

Transnational Associations

The review of the Union of International Associations



4/2000

Post-Seattle:
a trade union view

Microcrédit
et développement

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Associations transnationales

La revue de l'Union des associations internationales

Transnational Associations

Associations transnationales

Transnational Associations is a unique bilingual journal whose aim is to deal with major current problems within the perspective of international nongovernmental organizations. It is intended to provide a forum for authoritative information and independent reflection on the increasing role played by these organizations in the international system, and on its philosophical, political, economic or cultural implications.

The approach is intrinsically interdisciplinary, and calls for both specialist expertise and practitioner experience in transnational association matters. *Transnational Associations* provides background information about the actions and achievements of international associations, and insight into their interrelations with intergovernmental organizations. It covers a wide range of topics, among which social organization, humanitarian law, scientific cooperation, language and culture, economic development, to cite a few.

The programme of the review, in accordance with the principles of the UIA, clarifies general awareness concerning the association phenomenon within the framework of international relations and, in particular, informs associations about aspects of the problems which they tend to share or which are of common interest to them. Contributors to the journal review include association officers, research workers and specialists of association questions who engage only themselves.

Founded in Brussels in 1907 as the Central Office of International Associations, the UIA became a federation under the present name in 1910 at the 1st World Congress of International Associations. Activities were closely associated with the Institut international de bibliographie, which later became the International Federation for Documentation. Its work contributed to the creation of the League of Nations and the International Institute of Intellectual Cooperation (the predecessor of UNESCO). During the 1920s, the UIA created an International University, the first of its kind.

The UIA has consultative relations with UNESCO, UN/ECOSOC, and ILO. It collaborates with FAO, the Council of Europe, UNITAR, and the Commonwealth Science Council.

Associations transnationales est la seule revue traitant des grands problèmes contemporains dans la perspective des organisations internationales non gouvernementales. Elle se propose d'apporter des éléments d'information provenant des sources les plus autorisées, propres à susciter une réflexion indépendante sur l'affirmation du rôle joué par ces acteurs dans le système international et sur les aspects philosophiques, politiques, sociaux et culturels de cette évolution.

La visée adoptée est essentiellement interdisciplinaire et fait appel au savoir comme à la pratique des spécialistes du champ d'action des associations transnationales. Les documents, articles et études publiés par Associations transnationales traitent également des liens établis entre celles-ci et les organisations intergouvernementales. Les domaines couverts s'étendent aux problèmes de société, au droit humanitaire, à la coopération scientifique, aux questions linguistiques et culturelles, au développement économique ou à tout phénomène affectant la vie de ces associations.

Le programme de la revue, conformément aux buts de l'UIA, vise à éclairer l'opinion sur la signification de la dimension associative des relations internationales, notamment en informant les associations au sujet des questions qui relèvent de leurs domaines ou affectent leurs intérêts communs. Les textes des auteurs publiés par la revue (dirigeants d'associations, chercheurs et spécialistes des questions associatives) n'engagent que leur opinion.

L'UIA a été créée officiellement en 1910 à Bruxelles au cours du premier congrès mondial des associations internationales. Ses fondateurs, le Sénateur Henri La Fontaine, prix Nobel de la Paix 1913 et Paul Olet, Secrétaire général de l'Institut international de bibliographie, avaient mis sur pied en 1907 l' "Office central des institutions internationales" auquel l'UIA succéda sous la forme de fédération. En 1914, elle regroupait 230 organisations, soit un peu plus de la moitié de celles qui existaient à l'époque. L'UIA devait incarner, dans l'esprit de ses fondateurs, les aspirations internationalistes et les idéaux de paix qui animaient les associations et qui allaient aboutir en 1920 à la création de la Société des Nations.

L'UIA a obtenu le statut consultatif auprès de l'ECOSOC, de l'UNESCO et de l'OIT. Elle collabore avec l'UNITAR, la FAO et le Conseil de l'Europe. Elle entretient des relations générales et ponctuelles avec les organisations régionales.

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Transforming the WTO into a vehicle for social progress, the environment and development

A post-Seattle view of the international trade union movement

by Bill Jordan *

After the collapse of efforts to launch a new round of trade negotiations at the third Ministerial Conference of the World Trade Organisation (Seattle, 30 November — 3 December 1999), popular confidence in the multilateral trading system fell to an all-time low among the general public in both the industrialised and the developing countries.

Over the months since then, the WTO has worked hard to restore a "business-as-usual" atmosphere by concentrating on the 'built-in' WTO agenda of negotiations on agriculture, services and trade-related intellectual property rights (TRIPs), and on its process of trade dispute settlement.

Most WTO members have generally assisted in this process by indicating their readiness to abide by WTO rules, including the results of trade disputes panels. These include a challenge by the European Union to the US "Super 301" trade legislation, and the longstanding dispute about the EU's banana import regime.

However, such apparently consensual support for the WTO does not run very deep. In the areas of TRIPs and TRIMS (Trade Related Investment Measures), many developing countries are seriously concerned by the possibility of judicial action against them through the WTO, encouraged by the major multinational companies involved. While many developing countries have formally requesting an extension of the deadlines they had for implementing these agreements, their requests for longer transition periods are now to be heard on a case-by-case basis, not in a multilateral framework as they had wanted.

On market access issues for developing countries, industrialised countries offered some improvements at a WTO General Council on 8 May 2000, but these have been criticised by many developing countries and commentators for being far too limited.

On the vexed issue of transparency and democracy of WTO decision-making procedures, so great a problem in Seattle, there is little progress in the consultations that are underway on developing a more inclusive WTO decision-making process.

Overall, there is little sign of movement so far in most of the areas where agreement would be

needed to start a new round of WTO trade negotiations. WTO Director General Mike Moore has stated that he sees little sign of consensus on the main elements of a possible new round. Most commentators voice strong doubts as to whether any resumption would be possible before late into 2001.

Indeed, some have suggested that it will take much longer than one more year to achieve consensus on the basis for a new WTO round. This would indicate that such a decision-making occasion may be unlikely at the 4th WTO Conference in 2001, putting it back to the 5th WTO Ministerial Conference or some other future date.

Furthermore, there is great concern about the future of the WTO that goes beyond the question of a new trade round. The WTO's trade disputes system places enormous pressure on its members' ability to maintain a domestic consensus in support of trade liberalisation. Further trade disputes conducted under existing WTO rules risk to result in a continued series of rulings (in disputes such as asbestos, hormones, and potentially in areas like genetically modified organisms) which will be socially and environmentally damaging and cause increasing opposition to the WTO among the general public in many countries.

Countries might even stop implementing WTO rulings. In such a case, the trade disputes system could break down, particularly if there were a fall in world economic growth prospects which weakened support for trade governed by the WTO.

Rebuilding confidence in the WTO: the priorities

But the global economy needs global rules. The ICFTU supports open, fair and transparent world trade and, over the past fifty years, has supported removing barriers to trade at the WTO and its predecessor, the GATT.

However with rising inequalities between and within countries, present support for the removal of further barriers to trade is fragile, particularly in developing countries as was

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demonstrated by some of the difficulties faced in reaching an agreement at Seattle. It is vital that the WTO not only opens up trade but also does so in a way that promotes social concerns and works to reduce inequalities.

The WTO's member governments must demonstrate that the WTO can respond to social and development concerns in order to avoid a repeat of the debacle at Seattle. These concerns will not go away. They are growing, and they must be addressed. That must be done sooner rather than later - because in addressing these challenges the WTO can help to ensure that trade liberalisation does what it is supposed to do - to help make peoples' lives better.

By doing so, the WTO could gain the public support it badly needs and begin to achieve the goals set out in the WTO statutes of increasing living standards, raising employment and achieving sustainable growth. The WTO must therefore make a decisive move towards shaping the process of globalisation to take development goals and social and environmental issues fully into account.

Core labour standards at the WTO

In order to rebuild popular support for the multilateral trading system, one of the key issues the WTO must address is the need to make progress on the issue of basic human rights at the workplace. As competition in export markets and for inward investment becomes increasingly global it is vital that this does not lead to further downward pressure on basic human rights. Developing countries, in particular, are feeling mounting pressure to repress labour standards to artificially lower labour costs to increase their short-term competitiveness. One consequence is the proliferation of export processing zones where the workforce of mostly young women is denied the chance to join trade unions for their protection and in consequence is severely exploited and subject to poor and often dangerous working conditions.

Many developing country governments have argued that developed countries simply want to impose standards on them in order to remove

their comparative advantage of cheap labour costs. However, the trade union proposal to include core labour standards at the WTO is not a protectionist measure but is aimed at protecting the rights of all workers, worldwide.

Core labour standards should be recognised by all as a matter of fundamental human rights. Core labour standards cover the right to freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation.

This should be seen as a basic issue for the WTO. Furthermore, the experience of the Seattle Conference was not wholly negative in this regard. Whilst the Seattle Conference failed to establish an entity that could have examined closely the effect that trade has on core labour standards, trade unions were encouraged that many countries that have traditionally opposed the inclusion of labour standards at the WTO did play an active part in discussing a possible text.

Progress in Seattle on core labour standards

On 30 November 1999, the first day of the WTO Conference, the US trade union centre of the AFL-CIO organised an immensely successful Peoples Rally and March in Seattle which was attended by some 40,000 people. The People's Rally was addressed by a large number of international union leaders representing a range of regions and sectors engaged in the global trade union campaign. It conveyed a resolute and internationalist message of the united trade union determination to ensure the protection of basic workers' rights in the global trading system.

Over the course of the WTO Conference, some sixty trade union representatives in Seattle took part in extensive interventions with their governments (and in some cases were actually part of their countries' official delegations) in order to achieve and maintain support for our proposals on labour rights and trade.

At first there was little formal discussion of core labour standards although the issue was

raised at a variety of bilateral meetings, including some between European Union member states and leading developing countries.

On the second day of the Conference, President Clinton made a strong call for a sanctions-based mechanism to protect core labour standards in a newspaper interview. There was widespread opposition to his remarks from many developing country governments. President Clinton responded to such concerns saying that "The answer is not to just throw away the issue. The answer is to write the rules in such a way that people in our position, the wealthier countries, can't use this as an instrument of protectionism."

On the third day of the Conference, events began to move swiftly as a ministerial consultation session on "Trade and Labour" was convened by the Chair of the Conference. This was immediately followed by the convening of a "green room" (limited-participation only) discussion on the same subject which included many of the largest trading nations among both developing and industrialised countries. Many trade unions from the countries in the "green room" were able to stay closely in touch and to influence proceedings through their links with ministers, ambassadors and officials.

According to reports received by the ICFTU, the meeting in the green room was surprisingly consensual. Only two countries were consistently negative on every point throughout the meeting, and they were isolated in arguing that labour standards should not be discussed by the WTO in any manner. Others played a constructive role in seeking to agree on a consensus text.

In the end, the "green room" discussions lasted for about 24 hours of almost non-stop meetings, and resulted in a draft text for a formal WTO Ministerial Conference decision on "Trade, Globalisation, Development and Labour" being produced and amended several times over that period. The discussion on a possible draft decision was still continuing at the point the WTO Conference ended abruptly on Friday 3 December.

Of course, had the discussion continued, it is not clear what, if any, decision would have been taken on this issue. But the lasting significance of Seattle may well be the change in position by

a number of influential developing country governments to accept labour standards as a legitimate subject for discussion at the WTO.

The way forward on core labour standards at the WTO

The priority for the WTO now should be to set up a formal, permanent working group or similar body that would be part of the WTO's follow up to the commitment on labour standards embodied in the Singapore declaration of the first WTO Ministerial Conference in December 1996. That working group would therefore report back to the WTO General Council with proposed recommendations concerning WTO procedures, mechanisms and regulations.

The structure of the working group should allow for the participation of the ILO, which must be given formal consultative status at the WTO. Its work programme should include a mandate to undertake analysis and to propose procedures and instruments for the treatment of core labour standards in the international trading system.

