities of both committees have inevitably focused on WTO issues and events. Other important arenas of national trade policy, such as bilateral negotiations with the EU and the USA, are largely dislocated from the multi-stakeholder committees, their only link being that made by the

individual actors from branches of government – for example, the Ministry of Finance, or the Office of the President – who participate in the multi-stakeholder committees. Ministries of Trade are not close to the centre of power in either government. The WTO focus of the stakeholder committees leaves them – as micro-spaces – disconnected from some of the arenas where important decisions on national trade policy are made.

Whilst the multi-stakeholder committees and associated WTO Ministerials are an important focus for direct engagement in the machinery of the national policy process for civil society actors, they are only one space of engagement. The media and public political debate are particularly important arenas for CSOs in Kenya. Sensitisation work with national MPs and Members of the East African Parliament is important in both countries, as are similar activities with farmers. Regional and continental civil society networks, meanwhile, constitute a macro-spatial domain of transnational civil society, linking Africans from different regions together, and in turn linking Africans with those working in other parts of the world. The international NGOs and foundations, based in the North, are also part of this domain, ensuring an indirect but important linkage between the domestic policy processes of the North and South. CSO actors in Uganda and Kenya are embedded firmly in this transnational domain of civil society, which creates highly synergistic and energetic strategic networks, strengthening national level work; they are also embedded in the domains of domestic politics and policy. It is from their positions in these arenas that our respondents reflected: on their own identities as civil society actors, on their understandings of the processes in which they engage, and on their strategic approaches to participation in the micro-spatial domains of the Kenyan and Uganda policy processes.

### ***5.1 Identities and positions***

CSOs directly engaged in trade policy processes in Uganda and Kenya are few in number, but even so they illustrate some of the diversity of institutional identity which exists beneath the label “civil society”. The institutional identities of the group of ten CSO respondents in this study illustrate the pattern of this diversity: an umbrella alliance of development NGOs working on food security; a regional NGO directly focused on trade; a national farmers federation; a group of lawyers engaging in research for policy influence; a private European foundation with a regional office; an environmental NGO with a small East Africa programme; a trade policy-focused consultancy company; a small national development NGO with community programmes; and a large transnational private aid agency.

The diversity of institutional identity that exists in Uganda and Kenya simultaneously illustrates and contributes to a diversity of identifying narratives about trade, and its relationship to development and poverty reduction. CSO actors enter trade debates from several different starting points. Most, but not all, have come to trade from the entry points they have found in their development work. To some extent, all of the CSO actors interviewed for this research subscribed to a narrative of pro-poor trade policy, as shown by these two examples, one each from Uganda and Kenya:

We are looking at policies that benefit the people – countries like Uganda, we are poor; so when we are talking about policies that change the way that people live, we are talking about poor people. The constituency, at the end of the day, is poor people.

The aim of our work is to ensure that Kenya's trade policies are actually benefiting the poor and that the poor – the interests of the poor – should be the thing driving Kenya's trade policy.

To this broad framing narrative, each actor brings their own experience. Some, like EcoNews and the Heinrich Boll Foundation, come to trade through the entry point of sustainable development and the environment; others, like Seatini, through an anti-capitalist critique of trade liberalisation. Most CSOs engaged in trade policy, however, take agriculture as their starting point, and as such their narratives about trade are often laced with development language: food security, food rights, rights-based approaches and sustainable livelihoods. Such narratives co-exist uneasily with the pro-liberalisation arguments made by other CSOs, like the Uganda National Farmers' Federation (UNFF), which support agricultural modernisation and an increased focus on export over subsistence crops.

This small group of CSOs does not only put forward a diverse and sometimes contradictory range of narratives; it also illustrates a diverse pattern of spatial linkages. These linkages are expressed both horizontally and vertically; they cross the borders of domestic political identity, and the borders of national and international.

In the horizontal realm of the national policy arena, a small group of civil society actors participates in the NCWTO and IITC, and their various sub-committees. At the core of this group, particularly active in the run-up to Cancún, are a few individuals who work or have worked for INGOs, particularly Oxfam and ActionAid. Whilst the transnational corporate identity of their agencies is one defining feature of their individual identities as actors, they also see themselves as part of national civil society. In some cases they are also donors, channelling resources through their programmes and partnerships.

Beyond this core are other actors with different identities and horizontal linkages, including national development and research NGOs, and large membership-based organisations of farmers and workers. Some of these, such as RodiKenya, implement projects and pursue advocacy agendas simultaneously, working to educate farmer groups about the global trading system; others, such as Acode, do research to educate policy-makers and influence policy processes. Yet others, like UNFF, exist at the intersection of state, civil society and the private sector, embracing a diversity of potentially conflicting interests under a single institutional umbrella. When asked if UNFF sees itself as a CSO or a private sector organisation, the UNFF respondent replied:

A CSO. But we could be both, because there are some of our members who are traders, some of our members are involved in actual trade. To the extent that we don't participate actively in trade, we qualify more to be on the civil society. Because we don't actually sell seeds, we don't sell inputs, we are more like a service organisation. But then somehow our members, like Uganda Grain Traders Ltd, act as physical traders, on grain, on pulses. So they are private sector. But of course farmers are

in the private sector also, because they do produce the products, which are normally bought by the traders, for sale in either domestic, regional or external market. So you cannot draw a borderline. There is no clear line.

