

## **TRADE AND HUMAN RIGHTS CONSULTATION**

**GENEVA, 3 APRIL 2003**

The purpose of the Consultation Working Session was to consult human rights professionals about their experiences and impressions of the impact of trade on human rights, to exchange views on strategies and methods of work to help the defence of human rights in the context of trade, as well as to identify what information and other resources could be useful to make this work more effective.

Eighteen participants from various human rights organisations attended the Session. Participants included representatives of NGOs from most parts of the world, a UN Human Rights thematic Rapporteur, a member of a UN Human Rights treaty body, a National Special Rapporteur, as well as academics.

### **1. Experiences and Impressions of the Impact of Trade on Human Rights:**

Participants expressed the need for further concrete examples of the impact of trade on human rights. In response, one participant spoke of the devastating effect of unilateral structural adjustment programmes on food security in Zambia and another illustrated the dramatic impact of the reduction of tariff barriers on small farmers in Brazil.

However, those present agreed with a speaker who pointed out the problem of demonstrating cause and effect between trade rules and violations of human rights such as the right to food. The difficulty in identifying causality is due to the overlapping effect of the WTO, IMF, World Bank and international distribution policies, as well as basic environmental factors such as weather patterns. Whilst concurring that the WTO is only one aspect of the problem, those who spoke on this issue stressed that the WTO's structure and processes cannot be ignored, as they are unbalanced and contrary to human rights principles.

Discussions also addressed the communication and ideological problems encountered when lobbying government trade representatives and public relations officers of transnational corporations (TNCs).

Another difficulty identified by several speakers is the lack of information exchange between governmental bodies, resulting in situations where the decisions made by the ministry responsible for international trade policy undermines the same government's social policies.

## 2. Strategies:

Participants agreed that activities designed to protect human rights in the context of international trade should be clearly directed and adapted to different actors.

Three main lobbying strategies were identified:

- Firstly, to focus attention on strengthening national initiatives on trade and human rights in order to influence the national decision-making process.
- Secondly, to create and promote regional networks between those working on trade and human rights.
- Thirdly, to lobby at an international level and develop jurisprudence on trade and human rights by bringing complaints to the UN Treaty Bodies, the World Bank Inspection Panel or the IMF Independent Evaluation Office.

Several participants provided insights into useful strategies for working with UN Treaty Bodies, giving examples of situations where trade-related issues have been raised in the context of the UN Committee on Economic, Social and Cultural Rights.

Participants were also informed of two complaints brought by an Argentinean NGO (CELS) to the World Bank Inspection Panel and IMF Independent Evaluation Body. The first concerned a development loan aimed at agricultural capacity building and the second concerned the privatisation of public services.

Moreover, several people took the floor to say that human rights tools should not be limited to ensuring accountability, but should also be used to devise trade standards and regulations, such as the regulation of access to water.

## 3. Information, Resources and Methods of Work:

A recurrent issue during the Session was the difficulty in finding concrete empirical evidence on the human rights impacts of trade liberalisation. Several participants pointed out that ample documentation exists on specific instances of adverse social effects of trade liberalisation, but that this documentation tends to be framed in technical economic terms instead of human rights terms, thereby making it difficult to use for human rights groups.

Therefore, a number of those who spoke said that social assessments of trade policy expressed in terms that are accessible to human rights professionals would be valuable tools. Likewise, many participants mentioned that giving human rights professionals the training to understand international trade policy, including trade terminology would also be useful.

Some participants emphasised how it would be useful for the human rights community to reach out to economists and promote human rights thinking amongst them (e.g. how to express the meaning and implication of the human rights principles of non-discrimination and equality).

Also, in order to encourage dialogue and facilitate lobbying, participants pointed out the need to improve information about human rights standards and procedures, and specifically to inform trade negotiators about human rights obligations and terminology.

Finally, a participant also commented that there is no central independent source of information about the WTO and its effects, thereby making it difficult for non-specialists to find such information.

#### 4. Conclusions:

The participants agreed that the issue of trade and human rights should be approached in a multi-faceted manner, encompassing the WTO, IMF, World Bank and TNCs. Lobbying efforts should be primarily directed at national decision-makers (as opposed to the WTO as an institution), and accountability and transparency should be demanded from national trade-related decision-making processes.