The examination of how to associate trade with respect for core labour standards would include examination of the best way to implement a scheme of positive incentives; the consideration of measures to be taken where trade liberalisation was associated with violations of core labour standards; and a review of the mechanisms of the WTO (including trade policy reviews and dispute settlement) in order to help to work towards increased openness and transparency and ensure consistency of trade negotiations and agreements with respect for core labour standards within the work of the WTO.

Reforming the WTO's decision-making structures

Progress on the protection of workers' basic human rights should be accompanied by general reform of the WTO decision-making structures, found to be so painfully deficient in Seattle. For the WTO to work effectively, a comprehensive understanding between all of the members is needed. The WTO needs to work equally for all of its members and be seen to do

so. Problems of hostility arise when countries or groups feel excluded from the discussions which can lead to the problems seen in Seattle.

Whilst some hesitant moves have been made by some governments at national level to include NGOs and trade unions in discussions about the WTO, the level of involvement varies from country to country.

At the WTO the level of genuine dialogue is also inadequate. The WTO has taken a welcome step forward in opening up the WTO website to accept contributions from NGOs, but frustrations will not be abated if these views are not seen to make any impact on the functioning of the WTO. A genuine effort is needed to ensure that trade unions and NGOs views are understood by the WTO.

The internal transparency of the WTO also needs strengthening. Many developing country governments need financial and technical support to ensure that they are able to participate fully in the WTO. The financial support that many EU governments have started to provide is a welcome step forward, but this needs to be part of a concerted and sustained effort by all industrialised countries to ensure that developing countries are able to gain from the WTO and to take part fully in all of its actions and procedures.

In particular, assistance is needed to ensure that all WTO members are able to be represented adequately in negotiations at the WTO headquarters in Geneva, requiring particular assistance for the 30 or so developing countries too poor to have any representation there at all.

The disputes mechanism also needs to be altered to allow developing countries greater access and an increased ability to use the mechanism.

Promoting development through the WTO

If developing countries are to be convinced to change their negative stance concerning their interests in trade liberalisation at the WTO, they need further measures to establish a strong reason for them to do so. Increased technical and financial development assistance and debt relief must be part of a co-ordinated strategy to achieve balanced economic and social development for developing countries, particularly the

least developed, with the full participation of all relevant UN agencies including the ILO, UNO TAD and UNEP as well as the social partners.

A range of measures are needed including: the constitution of a negotiating group to tackle the priority concerns of developing countries; strengthened developmental provisions in the TRIPs Agreement; and improved market access and positive incentives for all developing countries (especially the least developed) which respect core labour standards.

Ensuring the WTO does not undermine environmental protection

The most immediate issue concerning the environment is that of the relationship between Multilateral Environmental Agreements (MEAs) and the WTO trade rules. There are currently about 180 MEAs including agreements such as the UN Convention on Climate Change; however, where they stand in relation to the WTO rules is unclear.

If the WTO takes precedence, then the MEAs are significantly undermined. Despite the fact that these multilateral agreements have been agreed on, and decisions taken that will protect the environment, if trade rules take legal precedence the MEAs are meaningless. The WTO will continue to raise hostility and suspicion if its rules allow governments to undermine internationally agreed rules.

An amendment to GATT Article 20, or a quasi-judicial statement of understanding, is required which would specify that MEAs are legitimate exceptions to the trade rules. Whilst trade is vital it must not be at the expense of the environment. The burden of proof should also be reversed in disputes concerning MEAs so that the complaining country would have to prove that there is a case to answer.

The WTO agreed in the Uruguay Round that although states can control the import of final products that are damaging to health and environment, they cannot restrict the import of goods on the grounds that they have been produced using harmful production and processing methods (PPMs).

This has major implications not only for the environment but also for health and safety stan-

dards at work. The WTO should agree that it is legitimate to prevent the import of goods that are made using harmful PPMs. Legitimate standards should be achievable without this measure degenerating into protectionism.

The WTO Technical Barriers to Trade (TBT) should be amended to allow for the eco-labelling of goods that use harmful PPMs.

A formal recognition is needed in the WTO of the precedence of the precautionary principle in environment and health-related trade questions, including preventing hazards at work. This should be part of an overall environmental and social impact assessment to monitor the impact of globalisation and of proposed future WTO negotiations on environmental protection.

Services and government procurement

Countries must be able to retain the right to exempt public services from any agreement covering the service sector. This is particularly important in the education and health sectors, as these public institutions or services that contribute to national and local economic and social development should not be subject to competitive pressures and the dictates of the market place. Therefore the education and health sectors should remain outside any WTO negotiations on trade in services.

In the area of government procurement, also mooted for future WTO trade liberalisation, agreement is needed on the basic starting principles. All consumers, whether individuals, local

authorities or governments should be able to implement an ethical purchasing policy and it is important that the WTO should not interfere with their ability to do so. Any effort to develop a multilateral agreement on government procurement must start by recognising the legitimacy of the economic, social and environmental factors which enter into much government purchasing policy.

Conclusion

After Seattle, trade negotiations can never be the same again. In the absence of change to the WTO rules to incorporate social, developmental and environmental considerations, public opposition to WTO trade talks can only be expected to increase — partly because WTO trade disputes, conducted under existing WTO rules, will result in a continued series of findings which further indicate the limits of a narrow commercial approach to the multilateral trading system.

Preventing a repetition of Seattle will require the construction of an alliance for progress at the WTO on all fronts simultaneously: to protect basic labour standards during globalisation, to tackle the concerns of developing countries about fair treatment in the multilateral trading system, and to make the trading system environmentally sustainable. A new consensus needs to be built around that social and development-oriented alliance for a fairer world trading system.

Getting a seat in the WTO restaurant

By Mike Waghorne*

Ever tried eating in a restaurant where you aren't allowed to know what's actually in the dishes you are eating? Where you can't complain about the service because that's a "non-negotiable" issue? Where the only people to have any say are the owners and the local Restaurateurs' Association and where customers and staff have no rights? Welcome to the WTO Restaurant!

In a widely misquoted statement, Renato Ruggiero, the then World Trade Organisation Director General, in 1996, speaking to the UNCTAD Trade and Development Board, is reputed to have said: *We are writing the constitution for a world government.* He actually referred to *the constitution of a single global economy* but when you see what the WTO rules and decisions cover, it is easy to see why many people get the quote wrong.

At a meeting with the International Confederation of Free Trade unions (ICFTU) and International Trade Secretariats (ITSs) which cover all sectors of the workforce on October 22 just before the Seattle Ministerial, Ruggiero's successor, Mike Moore, idly flicked through the publication from Public Services International (PSI) on the implications of the General Agreement on Trade in Services (GATS) for health services which was in front of him. Instead of listening to the speech of ICFTU Assistant General Secretary, Eddy Laurijssen, to which he was going to have to respond, his eyes latched onto a sentence which noted that the WTO does not have any mandate for health, health service quality or the conditions of work for employees. [The publication goes on to note that the decisions of the WTO affect each one of those and that, therefore, public sector workers and their unions should be actively working against attempts to extend the GATS further into health services.] But Moore had seen only this one sentence: *Too damned right we don't*, he said in his usual, flippant way, *and that's the kind of rubbish we read all the time!* So Moore never read the rest of the PSI message nor heard or replied to the ICFTU message.

That's the kind of treatment that workers, consumers, women and indigenous peoples have received all the time from the WTO - up until Seattle, any way (but see below for an example

of how this may be changing both amongst the staff and some member states).

No! says the WTO

To go back to the restaurant, many people, rightly or wrongly, feel concerned about biotechnology and genetically-modified organisms and food. Is it safe? Is it harming other species such as monarch butterflies (it seems so)? Will it run the risk of spreading viruses or genes between species in a disastrous way? Shouldn't we be able to demand that these foods be labelled so that if we don't want them, we can avoid them in the supermarket?

No! says the WTO. If you force companies to label their foods this way, you will interfere with trade. So the WTO strikes down rules on food labelling. It strikes down rules which would prevent people *fishing* for shrimp from killing turtles because of the nets they use. It strikes down policies in the European Union which are aimed at supporting banana producers in poor Caribbean, Pacific and African countries because they get in the way of exploitative US multinationals such as Chiquita and Dole selling their bananas in Europe.

The same with environmental issues. Or health and safety issues involved in the banning of fuel additives. Whatever the field, the rule is: *You eat or you don't eat but there's no choice of brands of wine; there's no say in how the kitchen staff or waiters get treated and you don't get to read the menu.* Or, at least that has been the case. The recent decision to support the French ban against the importation of asbestos from Canada, on health and safety grounds may be an indication that some social concerns are at last beginning to permeate the decision-making - taking some heat out of the kitchen, if you are familiar with asbestos hotplate covers.

The menu

The bit about the menu not being available is actually true. The only way that people get to know what's actually on the agenda for the WTO Ministerial Conferences, including the most recent one in Seattle in early December, is if governments which think they are losing the

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battle leak papers to the public. But the WTO itself does not think that the public or even national parliaments have a right to know these things. And it's not just the WTO: in the WTO preparations, the European Union was trying to work out its demands and position. Papers were prepared for discussion by relevant ministers and officials. But when Finnish MPs were being briefed on these matters, they were told that they were not to pass these papers on to anyone else or to discuss them in public!

Yet the public have every right to know what is going on. Public sector workers and their trade unions certainly have every right to be informed about what is going on. Think about this: in Seattle, potentially, the trade ministers were going to be discussing:

- Agricultural trade;
- Genetically-modified organisms;
- Services of all kinds, including health, education, transport, water, energy, telecoms, tourism, finance and E-commerce;
- Intellectual property rights, including patents, life forms, the use of the knowledge, herbs, etc. of indigenous peoples, generic pharmaceuticals for conditions such as HIV-AIDS;
- The liberalisation of access to industrial product markets;
- Investment;
- Competition policy;
- Government procurement policies;
- The special needs of developing countries in the trading system;
- General trade facilitation;
- Technical barriers to trade;
- The way the WTO works (or doesn't) in areas such as transparency and accessibility by NGOs, etc.;
- The impact of the WTO on Multilateral Environmental Agreements and other specific environmental concerns;

" A general review of work on WTO agreements which were known to be untidy or due for revision and updating.

Maybe Ruggiero was not misquoted! There's hardly an item there that does not impact on your daily life, on the decisions and policies of your government, on your workplace, on your trade union's bargaining agenda, on UN agencies which deal with the environment, health,

intellectual property, development issues, etc. But the WTO view is that it can require governments to change national laws and policies in any of these areas if they act as 'barriers' to liberalised trade.

What they didn't want to talk about were workers' rights and trade impacts on women although, in the end, they had no choice.

The new monster

Every day we read stories, rumours and case-studies about the arrogance of the WTO - stories which have led to it replacing the World Bank and the IMF as the international monster against which we should all wage war. Yet we really need some kind of WTO. Many people do not realise that a WTO which operates according to a set of clearly understood and agreed rules, providing those rules are fair to everyone, is infinitely better than the 1,600 bilateral and plurilateral trade agreements which are even more unfair than is the WTO. For most of these, most developing countries can never hope to provide enough resources to negotiate with any sense of equity and to monitor the agreement. The big economies and their multinational companies win every time. The tragedy is that, because the WTO rules are not fair, the weaker nations and weaker groups lose out both ways.

Workers' rights - the cutlery

The first WTO Ministerial in Singapore in 1996 was the focus of intense lobbying by the international trade union movement, with the objective of getting the WTO to incorporate labour standards into its work programme in some way. This campaign has been led by the ICFTU, the Trade Union Advisory Committee to the OECD (TUAC) and ITSs such as our organisation, PSI. Each ITS organises in one sector of the workforce. The opposition to this from some of the developing world, especially the ASEAN (the Association of South East Asian Nations), resulted in weak language which merely committed trade ministers to respecting core labour standards but noting that this was really the job of the ILO.