Centred around the capital cities of Kampala and Nairobi, CSOs engaged around trade know each other, and know about one another's work; but they do not always act together. Whilst tight, interpersonal networks do exist amongst some actors with similar identities and outlooks, not all horizontal linkages are close. Sometimes this lack of closeness is for reasons of identity: UNFF, for example, identifies much more closely with the Private Sector Foundation than with the Food Rights Alliance (FRA). It is also important however to note that there are very few resources available to fund CSO work on trade, whether in research or advocacy. Only two of the CSOs interviewed had a single person dedicated to working on trade policy;<sup>19</sup> the remainder embrace trade issues as part of a wider portfolio of daily activities.

Beyond the horizontal aspect of linkages across civil society, CSOs also have vertical linkages – upwards and outwards, to international civil society; and downwards, to a nominal constituency frequently described in both countries as “the poor,” “the rural poor” or “smallholder farmers”. What is striking about the trade policy arena is the depth and density of upwards vertical linkages, in contrast to relatively thin downwards vertical linkages.

Upwards, there are the connections to the global campaigns of Oxfam and CA, the linkages to regional CSO arenas like the Third World Network-Africa and regional federations of farmer groups, relationships with governmental and non-governmental actors engaged in Geneva, and interaction with a range of public and private funders in the North. Many of these linkages serve to bring an essential ingredient into the trade policy process, whether in the form of information, personal networks or resources. Their density is indicative of the external focus of much of the wider trade policy landscape, and the degree to which civil society positions and identities are reactive to factors outside of a national context.

Downwards vertical linkages do exist, and many of the CSO actors interviewed reflected on the potential dangers of doing externally-focused work without a fully grounded understanding of the implications of trade policy for livelihoods and agriculture. One noted:

I think it's very important to worry about global events, Cancún and WTO and all that, but then I feel our advantage is how we would bring in the voices of the communities in which we work [ . . . ] As we work with these communities, we should be seeing the links as to what we are saying at the different levels [ . . . ] That's where we should also be trying to influence those kind of processes.

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<sup>19</sup> The exceptions were Seatini (Uganda), which is an exclusively trade-focused regional CSO; and EcoNews (Kenya), where trade forms about a third of the thematic programme agenda.



Whilst recognisable from the development arena, such a holistic vision of community voice influencing policy is not common in trade arenas. Indeed, many discussed the sheer daunting complexity of trying to establish or understand causality between trade policy and livelihoods. Linking the micro to the macro is a particularly difficult challenge amongst the multiple policies that effect trade outcomes. As such, the majority of those who have downwards vertical linkages, particularly with farmers, tend to use them for informing people about the nature of external systems, rather than to gather information about the impact of macro-level changes on micro-level processes. RodiKenya's work is illustrative of this:

With farmers, basically it is training and sensitisation about WTO, about Agreement on Agriculture. Unfortunately in Kenya these issues are discussed mainly at the government level, but the farmers who are the main actors, the main producers, most affected if there is a problem in the market, often they are not so closely involved [ . . . ] We believe this is important to farmers.

Some link this sensitisation work with notions of accountability, especially in Kenya, where there is a degree of optimism that relatively newly-elected government actors are at least conversant with notions of political accountability. Here, the vision of a responsive policy process is articulated, with accountability as an end-point.

In order to make the appropriate trade policies, you need to base that on proper information, relevant information, from the ground, to know the situation; you need to know how farmers are affected by WTO rules, how agriculture is affected, all these things. We try to make sure that this kind of information reaches up to them, the policy-makers. And then of course the other way round; the people on the ground [ . . . ] should be able to differentiate and know what the internal effects are, that they actually faced with. Also be able to change that, to make their voices heard, so that they can actually influence.

This vision is one of the starkest contrasts with Uganda, where conversations about accountability are few, and where the focus is towards a more depoliticised, technical approach to accountability, embedded in a corporatist political culture.

The vertical and horizontal linkages outlined above, and the positioning of any CSO relative to them, are an important part of understanding the institutional identities and imperatives of CSO actors. Each individual CSO has its own starting point, its own history of engagement, its own take on trade. But as well as acting individually, CSOs act collectively. In both Kenya and Uganda, alliances – formal and informal – are at the heart of civil society activity. From one perspective, alliances are used as a way to share scarce resources, and to implement a division of labour. From another angle, alliances themselves have a representative function that inheres at a number of levels: both *who does civil society represent?* and *who represents civil society?* As such, the complex politics of alliances are a further layer in understanding civil society identity and legitimacy in the trade policy process.

In Kenya, the informal alliance of actors which was central to civil society engagement in the run-up to Cancún was based very much on a division of capacities and skills, as narrated by one of its members:

If you put Oxfam and AA together with EcoNews or Seatini, there's a lot of synergy – Oxfam might have the resources to get things going, but Seatini are the real trade experts and EcoNews is full-time tracking the process – so in a sense that's the complementarity.