In recent years, the confusion and misrepresentation caused by the use of rather vague terms such as "the social clause" and 'the trade and labour standards linkage' has led the union movement to clarify its demands regarding workers' rights. In the lead-up to the third Ministerial in Seattle, the union movement campaigned for an agreement that the WTO would either create a committee to examine the relationship between workers' rights and trade or agree to create a forum to discuss such a proposal or, indeed, start work on building workers' rights into its work, rules and disputes settlement machinery. The latter was extremely unlikely, given the hostility of some nations to even having workers' rights on the agenda in any shape or form.

In the lead-up to Seattle, it was clearly impossible for unions to put resources into every aspect of the 'menu' outlined above. The main items which the ICF TU and ITSs (along with friendly NGOs) decided to focus on, as well as workers' rights, included:

- Any extension of the General Agreement on Trade in Services into health and education. The danger was that education and health services would be treated more and more as tradable services, subject to WTO rules. PSI and Education International - another ITS - had both published analyses of this danger. We will come back to this later.
- Public procurement by public authorities. The fear in some countries was that it would allow some transnational companies (TNCs) to make inroads into more public services and reduce the ability of governments to support the growth of small domestic suppliers and contractors. The present Agreement on Government Procurement has been ratified by only 25 countries but there are moves to extend this, in the GATS and the AGP, initially by requiring all member states to be transparent in their public procurement decisions, even if they do not ratify the AGP. Unions also wanted core labour standards built into procurement rules since many of these projects are supported by the World Bank, for example, and can be a major tool in building more protection for workers on large projects and in developing and maintaining a base of labour standards in all countries.

- The toughening up of the treatment of environmental and health and safety concerns by the WTO. This would include attempts to get the WTO to allow trade to be restricted if the production and processing methods were environmentally unsustainable.
- Support for women's demands for an analysis of the impact of trade liberalisation on women. Both PSI and EI had also been campaigning in the regional conferences leading up to the UN Beijing Plus 5 conference to ensure that the needs of women and girl children were being addressed in these forums. For PSI, this has also been a priority issue throughout the Copenhagen Plus 5 process, where we have made the link which labour standards have with gender equity and social development - links which were in the original Beijing Platform For Action and the Copenhagen Declaration but which many governments have studiously ignored.
- The problems confronting developing countries.
- Attempts to ensure that any WTO investment and competition policy developments would be consistent with the kinds of social, environmental and labour standards concerns discussed above and would enforce not just the rights of multinational corporations but also their responsibilities.

To be frank, the union movement's preparations for the Singapore and Geneva Ministerials had been less than perfect. Uncertainties over just what a 'workers' rights' text would look like and how the mechanism would work had meant that we could not answer questions and criticisms effectively. Our poor understanding of the agenda and the strengths of other NGOs meant that we did not create effective coalitions with those whose issues we could support and who in turn could support workers' concerns - and we did not manage to isolate those NGOs which opposed our interests. Later in this paper, I will present some ideas which represent a more concrete agreement on what we mean by the trade and labour standards linkage.

In the lead-up to Seattle, we were more effective in all of these areas. The ICF TU and ITSs, working with their national affiliates, were much better at both lobbying governments and work-

ing with like-minded NGOs. The establishment of an ICFTU-ITS Taskforce on Trade and International Labour Standards and its Internet database and communication network, meant that there was much more exchange of information and more effective access to and use of other groups' networks.

The massive popular opposition to the WTO, growing out of the anti-MAI campaign and its very successful use of the Internet and e-mail, led to more governments beginning to accept that they had to listen to civil society and some began to soften in their opposition to trade union demands for workers' rights to be taken seriously.

So, Seattle was at a different level from which to work compared with Singapore and Geneva. The EU and the US had both put proposals which would go some way to answer the call for workers' rights to be addressed and many other countries were either remaining silent (where they had previously opposed our position) or were suggesting that there was a basis for some discussion.

So, on to the feast at Seattle. Would the WTO restaurant turn out to be under really new management with Mike Moore as the Chef-manager?

The feast

Seattle is Bill Gates territory, the first WTO Ministerial to be given largely to the private sector and big business to run. Business offered to put in \$9.2 million to defray the costs of the ministerial. Big donors were told that they would get to attend a conference with senior US trade officials to discuss priorities for the coming Round. The US Trade Representative responded by saying that they weren't for sale. But donors who gave \$250,000 were allowed to send five guests to the opening and closing ceremonies and a special dinner with trade ministers. They also got special services from the Seattle Host Organisation (SHO), as well as logo and publicity space on the SHO website and in WTO facilities. Cheaper donors got fewer rewards. Not worth it, you think? Well, look at who took up the offer: Allied Signal/Honeywell, Deloitte and Touche, Ford, GM, Microsoft, Nextel, Boeing, US West,

Activate.com, UPS, Weyerhaeuser, Bank of America, Colombia Resource Group, Eddie Bauer, Expeditors International, Hewlett Packard, Seagram's, Preston Gates and Ellis, the Production Network, Caterpillar, IBM, Lucent and US Bancorp.

These people must have thought they were buying something worth having — not just an ice-cream for dessert.

In Seattle, the trade union rally and march on 30 November were among the peaceful side-events to the WTO Ministerial Conference. The union protesters didn't smash shop windows or re-decorate the city with graffiti, they attacked the rules and principles of the WTO. The attacks were drowned in cheers and applause from 25,000 people who had come to join the AFL-CIO rally in a sports stadium before setting off to be joined by another 25,000 for a two hour march through the streets of Seattle.

Most speakers wanted a changed WTO rather than a dead WTO: there were other anti-WTO appeals to nationalism and protectionism which touched the hearts of many workers who are scared for their future and tempted by simplistic solutions. Trade ministers must listen to trade unions which want the WTO to adopt the principle of free and fair trade or they will have to deal with the right-wing parties (and some more protectionist unions) in Europe and the US which want to close borders to trade and immigration and kill off the WTO.

It was the irresponsibility of governments in setting aside union calls for fair trade that formed the basis of the most ecstatically received speech at the rally, that of Gerry McEntee. President of PST's 1.3 million strong affiliate AFSCME: "You are the people; you are the power. We are going to challenge the WTO today when we march. Here we stand on the streets of America as we say to our political leaders: Shame on you! Shame on you! Shame on you!"

The crowd went wild because of the way McEntee said "Shame on you!". It is hard on paper to hear the drawn out vowels, the slow emphasis, the blame, the shame and the indignation with which he won his audience.

ICFTU leaders both questioned the WTO agenda and suggested what we should tell them

about it. General Secretary Bill Jordan asked: "What kind of system is it that can export millions of well-paid jobs from the developed countries but result in poverty being imported into the developing countries?"

The ICFTU President, Leroy Trotman, told the crowd how his members in Barbados were constantly told: "If you want jobs, you can't have good wages. You can't have trade union rights. You can't have good labour standards." Trotman urged the crowd to give the WTO the same response as Barbadian workers were giving: "To hell with you!"

But back to protectionism. "Who are real protectionists?" That was the question put by retiring president of the Canadian Labor Congress, Bob White, to WTO Director General Mike Moore at the ICFTU-ITS conference on workers' rights held on the two days before the WTO Ministerial Conference. Many governments accuse trade unions and governments in the North of being protectionist in their attempts to get workers' rights built into the WTO rules. In WTO parlance, protectionism is a real "No, No".

So Bob wanted to know what it means to be protectionist when we come down to reality. "It is not trade unionists who are walking trade barriers," said Bob. "It is the ones who want to preserve and protect their rights to abuse and exploit people - women in export processing zones and children in precarious employment. It those multinational companies who want to protect their right to pay low wages because workers have no freedom of association and no right to collective bargaining. It is those who want to protect their right to ignore health and safety and taxation laws so that they can make high profits.. All of this in the name of free trade and its benefits which are supposed to derive to all of us."

"Perhaps," Bob suggested to Moore, "we need a realistic definition of what protectionism really means."

WTO talks in Seattle fail - or did they?

Late on Friday night on 4 December in Seattle the world's trade ministers admitted failure in their attempts to settle agreements on any matters which had been discussed during the third

WTO Ministerial Conference. Nobody won as a result of this. While the failure means that discussions on extensions to the General Agreement on Trade in Services (GATS) would not now be able to proceed to open more health, education and other public services, it also means that there was no progress on workers' rights, on a new 'Development Round', on more transparency and democracy in the WTO, on the social impacts of globalisation, on agriculture, and so on.

The refusal of the trade ministers to listen to the concerns of workers, environmentalists, women, development groups, etc., the unwillingness of enough of the most powerful nations to address developing country concerns, the refusal of too many developing nations to hear labour and green voices - all of this means that we spent a week and many millions of dollars in Seattle simply deciding to ask the Geneva ambassadors to try to sort it all out - in even more secrecy?

Has the WTO learnt anything from this? It would be dangerous in the extreme to assume so. As far as GATS is concerned, there is already enough openness in the treaty to allow our trade, health and education ministers to give our public services away to multinational companies. Vigilance over trade ministers' behaviour over the next few months will be essential. Questions should be asked in all parliaments about all WTO-related events which trade ministers or senior officials and Geneva ambassadors will be attending in the near future so that we can forestall any moves to do things in secret.

Some WTO staff recognise the problems; some see the Seattle failure as just bad organisation and poor crowd control. Some member states have learnt to see NGOs as the enemy whilst others heard important messages.

In Seattle, PSI established useful contacts with a number of NGOs and individuals who are interested in working with us on the defence of the public health systems and other public services on all of our countries.

Trade unions can take pride in the fact that for the fourth time in a row (Marrakech, Singapore, Geneva and Seattle) we were able to make workers' rights the centre of debate when we were told that it could not be put on the agenda. We

had the support of many more countries for our position in Seattle than we have ever had before and important splits have occurred amongst those governments which have traditionally opposed our agenda. The ICFTU, the ITSS, our hosts - the AFL-CIO - and PSI and some of its affiliates (AFSCME, AFT, CUPE, NUPGE, UNISON) as well as those on national delegations did a grand job in ensuring that globalisation, trade liberalisation and further trade treaties cannot proceed unless our interests are taken into account.

Now that the GATS negotiations have started in earnest, it has been interesting to see how the WTO staff have responded to our concerns. We had no real relationship with the staff in the Trade in Services Division before Seattle (which may say as much about us as them) and the occasional public exchanges had been sharp, to say the least. After Seattle, we (PSI and EI) decided that we needed to understand where the negotiations would go, since we were concerned at the potential for services negotiations to spread privatisation in the public services such as health, education and water. We asked to meet with some staff and were surprised to see that they had not only read our material on health and education but were basically not as much upset by it as puzzled about it: why were we convinced that there is a link between liberalisation and privatisation; or at the potential of TNCs to move into public services, given that they were convinced that GATS gave protection to governments to preserve public services?

When we explained our position, they admitted to having learnt something. Of course, others who have heard our account of this meeting think that we were being naïve - these people could not be so unaware of these concerns and issues? Yet it would appear that these WTO staff are very honest people: they were prepared to put in hours of work in both going through our publication when they heard that we were going to revise it to reflect post-Seattle events and to sit with us to ask more questions and to explain how they thought we could improve it. Maybe one of the common criticisms levelled at the WTO staff and trade ministers has more truth than we realise: they really are so narrowly focused on trade that they just do not see the

other issues. (Of course, that should in no way suggest that some of them are not the devious, scheming ideologues which many of them say they are.) And not just the staff: Sergio Marchi, the Canadian Ambassador who chairs the GATS negotiations was also prepared to meet with a union delegation (UNI and PSI) to talk through our concerns and was happy to know that his senior staff were putting this time and resource at our disposal.

People have every reason to be concerned at the potential of the GATS negotiations and to monitor every move which their governments make in this process but the real lesson to come out of this is that it is not the WTO which needs watching so much as governments and TNCs in the globalisation process. In this respect, the evidence is there in the GATS Agreement and the country schedules: it is not the WTO which is driving privatisation and liberalisation but globalisation. Hardly a single government has made any commitments under GATS that it had not already made before GATS came into existence and most governments which have made GATS commitments have committed themselves to a level of liberalisation which is lower than their current practice.

PSI will continue to urge its affiliates and the NGOs with which we work to be GATS-nervous but it is globalisation and the TNCs which drive it that are the main danger.

The Agreement on Government Procurement, as noted earlier, has not been ratified by many countries. In negotiations on its extension, there is a real risk that some countries will make concessions which will weaken their ability to set regional and industrial policies which may be essential to their national development. But trade unions have every reason to support the call for more transparency in government procurement. Do the words "Suharto", "Mobutu", "Abacha", "Korea", "Russia", etc. mean anything when you think of governments awarding contracts to buddies and crooks? Yes, national development is important but too many conspiracy theorists from the South and liberals from the North tend to forget that national sovereignty has been a cover for much corruption, theft, gross inequality, oppression of trade union and other human rights, etc. and that transparency in

the administration of the huge monies available in public procurement must be a priority.

The other development since Seattle has been the quiet diplomacy which has been going on in Geneva under the auspices of a well-respected NGO which has reached out to governments, the WTO, trade unions and other NGOs to explore in a non-public environment some of the issues which led to the Seattle collapse. It has been surprising to meet with governments in this forum which have never spoken with us on our concerns but which have been prepared to listen as we explain, without the need for high volume exchanges across the streets and rooftops. What we believe, what we want and why. Many of them have been surprised to have the kind of message which is presented in the next section of this paper.

Better rights at this restaurant

Now to a discussion on the linkage between trade and labour standards. Let us be clear:

- We do not believe that the WTO has any role in setting labour standards or in determining whether any country has violated them.
- We are absolutely opposed to the use of labour standards for protectionist purposes.
- We do not believe in a process which is aimed at imposing sanctions but rather in a process involving incentives, assistance and support for governments which want to achieve a better performance on labour standards.

Those three statements may come as a surprise to some people who know that we are part of the international trade union movement campaign to see a link drawn between trade and labour standards, because that is not what trade unions are believed to say they want.

To repeat. Our objective is changed behaviour in which governments respect the internationally recognised rights of workers. We would very much prefer that this approach be based on governments, employers and trade unions working together to achieve that objective.

Some of what follows is expressed in rather forthright language. That is because we really do want people who have differing views to sit down together and try to work out how to resolve them. From there, we can go ahead together to deal with

the issue. To do that we all need to know precisely what we are and are not saying. However, people who find the language too direct should look at the last comment in this section.

Let's look at some of the labour standards myths.

Two things to be clear about for a start:

- There is a difference between 'labour standards' and 'international labour standards'. The first can and should be set by individual countries and will be content-and-culture specific. The latter are set by the International Labour Organisation where governments are all treated equally; developing countries actually can out-vote developed countries; and workers and employers also have voting rights. This means that ILO standards are often an expression of the vast bulk of all the interested parties on how workers should be treated. These are not standards that are foisted on to the developing world by others.

- There is a difference between labour standards in general at the ILO and the so-called "core labour standards".

While general labour standards can cover anything and everything (there are over 180 ILO Conventions), many of them are very specific to a specific industry, sector or category of workers or problems and so may or may not be useful/necessary in all countries for all people.

But the core labour standards (freedom of association, the rights to organise and bargain collectively, the right to work free from discrimination in employment, pay and conditions, the right not to be forced to work involuntarily, as a prisoner or as a child) are matters of basic human rights: if you don't believe in these then you shouldn't be a member of the ILO.

These basic rights form part of the ILO's 1998 *Declaration on Fundamental Principles and Rights at Work and its Follow-up* and were voted for by governments, employers and workers from around the world. No government voted against the Declaration. The demands which workers and their trade unions raise around the world is that these core standards must be respected, especially by governments which want to be part of the international community.

If these two essential sets of distinctions are not understood, then the discussion can get completely confused.

Why? Many people do not know that the international labour standards that are being discussed in the international debates are not the nitty-gritty ones that would make a difference to a national economy, depending on its resources or level of development (such as specific safety equipment or the level of the minimum wage or the kind of social insurance scheme which should be implemented). No, the human rights core labour standards under discussion are applicable to any and all human beings anywhere simply because they are human beings.

Second, it is not a matter of workers trying to impose something on to defenceless developing countries: these are standards which the governments and the employers and the workers from developing countries have all voted for.

So, the debates on this issue are often riddled with confusions such as:

- *The claim that someone is trying to impose sanctions on countries which do not apply the standards:* the international trade union movement has made it crystal clear that we see the use of incentives and assistance as the best way to help countries meet their obligations.

The process for getting this done would involve the ILO using its normal and agreed procedures for investigating a complaint, offering technical and programme advice to a government over a period of years and monitoring progress. After the ILO had investigated the case, WTO procedures would be followed. Now, precisely what those WTO procedures might be is where we are open to discussion.

For example, it may be that some additional text could be put into in Article XX or XXI (preferably XX) of the GATT. Something such as 'the wilful and persistent abuse of those ILO Conventions covered in the ILO 1998 Declaration of Fundamental Principles and Rights at Work and its Follow-up for the purposes of gaining an unfair trade advantage'. This could then be the basis for the kind of action which Article XX allows to protect public morals, life and health, to outlaw prison labour products and related special circumstances. Article XXI allows such action for the maintenance of international peace and security. This would not require every member state country to join a complaint. Or member states may feel that the above text should be added to GATT and

to other basic WTO Agreements and then individual governments could bring complaints under the Disputes Settlement Procedures and take punitive action as permitted by the Disputes Panel; or there may be other suggestions such as suspending countries' right to submit cases through the Disputes Settlement Understanding. We'd be interested to hear suggestions.

None of the government delegations at the WTO which support our position call for the use of sanctions as the means for achieving the objective.

- *The claim that people who call for such standards are acting out of protectionist interests:* once you see the point above, you can see that no protectionist is going to be interested in this because it will take years to get anywhere at the ILO. Protectionists want action now. We are neither protectionists nor focussed on sanctions.
- *The claim that it is only unions and governments in the North who call for these standards to be applied:* in the ICFTU) and ITSs (and we all have affiliates in 140- 150 countries), our people from the South to the North are overwhelmingly in support of these claims and so are many of their governments.
- *The claim that disrespect for these standards will lead to competition for Northern workers' jobs by workers from the South:* in fact, this has little to do with North-South competition. It is developing countries where the need for international guarantees of these standards is most acute, so that governments and workers and employers who respect these standards and are winning/attracting trade and investment do not lose these to other developing countries such as China which violate the core labour standards and so can out-compete the good developing countries. However, that should not ignore the fact that many employers in Northern countries use the threat - and sometimes act on it - of relocating to countries with poorer labour standards and conditions as a means to force unions to make serious bargaining concessions.
- *The claim that child labour cannot be tackled without risking further impoverishment of the child's family:* in the work that the ILO, many governments and the international trade union movement has done on this issue (and you can read about it on our websites), we have all stressed

three things: that the children should be at school; that parents should be financially compensated for the loss of child-labour income and the extra costs of sending children to school; and the parents ought to have preference to the jobs that their children had, with full trade union rights. Not just words but money and action to back this work. Supported by our members in Pakistan, for example, where we are working with these people, not writing about them.

* *The claim that this has no gender angle and would do nothing to help women workers.* But discrimination and equal remuneration are among the main core labour standards. Upholding those standards world-wide would do an immense amount to help women workers assert their rights and improve their situation. The main frustration which trade unions have with these matters is not that others do not agree with us - we welcome debate and have such debates inside unions - but that people who oppose us must so often, blatantly and repeatedly misrepresent our position and the issues. That suggests that our actual position must be correct if it can only be defeated by twisting it and lying about it.

Sure, you can find examples of unions that are and have been guilty of some errors in their approach to this issue: no-one claims to be perfect. The old saw has it: workers may not always be right but they are on the right side.

What we have said above should explode a few myths about the international trade union movement:

The ICFTU and ITSs have members in both the North and the South, contrary to what some of our opponents say. Our members from around the world overwhelmingly support the ICFTU position.

Some people choose to misrepresent the trade union position with respect to the WTO. We are trying to limit the power of the international trading system to undermine core labour standards, not to extend the powers of the WTO. We think that the ILO should handle labour standards issues and that the WTO should bow to the mandate and expertise of the ILO and not try to over-ride or undermine ILO standards. These standards have been set by governments, employers and workers from the North and the

South and reaffirmed in the 1998 ILO Declaration.

It is a rank distortion of the truth to maintain that the trade union movement is protectionist - i.e. trying to protect the interests of its First World Members. In fact, it is workers in the Third World who urgently call for the trade and labour standards linkage. They see the race to the bottom being one conducted between Third World countries, not between the First and Third Worlds.

The international trade union movement has determined that its first priority at the WTO is the development agenda, as well as core labour standards. The fact that the public does not often hear from Third World workers, as we do, is because they are denied, in many of the countries which oppose our position, the right of freedom of expression and the right to a free press. It's hard to hear the silenced.

That the international free trade union movement does not represent all workers in the world is a charge which should be levelled at the oppressive governments which stop unions organising and stop workers joining unions. To say 'You don't represent all workers' is to take the side of the oppressors of workers who make very sure that we cannot represent them!

And, by the way, if we are so obviously on the side of powerful elites, why is it that being a trade unionist in some of the countries which oppose our position is very dangerous for one's health, life and freedom?

The international trade union movement has campaigned for years to limit the power of TNCs; has campaigned for years to get controls over foot-loose capital; has campaigned for years to get an international financial architecture which regulates global capital.

If the ICFTU is so unrepresentative of workers, why is it that no other international trade union body comes even close to it in the election of seats for the ILO Governing Body Workers Group? Because it has a genuine mass membership.

We are often accused of representing the privileged. Tell that to our members throughout Africa, central and eastern Europe and parts of Latin America who have not been paid for months on end: some privilege! Tell that to our nurses who struggle in hopelessly underfunded

hospitals and clinics with the ravages of famine, AIDS, etc. (including in many First World settings, too). Tell that to public sector workers whom we have seen in Samoa working in buildings where the roof leaks and the floor-boards are so rotten that people have to take detours to avoid falling through the floor. Sure we don't represent everyone but workers around the world, whenever they get the freedom to do so, vote for us in their tens of millions. Would it be fair to ask who elected those who try to deny them these freedoms?

It is frequently implied that the ICFTU-ITSS and other trade union elements are simple fools who think that getting a piece of text in some WTO treaty will solve the problems of jobless growth, mass unemployment, insecurity, etc. That is simply insulting to the millions of trade unionists who have campaigned and struggled for decades on these issues and have often put their lives on the line in the process.

So, to repeat what we said at the beginning of this section: we would prefer to work through our differences - and have offered to do that with other groups - and would welcome an approach from governments and NGOs to achieve that end.

Another booking?

Are we making progress? It depends, as they say, on whether you are trying to make a point or make a difference. For those whose main objective is the former, the answer is probably "No". At the official level, nothing appears to have changed and the old agenda is still there. For those such as trade unions which believe that there is a need for a WTO, it may be that it is possible to see a slightly different kind of WTO emerging. But no sensible union or NGO is going to sit at the table in the WTO restaurant just yet and accept the word of the chef that the menu has changed, that the food is now all acceptable and that the staff are being treated decently. We need to see that menu and be able to make our own choices about varying the plate ("without vinegar, please"), to be able to talk with the waiters and to see evidence that the ingredients have all been properly labelled.

Like you can in the street market where I shop on Saturdays, not in the idealised market beloved of economists who don't even know that you can ask for "an avocado which will be ripe on Tuesday, please" and get it.

Economic Globalization and the Environment

By Simon Retallack*

The importance of the natural world, in intrinsic terms and for human life, is fundamental. Without it, we cannot survive. Yet we have sufficiently divorced ourselves from it to become capable of devising an economic system that is destroying it.

The revolutionary set of policies that have been implemented to create the global economy have brought into play new rules and dynamics that are incompatible with environmental protection. In particular, creating increasingly global and unfettered markets for trade and investment has significantly increased the destructive impact of economic activity upon the Earth, exhausting the world's natural resource endowment and ecological carrying capacity at such a voracious rate as to jeopardise the planet's ability to support generations to come.