The FRA in Uganda is more formalised, but was founded for many of the same reasons, to 'see how we can put our brains together, our work, resources, the people, money – see how we can come up with a minimum programme. So it's like putting up a loose coalition, but which has a central place.' In both cases, an important functional advantage of the alliance is the sharing of information, which comes to alliance members through their own networks. Access to information has been a critical factor in successful civil society participation in national trade policy processes. It serves both as a desirable asset in relationships with policy-makers, and as a political tool, as described below.

A lot of the time it is through networks we are in [. . .] we get some soundings on particular issues, we might get an important issue, say on agriculture, advance information on likely positions [. . .] We consult with close allies, to build clarity on issues, but also to find further information that we might not have but somebody else may. You might have a certain piece of information, but might also need to know about other developments which effect it. At the end of the day, the WTO is a political process more than it is a technical one, so whatever information we have is important in creating political momentum around that issue.

While most of those interviewed for this research are active members of the key alliances in Uganda and Kenya, some of those interviewed in Uganda choose not to work through alliances, preferring to come together with other CSOs only when there is need to mobilise discussion around a particular position or process. Staff of one CSO noted that:

We have a standing policy decision here not to be members of any networks unless we have a defined role in those networks. [. . .] If there is a process out there in the government, and the government thinks of inviting civil society to come and participate, they will invite the NGO Forum. Now the NGO Forum has a Secretariat which cannot have competency in all these areas. Now some of us would have expected that the NGO Forum would look around at its membership and say, OK, ActionAid has expertise in trade, so ActionAid, can you send someone to represent CS in this process? But then you would find in actual fact that they would send someone from the secretariat to represent civil society. We entirely disagree with this approach.

This argument against collective action touches on wider themes of representation, particularly the area of who may or may not be said to represent civil society, and whether civil society can be said to represent poor people or their interests. Due to relatively sparse downwards vertical linkages, discussed above, many

CSOs act within a normative framework which includes the interests of the poor and marginalised, but outside an institutional or political framework which actually links them to this broad, nominal “constituency” in a concrete way. Some CSOs respond to this contradiction by actively working with MPs at the national and regional levels,<sup>20</sup> infusing energy into existing channels of political representation, rather than attempting to provide a substitute for them.

Within the boundaries of alliances, CSO actors debate and discuss the issues around which they engage, and share their knowledge and experiences. Alliances are an important route through which ‘civil society speaks with one voice,’ and thus critical to collective identity. Frequently, this apparently singular voice disguises a multitude of narratives; and there may be trade-offs involved in gaining consensus.

It is true, there are differences [. . .] between CSOs, and between Northern and Southern NGOs, but also within the Southern NGOs. Even within here, Uganda here [. . .] Sometimes the problem is because of how you look at the issues; some NGOs look at them differently, some don’t want to go below the surface to say ‘what brought this about?’ They just look at the symptoms, without looking at the causes [. . .] So there are those differences, but at the end of the day, the larger picture is that the rules are unfair, and you can build consensus on that, and say let us fight the rules, because they are unfair. Sometimes you don’t look at what separates you, but you look at what brings you together; sometimes that’s really important. So you do build consensus, even though it is really difficult to speak with one voice, because the places that we are coming from are different.

The desire to ‘look at what brings you together’ has also provided an increasingly strong tendency for civil society actors to be part of broader alliances at the regional and the continental level. Taking a regional gaze is increasingly imperative to the work of tracking the multitude of trade policy processes that any single country may have a relationship to. In addition, particularly since Cancún, there is a palpable feeling that it is via strategic alliances at a regional or continental level that poorer countries may hope to get their voices heard in the policy processes of Brussels and Geneva.

We have the East African Community (EAC)<sup>21</sup> but we have no vision in terms of economic prosperity for the region and it seems to be getting bogged down so much in the different involvement levels of different countries, especially the tariffs and that kind of thing. So we thought that bringing in the political arm [working with East African MPs] might minimise those differences and help to see the bigger picture of east Africa. Lots of that was a strategy [. . .] to get the EAC to link up better, so that in Geneva we might negotiate as East Africa [. . .] So that when we have those negotiators in Geneva, telling us what is the nitty gritty for the region, we can share that with our different country ministries, and say that these are the experts, the positions, the interpretations.

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<sup>20</sup> As well as having national MPs, Kenya and Uganda both elect MPs to the regional East African Parliament.

<sup>21</sup> The EAC is the regional intergovernmental organisation of Kenya, Uganda and Tanzania, aiming at widening and deepening cooperation among the partner states in political, economic and social fields for their mutual benefit.

In the example above, CSOs working in alliance are able to be proactive in bringing new configurations of actors into the supra-national levels of the policy process. At the national level, a proactive identity is more usually associated with bringing in new configurations of knowledge and information. The broader tendency towards formalised alliances, however, is in many ways reactive. Some commented that the donors encourage the consolidation of CSOs into alliances, with negative outcomes for civil society engagement. For the Cotonou negotiations, the Government of Kenya and the EU 'have come out now and said that we do not want to deal with lots of different CSOs [. . .] the government has said that we want to deal with something like a coalition.' An external imperative to formalise CSO alliances in order to have a more efficient interface with government or transnational actors should be critically analysed because of the limits it may place on CSO proactivity and independent action.