To make matters worse, the new rules and dynamics of economic globalisation have simultaneously lead to the holding-back or removal of regulations and taxes designed to protect the natural environment, just when they are most needed. The principal economic actors of today, corporations, are thus increasingly able to operate free of constraints. In the process, economic accountability, democracy, and the possibility of democratically achieved environmental protection are being seriously eroded.

As a result, we now face chronic, uncontrolled global crises in deforestation, biodiversity loss, climate change, fisheries depletion, soil loss, land degradation, and fresh-water depletion. Economic globalization is pushing the Earth perilously close to its limits.

The impact of liberalizing trade and investment

National barriers to trade and investment have been dramatically reduced around the world in the past twenty years, following the adoption of IMF and World Bank structural adjustment programs across the developing world, the sweeping to power of neo-liberal governments in the North, the creation of free trade areas in Europe and North America, and the implementation of successive rounds of GATT.

As a result, foreign direct investment (FDI) by transnational corporations in developing coun-

tries grew 12-fold between 1970 and 1992¹. It then almost trebled between 1992 and 1997², rising to \$149 billion out of a worldwide FDI total of \$400 billion - itself nearly double the total for 1994³. The opening of markets worldwide to foreign imports and the promotion of exports has caused a similar explosion in the volume of world trade, whose value has grown from \$380 billion in 1950 to \$5.86 trillion in 1997: a 15-fold increase⁴.

The boom in world trade and investment that has resulted from economic globalization has contributed to a number of very specific ecological problems.

For trade to take place, it requires transportation. Given that current means of transportation are driven by fossil fuels - that when combusted release various harmful gases into the air including greenhouse gases - the increase in transport that has necessarily accompanied the increase in world trade has led directly to increased air pollution and global climate change [see climate change chapter, p...]. The same process has also led to increased bio-invasion - a primary cause of species extinction by which species from distant ecosystems are transported in the cargoes or ballasts of ships, planes and trucks, to new places with often catastrophic results for local biodiversity.

Many endangered species are further threatened by another consequence of trade liberalisation. The removal of border controls on trade, as, for example, within the European single market, and increased trade-related transport across North American and other international borders, has seriously hindered the task of preventing illegal traffic in endangered species. The same processes have made it much harder to prevent illegal trade in hazardous wastes and in banned chlorofluorocarbons (CFCs) that play a leading role in destroying the ozone layer.

But trade liberalisation is perhaps most serious because of its overall ecological impact. Because of the tearing down of barriers to trade, corporations - whose primary goal is to expand so as to increase their stock market value and profits for shareholders - are able to access two important new markets. The first is a vast new market of consumers, to whom they can sell a corresponding increase of manufactured products by persuading them through advertisements that com-

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1. *World Investment Report 1996*, Geneva, UNCTAD, 1994

2. *World Investment Report 1996*, Geneva, UNCTAD, 1996

3. *World Investment Report 1998*, Geneva, UNCTAD, 1998

4. *World Economic Outlook October 1997*, Washington D.C., IMF, 1997. Also *Financial Statistics Yearbook*, IMF, November 1997; and *International Financial Statistics*, IMF, January 1998.

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modity consumption brings satisfaction. And the second is a vast new market for natural resources to meet production for these new consumer markets and to continue to satisfy the high consumption levels of industrialised countries.

Consequently, products, technologies and lifestyles that were previously confined to industrialised countries, and that when used or followed are often highly polluting, are now exported and sold world-wide. That is the case, for example, of the motor car, the number of which has increased from a few thousand world-wide in 1900 to 501 million today⁵. Since the opening of markets to foreign imports, car ownership has been booming in most industrialising countries. South Korea and Thailand, for instance, witnessed annual car growth rates of 25 and 40 percent respectively in the early 1990s⁶. The result is crippling air pollution in urban centres and more greenhouse gas emissions, seriously exacerbating climate change.

Meanwhile, the unceasing flow of products that corporations sell to their traditional home markets, and the increasing flow to the new consumer markets that are opened to them by trade liberalisation require a correspondingly unceasing and increasing flow of raw materials to be produced. Metals must be mined from the ground to be converted into cars; trees must be felled to be converted into paper, packaging and furniture; oil and coal mined to be converted into electricity; fisheries exploited for fish products; and soils mined for cash crops. With the removal of barriers to exports and imports, those natural resources, many of which are non-renewable, are now accessible on a scale that they never were before; available to be purchased to meet corporate production needs, explaining in part at least why there has been an 18-fold increase in the global consumption of materials (including minerals, metals, wood products, and fossil-fuel-based materials) since 1900⁷.

The consequence is much more rapid resource exploitation. Mineral and metal extraction is leaving an ever larger and more damaging environmental footprint, from the generation of vast quantities of pollution and waste and the destruction of huge tracts of land. Mining now strips more of the Earth's surface each year than

natural erosion by rivers⁸. Global fish stock depletion and deforestation have reached devastating levels, with over-fishing now threatening most major commercial fishing grounds, and logging for wood products threatening more than 70 percent of the world's large intact virgin forests⁹. The production of cash crops for export is also causing severe and unsustainable ecological damage, including soil erosion, land degradation from overgrazing, desertification, water depletion, chemical contamination, biodiversity loss, and deforestation.

Yet economic globalization ensures that this damage takes place. The imperative to export is the necessary outcome of the dismantling of export and import barriers; the logic of free trade based on specialisation according to comparative advantage; and the quest to earn foreign exchange to pay off debts to northern banks. Were it not for the resulting drive to export, we can be sure that most of the natural resources from which primary products are derived would not be exploited to anything like the degree that they are. In 1990, all of the diamonds produced in Botswana, for example, were for export; 99 percent of the coffee produced in Burundi - for export; 93 percent of the bananas grown in Costa Rica; 83 percent of the cotton cultivated in Burkina Faso; 71 percent of the tobacco produced in Malawi; half of the tress felled for timber in Malaysia; and half of Iceland's fish catch - all for export¹⁰.

Economic globalization further ensures increased natural resource depletion by dismantling barriers to foreign investment, enabling corporations engaged in resource-extraction - either as primary commodity exporters or to meet their own manufacturing needs - to expand their operations around the world. Thus transnational corporations such as Exxon-Mobil and Shell of the oil industry; Rio Tinto Zinc and BHP of the mining industry; Mitsubishi and Boise Cascade of the logging industry; Pescanova, and Arctic-Tyson Foods of the fishing industry; Vivendi SA and Suez Lyonnaise des Eaux of the water industry; and Cargill and Monsanto of the food industry have expanded their operations to the four corners of the Earth. In a world with fewer barriers to investment, any business with sufficient capital, technology

5. Cited by L.Brown and C.Flavin in *A New Economy for a New Century*, in *State of the World 1999*, Washington D.C., Worldwatch, p.6
6. D.Matthews and A.Rowell, *The Environmental Impact of the*

Car, Washington D.C., Greenpeace, 1992, p.6
7. All figures are cited by G. Gardner and P. Sampat in *Forging a Sustainable Materials Economy*, in *Worldwatch's State of the World 1999*, Washington D.C., Worldwatch, 1999, pp.43-49

8. Cited by G. Gardner and P. Sampat in *Forging a Sustainable Materials Economy*, in *Worldwatch's State of the World 1999*, Washington D.C., Worldwatch, 1999, pp.43-49

9. D.Bryant, D.Nielsen and L.Tangley, *The Last Frontier Forests*, Washington D.C., World Resources Institute, 1997

10. Cited by H.French in *Costly Tradeoffs, Reconciling Trade and the Environment*, Washington D.C., Worldwatch, March 1993, p.12

and expertise can haul away as much oil, gas, minerals, timber, fish, water and food, among other natural resources, as it wants. When the resources of one area have been thoroughly depleted, they simply move on to another. The consequence is massive and often permanent ecological damage.

That damage does not end with the extraction of primary commodities: processing them into more and more manufactured goods is also often highly polluting. It requires large quantities of energy, mostly in the form of fossil fuels, contributing to air pollution and climate change. In the U.S., for example, materials processing and manufacturing alone claimed 14 percent of the country's energy use in 1994¹¹. Manufacturing also involves the use of large quantities of chemicals. As an exponentially rising number of manufactured products are made and exported worldwide, the annual world production of synthetic organic chemicals has increased enormously. From 7 million tons in 1950, chemical production has grown to nearly a billion tons today¹², generating huge amounts of hazardous waste in the process. The consequences are a significant decrease in biodiversity and a horrifying growth in cancer rates. A white male in the U.S. today, for example, is twice as likely to get cancer as his grandfather¹³.

Economic globalization not only promotes these trends by stimulating increased commodity production for export. By liberalising investment, it permits corporations to expand industrial production around the world, increasing the scale of ecological problems such activities cause. Thus we have witnessed the global expansion of the computer, car, steel, paper, plastic, chemical and oil refining industries - all of which generate significant quantities of hazardous waste, with serious implications for public health and biodiversity.

Investment liberalisation also permits Northern-based corporations engaged in activities that are so ecologically harmful that they incur heavy financial clean-up penalties or are illegal in most industrialised countries, to continue to engage in them wherever in the world environmental laws or their enforcement are lax. Many cases have been documented in which particularly hazardous operations have relocated

from the North to escape strict and costly environmental standards. They include producers of asbestos, benzidine dyes, ozone-destroying CFCs, certain pesticides such as DDT, as well as lead and copper smelters, and some mineral processors¹⁴. A number of serious environmental problems are thus perpetuated with devastating implications for public health and biodiversity.

Similarly appalling problems are caused by the disposal of increased municipal waste arising from the increased volume of consumer products and packaging entering markets worldwide, and the expansion of the industrial way of life that is taking place with the opening of markets to trade. The increased use of waste disposal methods such as incineration and landfill, pollutes more water supplies, leached more mercury, generates more methane (a powerful greenhouse gas), and fills the air we breathe with more cancer-causing dioxins.

The tearing down of barriers to trade and investment around the world clearly contributes to all of these problems by providing growth-oriented corporations with unprecedented access to consumers and raw materials, and by maintaining the unsustainable industrialised way of life beyond its natural limits while extending it to the rest of the world.

If the consequent rising tide of ecological destruction is to be halted, the task of strengthening environmental regulations is more urgently needed than ever. Yet another key feature of economic globalization is deregulation. The competitive dynamic that economic globalization creates, and the new trade rules of the global economy principally administered by the WTO, are causing governments around the world to roll-back and hold-back legislative and fiscal measures designed to protect the natural environment. Constraints on ecologically destructive corporate activity are thus being removed, just when they are most needed.

The impact of global competition

As the economy and corporate activity have become global, democratic government has remained nationally-based, enabling corporations to function increasingly beyond the reach of public accountability and control, with very

11. Cited by G. Gardner and P. Sampar in *Forging a Sustainable Materials Economy*, in *Worldwatches State of the World 1999*, Washington D.C., Wordwatch, 1999, pp.48

12. Cited by J. Karlner in *The Corporate Planet, Ecology and Politics in the Age of Globalization* San Francisco, Sierra Club Books, 1997, p.16

13. D.L. Davis et al., 'Decreasing Cardiovascular Disease and Increasing Cancer Among Whites in the United States from 1973 through 1987,' *Journal of the American Medical Association*, vol. 271, no. 6, February 9 1994. Cited in *Rachel's Hazardous Waste News*, Environmental Research Foundation, no. 385, 14 April 1994.

14. H.J. Leonard, *Pollution and the Struggle for the World Product*, Cambridge, Cambridge University Press, 1988.

serious implications for the possibility of achieving the level of environmental protection that is so desperately needed.

In their battles to thwart environmental regulations or taxes, corporate executives tell regulators that if environmental costs, whether real or perceived, are imposed on them, they will be forced to reflect them in the price of their goods. Because their goods must compete in a global market with goods that do not carry such environmental costs, their company, they claim, will be at a systematic competitive disadvantage, and, over time, will go out of business, shedding precious jobs. If that strategy fails, corporations can use the ultimate threat: to use their new freedom - created by the dismantling of barriers to trade and investment - to relocate to another country with less onerous environmental regulations or enforcement.