Whether acting individually or collectively, CSOs have complex political identities. Through engaging directly with government and the WTO, they stand accused by some as being co-opted. While CSO identity is shaped from within, it is also influenced by the processes in which CSOs are trying to engage. CSO perceptions of the national trade policy process is the subject of the next section.

## ***5.2 Situated understandings of trade policy processes***

Kenya and Uganda have distinct political and policy cultures, which are the basic patterns giving rise to the micro-spaces of the trade policy process. Discussing these basic patterns shows a range of entry points for CSO engagement, as well as illustrating the challenges posed by engagement in a complex and multi-faceted process.

In Kenya, the change in government has given rise to a shift in expectations about the possibility of civil society and government working together.

There was a lot of friction between government and civil society for a long time, so for that reason, the government did not want any involvement of any NGOs in any of its work – but I think we have reached a situation where that dynamic has changed.

This shift in expectations is mirrored by a degree of optimism about transforming the representative structures of the state to build a more actively representative and accountable democracy. Such an understanding of the broad policy environment shapes both what CSOs feel able to do in their engagement around trade, and challenges they perceive:

If the interests of the poor were to drive Kenya's trade policy, what would have to change at the national level? I guess there would need to be much more direct links, but also we try to identify key target groups who can facilitate that, for example parliamentarians play a key role, the people out in the country, in the constituencies, could influence their own MP, more directly, and try to in different ways put pressure on him or her and have that kind of link; and where the MP also feels accountable. But the problem now of course is that the parliament is quite sidelined in trade policy formulation. We are trying to do quite a lot of work directly with parliamentarians, particularly with workshops

and trying to raise their awareness and knowledge, in order for them to hold the government accountable, but for them also to understand that they actually should work on behalf of their constituencies. There must be much more direct linkages, because the gap is quite huge, definitely.

While the changing relationship between government and civil society has perhaps increased CSO access to the policy process, it is not without danger. The notion that ‘the watchdog has become quite comfortable in bed with the government’ may present a further challenge to building the linkages necessary to ensure accountability.

In Uganda, by contrast, CSOs easily assume the role of “watchdog” but seldom bark loudly. Instead, there has been a strong tendency from government and donors to invite CSO participation in various key development policy processes, from the Poverty Eradication Action Plan<sup>22</sup> to the Plan for the Modernisation of Agriculture, and a range of sectoral and macroeconomic committees and processes. In some cases, CSO participation has resulted in gains to pro-poor policy agendas, but seldom in the exacting of accountability. What appears to be an embracing policy culture of multi-stakeholder participation, however, exists within boundaries:

We did an assessment last year where we were looking at the extent to which Uganda has implemented its commitment under Principle 10 of the Rio Declaration – which deals with access to information, public participation and access to justice. And we found that government sectors that had significant donor funding were more open to public participation, and were more inclined to having very systematic information and dissemination. Sectors that did not have significant donor funding – and you place your trade here – did not. That explains why you might be able to have a lot more visible impact in the environment sector than in the trade sector.

What is very clear in Uganda is that you have on the one hand very participatory processes which are taking place, which you can then engage with government officials and donors; and on the other hand you have where unilateral decisions can be made by the executive, and those are the ones that you have to start looking at, how can you move that power, and that kind of behaviour.

Following these observations, the trade arena can be seen as somewhat dislocated from the culture of development policy processes, and somewhat removed from the centres of unilateral decision-making power within the Ugandan government, centred on the Presidency, and to an extent the Executive. Within the Ministry of Trade itself, government officials have gradually come to welcome civil society participation. A CSO actor who sits on the IITC sees two main reasons for this:

One, that civil society has demonstrated that they have more strong analytical capacity than most government agencies, which don’t have the capacity because they don’t have the resources, the time,

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<sup>22</sup> Uganda’s PRSP.

to engage in trade policy analysis. The second reason is that we have put ourselves out there; they can't afford to ignore us any longer – we say to them that they ignore civil society at their own peril.

Having gained entry to the policy process, CSOs encounter the complicated patterns of inter-governmental relationships through which trade policy is made. While the committee structures of the IITC and the NCWTO retain external funding, they remain focal points, where quite large groups of governmental and non-governmental actors meet. Their sub-committees, which also include non-governmental actors, undertake thematically organised technical work. Neither committee, however, has a legal mandate. The Kenyan and Ugandan governments may lack resources or political will to institutionalise stakeholder participation, and the future of neither committee is currently assured.

Further, the IITC and NCTWO are not the only focal points of domestic trade policy; as two respondents in Uganda discussed, there are a range of intra-governmental interests at play, within broader policy processes.

Is it the Ministry of Trade that will negotiate Cotonou? Part of the difficulty is that the ACP is under the Ministry of Finance – so it's not settled that the IITC is going to be the negotiating platform for the EPA negotiations. The challenge is with Cotonou is that it's not only a trade agreement, it's also an aid framework. So Finance of course wants to put their hands on anything that has some money flowing.

That's very true. It's like you have the AGOA in the President's office. But the President's office still purports to be member of the IITC. And I think that's why we need an institution like this committee, so that we know that issues to do with ACP-EU – where they should be brought.

In both Kenya and Uganda, CSO actors pointed to numerous other government arenas and policies which have an impact on trade. A Public Procurement Bill which was before parliament in 2003 contradicted Kenya's negotiating position at the WTO, where the delegation had been resisting the Singapore Issues, which include procurement. An Intellectual Property Law was tabled in Uganda after an opaque process involving the United States Agency for International Development (USAID), which had not been heard of by the Ugandan Ministry of Justice. In both countries, DFID-funded processes have moved towards drafting policies on trade and poverty reduction, which were largely unknown to civil society actors. The list is much longer. Engaging in trade policy processes means embracing a sometimes bewildering configuration of simultaneous processes, which appear to overlap but often actually exist in isolation from one another. While the spatial focus points of the NCWTO/IITC are an important entry points, equally it is clear that domestic trade policy processes must be engaged on many fronts, through many interfaces.

The role of CSOs in these complex processes takes many forms, but their actions are frequently underpinned by an educational motive. Allowing policy-makers access to a wider range of knowledge

gives them scope to make different choices. This knowledge is commonly in the form of information – about both substantive trade issues, and about policy networks – but is also, critically, in the form of arguments.

We try to look at alternatives. [. . .] So we look at the consequences of that bad policy, and also give an alternative. We say, if this policy is in place, this is what is going to happen; if we do this, this is what is going to happen. So we give the policy-makers a choice. In fact it's up to them to see the policy, to see that the implications are terrible for our people. [. . .] An example is Cotonou, the EPA negotiations which have started. We give them information, tell them what is happening. Our point of view is that we are not ready for the EPA negotiations – so we try to tell them. Sometimes, as government officials, their hands are tied, there are so many influences, and sometimes we do appreciate this; sometimes we know that the donors are telling them, now you must negotiate. Our hands are not as tied as theirs, so we tell them, we can't negotiate, because of A, B, C, D – we do advocacy. They sometimes know the issues, but taking a decision sometimes is difficult for them. Another issue we are working on is that East Africa must negotiate in EPA as one block – that if we don't do that, what's going to happen to the EAC? We try to reason about the implications.

One defining feature of the government-civil society interface that is particularly striking in the trade arena is a sense of working together in the common national interest: 'even if we are coming from different positions, at the end of the day we are working for the good of this country. And I think that one we have come to gradually, to realise this, and respect each other.' Part of a palpable sense of alliance between government and civil society actors, this mutual respect has been forged in part by the very clear sense that Southern countries were being "led to the slaughterhouse" by the wealthy North in the process which led up to Cancún.

The national policy process is embedded in the processes of the global governance of trade, through both governmental and civil society actors. CSOs had an integral role in the processes that led to the collapse of the Ministerial at Cancún, particularly in terms of building linkages between Southern countries, and raising public awareness of WTO processes. Large transnational INGOs in particular have an important role as bridging actors, bringing experience of wider arenas to bear in the analysis of national processes.

From one perspective, we were very clear that Africa was being led to the slaughterhouse on agriculture and the Singapore Issues; so if we could not win on those two issues, then the idea is to stop the process until the EU and the US are serious. Let's wait six months and come back to it then. But the problem with this perspective is that in those six months, things are still happening. Failure to get a good text has consequences; powdered milk will still be dumped in Kenya; we will still have all kinds of products which are coming into the African countries with devastating consequences, like sugar for example. [. . .] Even with a victory in Cancún, the battle shifts to another level – monitoring what's coming through your door and affecting national policy-making through other processes such

as the PRSP for instance. However, in this case the relationship between policy and its impact on poor people's lives is more immediate. The real danger with the WTO negotiations is that the decision-making is removed from the power of citizens.

What emerges from CSO perspectives on trade policy processes is the scope and scale of the landscape, the multiplicity of entry points, and the enormous variety of potential actors to engage with. Most of the international work is geographically focused on Geneva, although relationships with Brussels are growing in importance in the post-Cancún period. Relatively little direct focus, however, is given to Washington, or the development aid machineries of Europe. This absence reflects both the relatively low profile of the IFIs and bilaterals in national trade policy process, and a broader dislocation of the policy arenas of trade and development.

As we have noted above, some development actors draw a direct relationship between trade policy and PRSPs at the national level. Asked what the relationship between trade and PRSPs could or should be, CSO actors responded in a variety of ways. There was a common agreement that indeed a logical argument that trade be part of a PRSP exists in theory, but that in practice a number of factors militate against this. In Kenya, one respondent observed:

The PRSP in Kenya I don't think has come to be seen as an engine. It was viewed much more as an externally driven process and so when the new government came, it even had to write its own Economic Growth and Wealth Creation policy – despite the PRSP being there. The way the PRSP process was conceived, the thinking was sound, let the people be more involved, and all that – but the problem is that it was an externally driven process. So there was no ownership – government saw it as a way in which they could tap more resources – not based on what they want. More like – if you want us to do business, you have to put it in a PRSP framework. Which is its biggest shortcoming.