Governments in both the industrialised and the industrialising world have proven utterly susceptible to such arguments and threats. Once their countries are part of the global economy, they are invariably desperate to attract inward investment to generate jobs, facilitate the transfer of new technologies that improve productivity, and increase economic growth and hence GDP. They are also invariably intimidated or bought-off by the enormously increased wealth and economic power of transnational corporations that has resulted from economic globalization. The assets and sales of the largest transnational corporations are now far in excess of the Gross National Product (GDP) of most countries in the world. Indeed, fifty-one of the largest one hundred economies in the world (excluding banking and financial institutions) are now corporations¹⁵.

As corporations use their new strength and mobility in the global economy to exert political influence, notably by playing-off states and communities against one another to leverage optimum investment conditions, a global 'race-to-the-bottom' has been initiated, in which standards fall towards the level of the most desperate. Many environmental protections have been overturned or left unenforced and countless others prevented from seeing the light of day; all so that national companies remain or feel they remain competitive in the global economy, and foreign corporations are induced to invest.

Leading the drive to deregulate are developing countries. Whether prompted by IMF-World Bank structural adjustment programs, or unilateral governmental initiatives, the aim is the same: to be competitive enough to attract and retain foreign investment. Hence the need to create 'ideal investment climates,' which for developing countries like India means rolling back environmental laws. Prohibitions against siting industrial facilities in ecologically sensitive areas have been removed and conservation zones stripped of their status so that cement plants, bauxite mines, prawn aquaculture and luxury hotels can be built. Forestry regulations have been relaxed for the pulp and paper industry, fisheries controls weakened for fishing transnationals, and mining laws watered down for mining corporations¹⁶.

An increasing number of developing countries are going even further to sacrifice their natural environments on the altar of global competitiveness. They are creating hundreds of so-called 'free-trade zones', usually situated near key communications centres within their countries, and in which lax environmental enforcement is part of a package of measures designed to establish 'ideal' investment climates for foreign corporations. In the process, whole regions are being ecologically decimated. A particularly notorious free trade zone is located on the Mexican side of the border with the United States and is populated by more than 3,400 factories known as *maquiladoras*. In China too, maquiladora-type zones have sprung up in the provinces of Guangdong and Fujian, where low wages and lax environmental controls are attracting billions of dollars of investment.

The competitive pressures of the global economy also undermine ecological best practice in developing countries. Agriculture is a good example. Enormous volumes of staple crops - such as wheat, maize and rice - are grown for export in the North, in monocultures, with the aid of very high levels of chemical and mechanical inputs, and genetic engineering technology, and benefiting from huge subsidies and economies of scale. With the dismantling of import barriers, these crops now flood markets in developing countries, fatally undercutting small-scale, low-input agriculture that is unable to compete. The more ecologically sustainable system of agriculture therefore goes to the wall.

15. All three statistics cited by J.Karliner in *The Corporate Planet: Ecology and Politics in the Age of Globalization*, San Francisco, Sierra Club Books, 1997, p.5.
16.J.Karliner, *The Corporate Planet: Ecology and Politics in the Age of Globalization*, San Francisco, Sierra Club Books, 1997, p. 146

And the only way left for farmers in those countries to compete is to imitate the system of agriculture of their industrialized world competitors - with further devastating consequences for the natural environment. As Mexico's former agriculture minister, Romarico Arroyo, recently said, with 25 percent of Mexican corn imports now genetically modified, 'if we don't put genetic engineering to use, it will be difficult for us to compete,' despite the biological damage to Mexican biodiversity that could result.¹⁷

The forces of market competition undermine ecological best practice in developing nations in another way. Many such countries have slashed their budgets dedicated to protecting the environment, as reducing non-commercial expenditure to lower the tax burden and increase competitiveness is often a condition of receiving an IMF-World Bank structural adjustment loan. To cite two examples: the budget for the Mexican environmental protection agency was cut by 60 percent in real terms between 1986 and 1989¹⁸; and in 1998 Brazil's environment budget was cut by 66%, and funds dedicated to protecting the Amazon rainforest were reduced from \$61.1 million to \$6.4 million¹⁹.

If that were not enough, some industrializing countries will go even further to placate the gods of competitiveness and foreign investment. As an advertisement placed in Fortune Magazine by the Philippine government has said: "To attract companies like yours... we have felled mountains, razed jungles, filled swamps, moved rivers, relocated towns... all to make it easier for you and your business to do business here."²⁰

To compete as industrialised nations must in the global economy with such countries and, which is still more often the case, with states at similar levels of economic development, they too have pursued deregulation programmes with serious consequences for environmental protection. The Reagan Administration, for example, set up a *Task Force on Regulatory Relief*, headed by Vice President George Bush, that was heavily involved in weakening, rolling back and obstructing environmental, consumer and worker safety protections. In 1989, during the Bush Administration, Vice President Quayle's Council on Competitiveness undertook the same work.

The council was active in opening up half of the U.S.' protected wetlands for development, and tabling over a hundred obstructive amendments to the Environmental Protection Agency's implementation proposals for the 1990 Clean Air Act. In the mid-1990s, another frenzy of environmental deregulation began, undertaken this time by the Republican-controlled Congress led by House Speaker Newt Gingrich. It took place, in part at least, as a result of pressure from corporations using powerful new weapons available to them in the global economy.

In 1995, for example, transnational timber corporation Boise Cascade used the threat of relocating some of its operations to Mexico to try to water down U.S. environmental standards. Its threat was credible because earlier that year it had closed mills in Oregon and Idaho and set up production in Guerrero, Mexico to exploit lax environmental regulations and other new investment "opportunities" fostered there by NAFTA. "How many more mills will be closed," Boise Cascade spokesman Doug Bertels told the *Idaho Statesman*, "depends on what Congress does."²¹ It can be no coincidence that that same year, Congress passed the Timber Salvage Rider, designed to make U.S. timber producers more competitive by opening up U.S. National Forests to deregulated logging at subsidised prices.

The drive to maintain economic competitiveness in industrialized countries extends beyond the overturning of existing regulations. It is also preventing governments from raising sufficient taxation from business and channel that revenue into environmental programs. If direct or indirect taxation is hiked, either industrial competitiveness is reduced, or corporations use their new-found global mobility in the global economy to relocate to tax havens or lower-tax countries. Either way, government revenues, that urgently need to be invested in renewable energy and energy efficiency technologies, public transport, forest regeneration or environmental clean-up operations, are significantly reduced.

The impact of the hard rules of the global economy

If any environmental protections survive the onslaught of competitive deregulation, many are

17. Romarico Arroyo, cited in H.Tricks and A. Mandel-Campbell, Mexico's farming habits under pressure from transgenics, *Financial Times*, October 12, 1999-18. Cited by W.Bello in *Structural Adjustment Programs: 'Success' for Whom?*, in J.Mander and E.Goldsmith (Eds.), *The Case Against the Global Economy and For a Turn Towards the Local*, San Francisco, Sierra Club Books, 1996, p.283
19. Source: Steven Schwartzman, Environmental Defense Fund, Washington D.C.
20. Cited by D.C.Korten in *When Corporations Rule the World*, London, Earthscan, 1995, p.159
21. According to Public Citizen's Congress Watch
22. Case and quote cited by J-Karlner in *The Corporate Planet: Ecology and Politics in the Age of Globalization* San Francisco, Sierra Club Books, 1997, pp. 154

now vulnerable to being struck down by the World Trade Organisation and the 'hard' rules of the global economy that the WTO is primarily responsible for enforcing. The principal purpose of these rules and of the WTO is to eliminate barriers to free trade. Because many national and international environmental laws and agreements often restrict trade in some way, the WTO has the power to override, weaken, eliminate or prevent them from ever being drawn up. Under the rules, when there is a conflict, free trade effectively takes precedence over all other considerations - including that of protecting the natural environment.

Officially, global trade rules do allow for the adoption or enforcement of measures "necessary to protect human, animal or plant life or health," and those "relating to the conservation of exhaustible natural resources." (Article XX of GATT). But such measures must run the gauntlet of impossible legal hurdles created by a host of trade rules and rulings before these provisions can apply, rendering them virtually meaningless.

For example, no environmental measure is allowed if it is "applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail," or if it represents "a disguised restriction on international trade," (Article XX of GATT). The same rule also states that no measures designed to conserve exhaustible natural resources are permissible unless they "are made effective in conjunction with restrictions on domestic production or consumption."²³ No measure can in fact discriminate among foreign producers, or between foreign and domestic producers of a "like" product (Articles I and III of GATT). In addition, no environmental measure affecting trade will be judged legitimate unless it is proved to be both "necessary" and "the least trade restrictive" way to achieve the conservation or environmental goal it is seeking (Article 2.2 of the WTO Agreement on Technical Barriers to Trade).²⁴ Moreover, no standards on food safety, biotechnology, pesticides, and plants and animals generally that affect trade are allowable unless an international scientific consensus is reached that such standards are scientifically justified, according to risk assessment, (as stated by various articles of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures).

All of these highly restrictive conditions provide enormous scope for subjective interpretation - scope that the biased nature of the WTO dispute resolution process has ensured is exploited fully in the interests of asserting the primacy of free trade over all environmental considerations.

In every case to date, WTO rules that restrict the ability of governments to implement policies that might even indirectly interfere with trade have been given expansive interpretation by WTO tribunals. Extremely narrow interpretation, meanwhile, has been given to provisions that might create space for environmental exceptions to free trade. That explains why every environmental or conservation measure that has been ruled upon so far by the WTO, and GATT before it, has been shot down. It also explains why the mere threat or possibility of WTO action has been sufficient to persuade many countries to change their laws voluntarily to be 'WTO compliant.' Under this so-called 'chilling effect,' countless existing or prospective measures that are vital to environmental protection are either under threat or are no longer even considered by governments.

Among a whole raft of environmental controls that are now at risk because of world trade rules are those that apply to exports. Exports controls can be an important tool for conserving and protecting important and scarce natural resources, such as forests, fish and water, particularly when larger and larger volumes of them are being exploited for global export. When governments have imposed export bans on raw materials to promote conservation and local employment in the past, such as the Canadian ban on the export of raw logs and unprocessed fish, they have had an immediate and obvious impact on the rate of resource exploitation.²⁵

Such policies, however, are illegal under GATT-WTO rules, and tribunal rulings have confirmed that. The 1908 Canadian Fisheries Act prohibiting the export of unprocessed salmon and herring, for example, was struck down by a GATT panel, following a US challenge in 1986 designed to secure a larger share of Canada's valuable fisheries resources for its own domestic canning industry.

GATT-WTO rules also prevent the adoption of effective controls on imports, with serious

23. Cited by S. Shrybman in A Citizen's Guide to the World Trade Organization, Ottawa and Toronto, The Canadian Center for Policy Alternatives and James Lorimer and Co., 1999, p.22

24. Cited by S. Shrybman in A Citizen's Guide to the World Trade Organization, Ottawa and Toronto, The Canadian Center for Policy Alternatives and James Lorimer and Co., 1999, p.82

25. S. Shrybman, A Citizen's Guide to the World Trade Organization, Ottawa and Toronto, The Canadian Center for Policy Alternatives and James Lorimer and Co., 1999, p.60

implications for environmental laws and regulations. Quotas or bans on imports are forbidden, as is any discrimination, including through tariff policy, among foreign producers and between foreign and domestic producers of a 'like' product. That means that no distinction can be made between products that look alike, even if the methods used to manufacture or produce them differ. Given that many goods and commodities are produced, grown, harvested and extracted in ways that seriously harm the natural environment, outlawing the ability to discriminate against goods that are produced in such ways removes an essential tool for achieving ecological sustainability.