Several actors were strongly opposed to integrating trade in PRSPs; as one pointed out, 'the neo-liberal approach is already locked in, by the PRSP, so it would be about making the best out of a bad situation'. Another elaborated further, noting that:

I don't believe in the PRSP. [. . .] With PRSPs, the whole foundation is flawed. If you put trade in there, I think you are compounding the problems. [. . .] Because PRSPs are also an imposition from outside. When you look at the PRSPs, look at the macroeconomic policy, they are about putting the macroeconomic policies right; controlling inflation and so on. In fact, PRSPs – in Uganda's case, the PEAP – are upside-down. What should be coming first is changing the lives of the people. Instead, it says, put the macroeconomics right, whatever the cost; what comes next doesn't matter, it will work out. But improving the lives of the people should be the ultimate objective, and the macroeconomic policy should be changed accordingly. The macroeconomic policy should serve that poverty reduction objective. But in the PRSP it is the other way around.



In addition to ideological critiques of PRSPs, there are more functional arguments against somehow merging them with trade policy. A commonly made argument in Uganda is that PRSP already holds too much, and that adding another item to the “basket” of the PRSP would overload it.

In describing the landscape of national trade policy processes, CSO actors provide an image of an arena which contains echoes and shadows of familiar development processes in both countries, but which has its own distinct features. Trade is an issue that challenges the conventional boundaries of policy processes: those within sectorally-structured governments, those between state and civil society, and those at the border between one state and another.

One outcome of applying the range of strategies described above is that civil society actors have had a central role in building the capacity of many different kinds of other actors in the policy process, from farmers, to members of the national delegations in Geneva, MPs and national negotiating teams at Ministerials. The depth and expertise of CSO involvement, and their access to a range of information, has made their participation an integral part of Kenyan and Ugandan engagement at the WTO. This depth of participation, however, is resource-intensive, in both human and financial terms. CSO actors in both countries consistently pointed out that there were simply not enough people or resources to do even the most basic work of tracking dynamic processes across the whole trade arena, and that focus on the Cancún Ministerial, while clearly essential, had distracted scarce resources from other areas, particularly the Cotonou process.

In many ways, the global gaze of debates on international trade eclipses national trade policy processes and domestic trade itself. What the perspectives put forward in this section suggest, however, is that the domestic trade policy arena is vital in understanding the dynamic relationship between trade and development. Experiences of civil society participation in trade reflect the considerable frustrations of engagement, but also the necessity of trying to make the implications and impacts of trade liberalisation clearer to a range of actors from different parts of the trade policy arena.

## **6 Conclusion: glass ceilings, brick walls – and gaps in the fence?**

Our mapping of the trade policy arena, and the role of two groups of civil society actors within it, has revealed many challenges and obstacles to effective participation by pro-poor advocates. One of the major characteristics of trade policy arenas is the very marked imbalance between interests of Northern countries and Northern-focused institutions and those of Southern poor countries. In this concluding section, we summarise our findings about some of the brick walls and glass ceilings encountered, and point to some possible “gaps in the fence” – areas where collaboration, communication or learning shared between unlikely sets of actors offers potential for making trade policy processes more accountable and responsive to the needs of poor people, and of making alternative versions of trade policy options available and open to debate.

Perhaps the first concluding statement we need to make is that the “trade policy arena” is of course far from singular: as our overview of the landscape suggested, even in the international arena there is a complex and confusing multiplicity of policy processes and policy spaces.

Those CSOs operating at the Southern country level are constrained by a “glass ceiling”: while they can see what is going on at the international level and do high-quality work to influence it, their endeavours are limited by the structural and political barriers that prevent their in-country advocacy targets and allies – government trade officials – from playing the part at that level that they are entitled to as WTO members. International NGOs themselves often escape the “glass ceiling” effect, being located on the same plane as the international level; but even so, they do encounter it in their efforts to bring Southern perspectives and priorities to bear on the actions of dominant international trade actors.

Probably the starkest obstacle to effective, widespread, pro-poor reform in the trade arena is the complexity of the policy processes therein. To participate in this system with the intent of reforming it in the interests of poor people, it is necessary to simultaneously embrace and understand a system of global governance, and multiple, diverse systems of national policy-making; and try in turn to link these to broader constituencies through which development actors can articulate their agenda in the trade arena. The multiplicity of levels and spaces is, for many actors, a monolithic complex of potential spaces in which to try to enact change. Each system or level has its own set of technical approaches and political shapes. Each space has its own culture, and patterns of expected behaviour. Inseparably related to the spaces of the trade policy process are the endlessly convoluted movement of trade itself, interwoven with most of the processes that are termed “development”.

One particular feature of this complexity concerns the way that the machinery of world governance works in the era of the internet. The multiplicity of spaces, and unprecedented access to relatively cheap, rapid communication across continents, translates into a tidal wave of information. Accessing information, interpreting it, and acting on it: these are the central activities in trade policy processes. For many actors, governmental and non-governmental alike, there is a need to monitor process and content simultaneously; technical and political skills are both demanded. The challenge of constantly linking one’s own arena of engagement with others that have impact on it is considerable.

Counter-intuitively perhaps, the sheer volume of available information does not lead to transparency. Many core decision-making processes at the power centres of trade policy – international and national – are opaque, failing completely to generate the most basic level of information necessary for accountability purposes. Multiple levels and spaces lead to fragmentation of participation. It can be hard to maintain a proactive stance in the face of monitoring multiple processes and working with large quantities of information.

Creating and holding the opportunity to be proactive is made more difficult by the obscure and often invisible processes of many of the spaces where decisions are made. This, argued one Kenyan CSO staff member, makes working on trade very different from working on, for example, the World Bank or the IMF, where it is possible to ‘spin off areas of work which make sense to people, and start bottom-up; there are some clear policy processes that you can get your teeth into.’

Many of the Southern actors interviewed for this research make sense of impenetrable complexity by constantly relating what they are learning to their own experiences. This is in the form of someone asking themselves or others key questions: ‘how are the peasants going to benefit from this?’, and ‘what kind of policies are there which can protect farmers?’ For a small minority – one CSO in Kenya, and CA’s Ghanaian partner NGO SEND – making sense of global complexity means acting at the local level, with decentralised government. As a Kenyan respondent – who himself has travelled to Geneva to work with the Kenyan delegation on agricultural issues – argued, ‘external forces come to make a situation that is already bad worse,’ and tackling local issues is an imperative for effective work on trade. The respondent from SEND observed that District authorities need to get over their fear of being involved in negotiations with the poor, around trade or any other question that effects their development.

Perspectives like this, and actors effectively linking to large grassroots constituencies, are rare in the East African context. In other regions, on other continents, different conditions prevail, and autonomous, proactive, localised actions are much more likely to take place. Within the boundaries of our study, most civil society actors are centred around capital cities. Challenges of “representing the grassroots” in policy, familiar from debates about participation in other policy processes, are particularly acute around trade policy in this part of Africa, where connections between trade policy activists and “the grassroots” are not strong.

The complexity of the trade policy process means that representation is a multi-faceted issue. Many of the CSOs we interviewed placed many caveats around their representative function: although most had a vision of a constituency upon whose behalf they were acting, in many cases they acknowledged that their actual linkages with this constituency were not strong. There were also those who frankly acknowledged that they were representing no-one but themselves.

Although the question of who, if anyone, “represents the grassroots” is one frequently posed to civil society actors, in the trade arena it is far more common to ask about the way that whole countries are represented in the world trade governance system; some countries<sup>23</sup> have no delegation in Geneva, and therefore no direct representation in most of the processes of the WTO. For those countries with delegations, how are they themselves represented in the committees of the WTO? How far do they represent the views of “the capital,” and how far the interests of any particular group in their country? Does the government itself have a mandate for representation?

The complexity of the trade arena often means that different parts of governments are engaged in different policy spaces. This obscures relationships of representation by filtering them through intra-governmental negotiations and layers of overlapping bureaucracy. When an entity like the EU – an enormous and notoriously inefficient bureaucracy – comes into the picture, a further layer of filtering

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<sup>23</sup> DFID notes that 23 LDCs have no representation at Geneva, where there can be 50 or 60 meetings a week on various subjects.

takes place. In some senses, NGO campaigners who bypass the normal channels of citizen representation to engage directly in Brussels, or Geneva, are proactively attempting to claim a political relationship of representation and accountability from the hands of their own governments.

While intra-governmental and intra-institutional dynamics are an important element of representation, they also provide a significant obstacle to effective engagement in trade policy processes. One bilateral staff member, asked about the main barriers to achieving her goals in the trade arena, noted that even within the bilateral agency, each department tries to promote its own issue, and that constant negotiation is needed to get others to take your own issue seriously. Similar observations were made about inter-departmental relationships in Kenyan and Ugandan governance. The obstacles encountered are not only concerned with coordination between different branches of government, but of the variant and sometimes conflicting approaches that they take to substantive issues, and of power relations between ministries and departments.

The barriers that arise from this scenario are structural, relating to systems of governance and the hierarchies of political relationships that they represent. There are also, however, barriers which arise from the behaviours, attitudes and mental templates of particular actors in the trade arena, rather than from the structural aspects of the trade policy process. Again, some of these are unique to the trade arena, to its technocratic, essentially conflictive political culture.

Several respondents noted that trade policy 'is always, always about trade-offs.' Here, in contrast to health policy, or education policy, the interests of different participants are always directly opposed and conflicting. This is reflective of the type of bargaining that takes place in trade negotiations; there can never be something for nothing; if a concession on tariffs is given, something must be received in return. One respondent argued that

This is at the heart of trade negotiations – not an outcome, but a better poker hand. This is fundamentally incompatible with development goals – trade ministers simply can't negotiate as if International Development Targets mattered, they don't know how.

Such mental and behavioural templates provide an obstacle to bridging the gaps between development and trade. They are also part and parcel of a policy culture that places a premium on technical information and knowledge. Several respondents noted<sup>24</sup> that people who are working on trade tend to have a legalistic rather than a populist way of looking at the issues. There is often a comfortable political neutrality in detail, which allows a forgetting of the bigger picture that is symptomatic of the extent to which a technical focus depoliticises the trade policy process. However, excessive legalistic focus on the minutiae of the wording of different texts, while constraining alternatives, also contributes to the elitist power play that is characteristic of the WTO. As the identity of the WTO continues its shift from administrative organ to quasi-judicial entity (Jawara and Kwa 2003), and discrepancies of language and meaning in texts allow loopholes in different agreements, which are inevitably to the advantage of more powerful actors.