We thus have a lose-lose situation for environmental protection. If governments only allow products to enter domestic markets if they conform to domestic environmental production standards, such behaviour can be found in breach of GATT rules and banned by the WTO. But if, on the other hand, governments allow imports of products that do not meet domestic environmental production standards, those standards will clearly be undermined, and domestic producers who abide by them (and whose goods are consequently often more costly) undercut and potentially forced out of business.

What is at stake was made abundantly clear by a GATT ruling of 1991 striking down a U.S. embargo on imports of Mexican tuna that was caught in ways that have caused the death of over seven million dolphins in thirty years. After the Mexican government challenged the embargo, a GATT panel ruled that it violated the rules requiring 'national treatment' of 'like products.' The U.S. was charged with seeking, illegally, to foist its own environmental laws onto another sovereign country. In accordance with the ruling and under threat of a further WTO enforcement case, the U.S. government has now amended the Marine Mammal Protection Act to allow the import of tuna - still labelled 'dolphin-safe' - caught using mile-long nets set around schools of dolphins.

It is not a one-off case. Exactly the same fate is set to befall a section of the U.S. Endangered Species Act which required all foreign and domestic-caught shrimp sold in the U.S. to be

harvested using relatively inexpensive Turtle Excluder Devices (TEDs) that reduce sea turtle deaths by as much as 97 percent.²⁶ It too was declared to be in violation of GATT rules by a WTO panel and an Appellate Body of the WTO in 1998.

Given that the laws involved in both the tuna-dolphin and shrimp-turtle cases could be considered as part of attempts to fulfill the goals of multilateral environment agreements (MEAs) to protect endangered species, such as CITES (the Convention in International Trade in Endangered Species and Wild Flora and Fauna), each ruling and the logic that lay behind them has very serious ramifications for MEAs. Most MEAs contain trade instruments to be used to require other countries to change their policies and practices in pursuit of global environmental goals. Most, for example, either discriminate against 'like' products according to how they are made or where they are from, or generally restrict imports or exports in some way. Under GATT-WTO rules, most MEAs could thus be challenged.

As Steven Shrybman, director of the West Coast Environmental Law Foundation, explains, MEAs such as CITES, the Montreal Protocol, and the Basel Convention violate GATT rules banning the use of quantitative trade controls, since each of these MEAs seek to control or ban trade in endangered species, ozone-depleting chemicals and hazardous wastes respectively. By allowing different rules to be applied to foreign and domestic producers, these MEAs also violate the GATT requirement for 'national treatment.' Basel and Cites, for instance, seek respectively to restrict international trade in waste and endangered species, but do not seek to regulate domestic trade or consumption. Cites and the Montreal Protocol also violate GATT rules by discriminating between 'like' products, according, respectively, to whether or not a product comes from a country where a particular species is threatened, or is a full party to the Protocol.²⁷

At least seven other MEAs, including the UN's Convention on Climate Change and Kyoto Protocol, contravene GATT and WTO rules, and are hence at risk, according to the World Wide Fund for Nature.²⁸ The threat posed is serious, especially since a proposal by the European

26. Cited by L. Wallach and M. Sforza in WTO: *Whose Trade Organization?*, Washington D.C., Public Citizen, p. 27
27. S. Shrybman, *A Citizen's Guide to the World Trade Organization*, Ottawa and Toronto, The Canadian Center for Policy Alternatives and James Lorner and Co., 1999, pp. 20-21

28. WWF: *Environmental Agreements At Risk*, Press Release, 4 October 1999.

Union that MEAs should override WTO rules was rejected by the WTO's Committee on Trade and the Environment.

The only standards the WTO is keen to recognise are those international ones shaped by industry that it can use to overturn or lower national environmental standards. The harmonising down of environmental and food standards in that way is the purpose of two WTO agreements - one on Technical Barriers to Trade (TBT) and the other on the Application of Sanitary and Phytosanitary Measures (SPS).

Under the TBT Agreement, national environmental laws are defined as 'technical barriers to trade,' (also referred to as 'non-tariff barriers'), and must be replaced with international standards where such standards have been established. Rather than harmonizing upward and thus improving protection everywhere, a lowering of standards usually results since the process of reaching a consensus among governments subject to heavy industry lobbying often results in adopting the lowest common denominator. Worse, under the TBT Agreement, such standards place a ceiling on environmental regulation, and no floor.

New national laws surpassing these international standards or filling in for them where they do not exist, must overcome substantial impediments before they can be judged to be in accord with WTO rules. They must be proved to the satisfaction of WTO trade lawyers 'necessary' and 'least trade restrictive' - requirements that no environmental regulation has yet survived at the WTO. The governments of countries to whom these standards belong must also undertake a large number of extremely bureaucratic, time consuming and expensive administrative procedures which only the most wealthy industrialised countries can afford to fulfil.

Although the TBT Agreement has yet to be the subject of an actual WTO panel ruling, its provisions have already been used to undermine or threaten a number of environmental regulations. The U.S., for example, has used TBT Agreement provisions to attack and substantially weaken a European Union ban on the import of fur caught with steel jaw leg traps that are deemed cruel to animals, without even having to bring the case to the WTO. The U.S. has also

successfully used TBT provisions to intimidate the EU into eliminating a proposal to force the electronics industry to recycle a proportion of their materials. Both cases provide clear evidence of the WTO's chilling effect on environmental regulations. More defeats are possible. Canada, for example, has used the TBT Agreement to file a formal WTO challenge to France's ban on the import of deadly asbestos.²⁹ Given the WTO's record so far, the outcome of this case is awaited with trepidation.

The WTO's SPS Agreement - governing standards on food safety, biotechnology, pesticides, and plants and animals generally - sets even stricter conditions for governments seeking to maintain or introduce any national standards that surpass weak, industry-shaped international ones recognised by the WTO. Governments must in effect demonstrate that an international scientific consensus has been reached in support of the proposition that their higher standards are scientifically justified, according to risk assessments. Absence of such a consensus constitutes proof that the protection is not justified and that it therefore constitutes an illegal barrier to trade. This rule is in fundamental contradiction to the precautionary principle - based on the premise that it is safer not to wait for complete scientific justification to take action to prevent potentially harmful effects, because scientific proof and complete scientific consensus can take years to establish, if at all.

The precautionary principle lies behind the European Union's ban on the sale and import of beef from cattle treated with artificial growth hormones, which EU studies show increase both the risk of illness in treated animals and in humans who consume them. Even though the ban applies to domestic and foreign products alike, following a complaint from the United States and Canada - the principal exporters of hormone-treated beef - two WTO panels ruled that the ban is illegal, because it has been taken in advance of scientific certainty - which is forbidden under WTO provisions.

The panel would only accept the standard for artificial hormones in meat adopted by the Codex Alimentarius Commission in 1995, which stated that such meat was safe. The Codex standard, however, is highly controver-

29. All cases cited by L.Wallach and M.Sforza in *WTO: Whose Trade Organization?* Washington D.C., Public Citizen, p. 29-38

sial. It was set under undue industry influence (140 of the world's largest multinational food and agrochemical companies participated in Codex meetings held between 1989 and 1991 alone³⁰), and instead of being arrived at through consensus, it resulted from a vote of a bare majority of 33 countries in favour, 29 against and 7 abstentions. In these circumstances, the adoption of the European ban seems all the more legitimate. But for the WTO, the EU lacked sufficient scientific proof and ruled that the ban would consequently have to be eliminated, or else the imposition of trade sanctions would follow.³¹

The implications of that ruling for other regional or national health or environmental standards around the world are extremely serious. It bodes particularly ill for the EU ban on imports of certain genetically modified foods. Further conflict and further environmental damage is likely.

The prospects for national environmental protections will only become worse if, as proposed, during the next round of world trade talks, the WTO adopts the investment measures that featured in the proposed Multilateral Agreement on Investment (MAI) that was defeated at the OECD in 1998. Under MAI-type investment rules, for example, national regulations preventing corporations with bad environmental track records from investing domestically could be forbidden. Laws requiring new investors to meet certain environmental conditions, such as having to transfer environmentally-sound technology, could be banned. And foreign corporations could be given the power to sue national governments directly for monetary compensation if they believed government policies, including environmental or public health laws, 'expropriated' or undercut their future profits.

A clear indication of the devastating consequences such rules would have for regional, national and local environmental regulations, can be gauged from the application of identical rules under NAFTA. A recent case is particularly illustrative. In 1996, the Canadian Government introduced legislation banning the import and inter-provincial transport of MMT - a neurotoxin used as a fuel additive that causes irreparable damage to vehicle pollution con-

trol systems, thereby increasing emissions of harmful gasses such as carbon monoxide, carbon dioxide, and hydrocarbons. As soon as the law was proclaimed, the only North American manufacturer of MMT, the U.S. multinational Ethyl Corporation, sued the Canadian Government for \$350 million in damages. It argued that the Canadian law violated national treatment rules of NAFTA, and constituted an expropriation of Ethyl's Canadian investments. It even claimed that merely by introducing and debating the bill, the Canadian Government harmed Ethyl's international reputation, thereby 'expropriating' part of its future profits. Lawyers advised the government that it would lose under NAFTA rules, and so the ban on MMT was repealed, and millions of dollars and an apology were provided in compensation.

That outcome has set a terrifying precedent. According to Steven Shrybman, in its wake, "More than one trade lawyer from the corporate sector has warned that there will be many more such suits as their clients make more frequent use of their rights under these investment treaties to 'harass' governments contemplating regulatory initiatives the corporations oppose."³² The adoption of NAFTA-style investment rules by the WTO would therefore have disastrous consequences.

The logic that underlies such rules is nothing less than suicidal. Unless their adoption by the WTO is fully rejected, and unless the *current* rules of the WTO are changed, we can fully expect the list of essential environmental laws struck down in the name of free trade to grow ever longer; further emasculating democracy and crippling the ability of societies everywhere to address effectively the environmental and social crises of modern times.

Conclusion

At the core of the problem that economic globalization poses for the environment is the issue of scale: the transformation of economic activity from the small and local to the large and global, a change that underlies nearly all definitions of globalization. It is often referred to as *détlocalisation*: the uprooting and displacement of activities and relationships that until recently

30. Greenpeace USA study cited by D.Korten in *When Corporations Rule the World*, London, Earthsan, 1995, p.179

31. To dare, the EU has refused to comply with the WTO ruling and the ban thus remains in place, although the U.S. and Canada, the two countries most affected by the ban, have been authorized by the WTO to impose tariffs on imports of European produce to the sum of \$128 million

32. S. Shrybman in *A Citizen's Guide to the World Trade Organization*, Ottawa and Toronto, The Canadian Center for Policy Alternatives and James Lorimer and Co., 1999, p.134

33. J. Gray, *Fake Dawn: The Delusion of Global Capitalism*, Granta Books, London, 1998, p. 57 and A. Giddens, *The Consequences of Modernity*, Cambridge, Polity Press, 1990, p. 64

were local, into networks of activities and relationships whose reach is distant or worldwide.³³ The fundamental problem with that transformation when it is applied to economic activity is that it ends up violating the basic rules of environmental sustainability *and* sound economics.

Environmental sustainability requires economic accountability, which is best ensured at a local level. In a local economy, when a locally owned investment damages the environment, the investor and his or her local community are more likely to be immediately aware and directly affected by it. And as the local community is more likely to know or have access to that investor, it has a strong incentive and capacity to force the investor to address the problem rapidly.

In contrast, when economic activity damages the natural environment in a global economy, the executives of corporations responsible, their shareholders and the consumers who buy their products are usually far enough away to remain unaware, unaffected, and unconcerned. With no public control over the resources in question or the corporations, investors and markets responsible, the environmental problem continues unabated. That situation now exists across the planet, as economic globalization detaches power from responsibility and separates those who take decisions from those who are affected by them.