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<sup>24</sup> As do Ddamilura and Noor (2003).

The focus on technical detail therefore simultaneously excludes the radical and favours the more mainstream and powerful.

The exclusion of radical alternatives plays out differently at the national level, according to the features of the domestic political context. One Uganda respondent described this process in detail; in this narrative, it is clear how the templates of negotiation at the international level interface with the domestic political arena:

On the issue of trade, which is far more difficult because you are working on a global level and the radical voices are necessary, but if you are working in Uganda you might just have to be less radical. There is no room for it. This is not a democratic country. So there is not much room for a radical point of view – they will look at you and they will laugh and say ‘that’s hilarious! Leave that to Makerere University students!’ When you are sitting in a meeting you have to start negotiating with people, saying ‘this is what I need’. [. . .] Everybody has to compromise, just to get to the table – there is no other way you can do it. We’ve compromised a lot as civil society. [. . .] If you are too radical, you are a joke in this country. Even if you have a lot to say, even if you are right. No-one will internalise it – the press won’t, the parliamentarians are victims of it, and civil society will say it’s too difficult, too dangerous. So you have to balance it. So it goes.

The lack of space for critical, alternative discourse in the trade policy arena is a significant obstacle for those advocating on behalf of the poor and marginalised. It is symptomatic of a “homogenised orthodoxy” (INGO interview), held in place in the domestic and international arenas by a knowledge generation machinery which produces evidence and builds capacity, as discussed above.

The character of the knowledge generation machinery gives rise to a further important obstacle to engagement which was noted by all those interviewed at the national level in Uganda and Kenya: the paucity of funding for independent research, shaped according to priorities and perspectives which may lie outside dominant ideologies, but which reflect national priorities. One Ugandan respondent noted that it is not only the lack of funding which is a problem, but the monopolistic nature of research capacity building and the importance of the World Bank and IMF in this arena. Although their indirect interventions in national level trade policy processes make them somewhat invisible here, this does not mean that their influence lacks weight, and it is largely through research that it is felt.

The notion of hidden power – which inheres in backstage spaces, away from the public gaze – is a useful one here (Gaventa forthcoming). At any level of the trade policy process, the most powerful actors are not always those who participate directly in public spaces. While the opaqueness of WTO rules and processes provides a myriad of backstage spaces at that level, there are many other opportunities for invisible power to manifest itself at other levels. Perhaps one of the most obvious is illustrated by the telephone calls from the US President received by the Presidents of several Central and Latin American

countries in the immediate aftermath of Cancún, as the G21 group attempted to consolidate its alliances, and the US government acted to block the consolidation. But dominance of the knowledge production industry equally demonstrates hidden power, and is just as difficult to resist.

A further structural power inequality concerns the lack of autonomy of Southern governments in setting their own policy directions. The hands of national governments are easily tied if their own interests collide with those of their creditors. Although notionally in control of a great deal of trade policy, Southern governments in fact face a great many obstacles if they do have the political will to act outside a given script – even if doing so, they are acting within a different but equally prescribed course of action. It is hardly surprising that many Southern political elites follow a path of least resistance in this regard, exhibiting behaviours that show a rampant disregard for mechanisms of accountability. Respondents in this research gave several accounts of instances where senior trade officials would make concessions in one-to-one discussions with other actors, concessions which disregarded and in some cases directly contradicted a national position that had been agreed through a long series of negotiations. Similarly, during the Cancún Ministerial, the President of Uganda, himself highly supportive of the USA's AGOA initiative, wrote a letter to all African Heads of State, advising them to find compromise with the USA. This directly contradicted the position that was being negotiated by his own government's delegation.

The importance of such behaviours in shaping outcomes in trade policy negotiations must not be underestimated. Just as trade is an issue that challenges the conventional boundaries of policy processes, so the policy culture of the global trade governance system and the behaviours associated with that culture, challenge the conventional behaviours of those more accustomed to engaging in development policy. This can lead to unexpected patterns of alliances: close relationships between government and civil society actors, as noted above; and stronger partnerships between neighbouring countries which are used to seeing each other as competitors, but see the value of creating regional trade negotiating blocks.

The playing field of the WTO may ostensibly be a level one, and aggressively publicised as such. But when the players on it are so unequally endowed with power, influence and resources – financial and human – levelness is not conducive to justice or equality, either in process or in outcomes. Our research points to a range of ways – some of which are already being actively, astutely and assiduously pursued by Southern CSOs and INGOs – in which the inequality between players and injustices in outcomes, may be redressed. These include, critically, the need to generate both counter-hegemonic knowledge and the new configurations and alliances necessary to create and use it. As noted in the introduction, the permeability of the boundary which divides “inside” from “outside”, “civil society” from “social movement”, may present fruitful opportunities for such new configurations, as well as new meanings for participation.

While the structural barriers of complexity discussed above are the first order obstacles to civil society participation in trade policy processes, it is the politics of trade policy, and the exercise of political power through backstage spaces, individualistic behaviour, hegemonic knowledge generation and a range of bribes and threats that are the underlying obstacles to the reform of the world trade governance system, and patterns of trade themselves.

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