Such a situation is appealing to corporations, however, because the larger the economy and the looser the local and national ties, the less answerable a large and footloose corporation will be to any given community and the more it will be able to externalise its costs while continuing to enjoy the economic benefits of its operations. Such cost externalisation is yet another core feature of economic globalization that contravenes the basic rules of ecological sustainability and sound economics. For markets to work in a truly efficient and ecological manner, both economists and environmentalists insist that the price of a traded product must reflect - or internalise - its full cost, including the social and environmental impacts of producing it. When economies remain local or national, governments have traditionally been able to set and enforce rules that make corporations to do just that. Under those conditions, government power has been equal to market power. When

the boundaries of the economy expand globally, however, the concentration of market power moves inevitably beyond the reach of government and there are no corresponding international bodies of law and administration to force corporations to internalise costs.

Firms are thus free to externalise them; worse, given that the pressure of competition increases in the global market, they are actively encouraged to do so or face being undercut by competitors. Free of local, national and global accountability, corporations are increasingly able to pass on the costs of natural resource depletion, and water, air and soil pollution to the natural environment, local communities, society, and generations to come, while reaping the immediate profits with impunity. Furthermore, because their products or services do not reflect those costs, the distant global consumer is given no signal about the consequences of his or her purchasing behaviour - and the environmental problems associated with it, such as climate change or deforestation, continue to grow.

Thus, in the global economy of today, where there are few barriers to trade and investment, we have a situation in which corporations and consumers are able to exceed their own community or country's natural regenerative and absorptive limits by importing those capacities from elsewhere. Natural resources are thus extracted and imported from every part of the planet to satisfy consumer demand in the North, while surplus wastes and polluting activities are exported out of sight to poorer countries. When trees, fish, water, soils or minerals are depleted or polluted and people fall sick in one area, corporations simply move on to another. The corporations, investors and consumers involved are thereby, for a time, insulated from the ecological consequences of their actions. For those with the ability to produce, pay and use consumer products, the world therefore appears limitless in the bounty it offers and the pollution it can absorb. The appearance, of course, is entirely illusionary. But in a global economy, it is all too easy, in the short-term at least, for corporations and consumers to avoid that reality, even as entire forests, fisheries and countless life forms that have evolved over millennia disappear.

34. UNEP, Global Environmental Outlook 2000, Nairobi, UNEP, 1999.

Economic globalization, it is true, cannot be blamed for all our environmental ills. Overpopulation, corrupt or incompetent governments, and uninformed or irresponsible consumers also play a part. Other economic systems have caused ecological devastation too. The closed industrial economy of the Soviet system clearly created its own ecological atrocities. But if that was so, it was because Soviet leaders behaved much like transnational corporations in the global economy of today. They pursued industrial growth while concentrating economic power in unaccountable centralised institutions that could avoid having to face the ecological consequences of their behaviour, and that were able to externalise ecological costs, passing them on to a powerless public with impunity.

While it is also true that local and national industrial market economies are quite capable of damaging the natural environment, economic globalization increases the scale of that damage to a global level by extending the industrial market model throughout the world, to vast swathes of the planet where it had never previously existed. In the process, it exports a philosophy that treats nature as little more than an inanimate collection of resources to be exploited to serve human and in particular corporate ends, and that elevates money to the supreme measure of value, all while increasing the scale of economic activity to unprecedented heights. It thus transforms what were once local or contained crises into uncontrolled planetary ones. That, ultimately, is what makes economic globalization so damaging to our natural world.

By vastly increasing the scale of our economic impact upon the Earth while removing most constraints on destructive economic activity, economic globalization has pushed the planet to its ecological limits: exhausting its capacity to replenish natural resources and absorb our wastes. In such circumstances, the proposition that we should further increase economic globalization is utterly irresponsible and will fail. The regenerative and absorptive capacities of the biosphere cannot support current levels of resource consumption, still less the manifold increase that would result from pulling yet more people into the industrial orbit of an even less regulated global market.

The global economy simply cannot expand indefinitely if the ecosystems on which it depends continue to deteriorate. If it attempts to do so, the planet will become uninhabitable. In the words of the United Nations Global Environmental Outlook report for the year 2000, "The present course is unsustainable and postponing action is no longer an option."³⁴ The further we move down the current path, the harder it will be to reverse course: which means we must act now.

It is time to stop, re-evaluate, and reform each of the policies that drive and underlie economic globalization. Ultimately, we cannot live, and our economies cannot function, without a healthy natural environment. So if we are serious about giving our children a future, more of the same is not an option: fundamental reform is our only alternative.

May, 2000

La nouvelle agora Genèse de la société civile transnationale

par Paul Ghils

"La Cité est une logocratie, l'Agora est son foyer."

René-Jean Dupuy, 1989

Les derniers sommets réunis par les agences des NU ou par d'autres instances mondiales sollicitées par l'ampleur de la crise planétaire ont été marqués par l'émergence de nouvelles formes d'action politique et civique et d'expression éthique. Déjà, le sommet de Davos en 1998 avait été l'occasion d'un appel à "civiliser la démocratie"¹, selon la vision toquevillienne invoquée pour répondre aux menaces que font peser sur les sociétés contemporaines l'évolution anarchique des marchés, l'emprise des technologies et des moyens de communication et les dérives réelles ou potentielles de la recherche scientifique. Le sommet de l'OMC à Seattle, en décembre 1999, vit s'amplifier le mouvement de ce qu'on a diversement appelé, non sans ambiguïté, l'émergence d'une opinion publique mondiale et d'une société civile planétaire. Bien que spectaculaires, ces derniers événements ne sont que la partie la plus visible d'un mouvement de fond qui touche les sociétés contemporaines dans toutes leurs dimensions. On a vu, diversement, les principes humanitaires portés par l'action de certaines associations invoqués par les Etats, les OIG ou le Conseil de sécurité dans un certain nombre de crises - en Somalie, en Irak, en Bosnie, en Serbie, au Timor oriental, en Sierra Leone -, même si les résolutions de l'ONU réaffirmaient dans le même temps la souveraineté des Etats et le rôle premier qui leur revient, le contre-exemple de la Tchétchénie étant ici tout aussi significatif que les premiers cas cités. De même, l'action civique internationale, alliée à l'intervention des médias, a pu opposer des principes éthiques à certains dérives de la recherche scientifique et à la technologisation de ses productions, notamment dans les domaines médical (en mettant en cause l'orientation des recherches sur le SIDA)² et agricole (par la conception et la diffusion des OGM).

Civiliser la mondialisation

La marchandisation des productions humaines, les transformations de la science, les interactions entre l'économique, le politique et le scientifique posent assurément des questions fondamentales

dont la complexité tient à la fois au nombre et à la diversité des acteurs impliqués et à la nature des enjeux qui sont posés pour l'humanité présente et les générations futures. Le facteur remarquable, commun aux crises que ces diverses interrogations ont suscitées chaque fois que des contradictions d'intérêts ou de valeurs sont apparues, est que la "société civile" s'est trouvée au centre du débat. Il est apparu ainsi que le sort des individus dans les conflits armés internationaux ou intranationaux, le sort des malades face à la recherche et à la technologie médicales, l'attitude des citoyens face à la prédominance des acteurs économiques ne pouvaient plus être ignorés. Non sans que cette situation originale engendre des utopies nouvelles, en défense de la société naturellement bonne contre une science aveugle, de la vertu du citoyen contre l'intérêt du marchand, de l'innocence de l'individu livré à lui-même face aux stratégies conflictuelles des Etats et à la permanence de l'ordre interétatique ancien. De là aussi l'annonce récurrente de la fin de l'Etat-nation, du retour du politique, de la maîtrise de la science et de ses techniques, de l'avènement d'un "droit cosmopolitique", le *Weltbürgerrecht* kantien applicable aux individus quels qu'ils soient en leur qualité de "citoyens du monde". De là encore, les ambiguïtés multiples qui entourent la notion de société civile, tentée de se concevoir en fonction des dichotomies classiques du citoyen et de l'Etat, de l'économique et du politique, de la science et de la société, du particulier et de l'universel.

Quelle société civile?

Aussi les représentations de la société civile se trouvent-elles, en ces temps de fortes turbulences, écartelées entre des conceptions contradictoires. D'un côté, la vision universaliste de tradition kantienne voudrait refonder une attitude éthique respectueuse des individus conçus comme sujets humains à partir de la délibération des acteurs de la communauté humaine prise dans son ensemble. On retrouve d'une certaine façon l'antique *societas avilis* de Ciceron, elle-même calquée sur la *polis* ou *koïnonia politike* grecque, dans la société globale contemporaine opposée à l'état sauvage qu'in-carne sa fragmentation en acteurs antagonistes, "non civilisés" suivant la conception de Thomas Hobbes, dans une acception qui s'est affirmée

1. Les réflexions qui suivent ont fait l'objet d'une étude plus approfondie sous le titre "Les ambiguïtés de la société civile internationale", à paraître dans un ouvrage collectif intitulé *Société civile et gouvernance*, Editions de l'université d'Ottawa, 2000.

2. Voir à ce sujet les commentaires de Benjamin R. Barber publiés sous le titre "From M. Tocqueville to Mme Clinton: civil society at risk" dans une même revue (5/1998, p. 256-258) et, en version française, dans la présentation faite par le même auteur du livre de Hillary R. Clinton, *Civiliser la démocratie*, Desclée de Brouwer, Paris, 1988.

3- La concurrence féroce des deux principaux acteurs de la société civile est illustrée ici par l'enjeu que constitue la maîtrise des normes de santé. Alors que de nombreux pays membres de l'Organisation internationale de normalisation (ISO) préconisaient de les confier à ce dernier organisme, la pression des syndicats et des associations a abouti à les confier à l'Organisation internationale du travail (OIT), où sont représentés les syndicats, alors que l'ISO est fortement soumise à la pression des milieux d'affaires (Voir *Le monde syndical*, mars 2000).

Associations transnationales 4/2000, 173-180

récentement. Celle-ci semble en effet trouver dans la société civile mondialisée le pilier d'un nouveau "contrat naturel", comme dirait Michel Serres, associant la civilisation humaine au patrimoine naturel et transgénérationnel de l'humanité, contre la barbarie humaine qui menace à la fois l'homme et la nature. Certains mouvements et initiatives récents, tels que le Forum sur la politique mondiale (*Global Policy Forum*) appelé à se réunir en "Assemblée du Millénaire" à l'automne de l'an 2000 et mise sur pied par une alliance de "citoyens du monde" et d'organisations non gouvernementales, en sont une illustration frappante, où l'on retrouve associés, outre les organisations en question, le monde universitaire, les institutions interétatiques, les médias, les acteurs économiques et divers organismes gouvernementaux, appelés à participer collectivement à la gestion des affaires mondiales dans la perspective des objectifs définis par les Nations unies.

D'un autre côté, les représentations de la société civile sont fortement attirées par les conceptions particularistes, souvent dites "communautaristes", qui font appel à *l'ethos* des mondes particuliers, des communautés dans leur diversité, dans la quête hégélienne d'une reconnaissance mutuelle. Loin de revendiquer la fin de l'Etat-nation, dont la philosophie politique a repris la thématique après les politologues⁴, celle-là revendiquent la création de nouveaux Etats sur une base ethnique et plus généralement communautaire, dont on sait que l'élément religieux est souvent une composante fondamentale. L'éthique qui lui correspond n'est plus l'éthique universaliste des premiers, mais l'ensemble des valeurs substantielles qui composent l'ordre des *ethos* propres à la multiplicité des formes d'existence particulières.

Les tensions entre ces deux conceptions fondamentales de la société civile sont nettement perceptibles, nous l'avons souligné, dans nombre de réunions internationales, même si les représentations concurrentes sont fréquemment implicites et ne font pas l'objet d'un débat dont les termes soient clairement posés. Le flou qui entoure les enjeux de la société civile invoquée par les uns et les autres se trouve d'autre part aggravé par la puissance des acteurs économiques, qui oriente peu ou prou les interprétations qu'en donnent les acteurs vers une mondialisation "fondée", si l'on peut dire, sur l'atomisation entre acteurs individuels et

collectifs définis par la seule concurrence de leurs intérêts, consacrés de la sorte comme enjeu essentiel sinon unique des sociétés contemporaines. La mondialisation ainsi conçue suppose en effet, le plus souvent et sans que cette conception soit mise en cause, l'adhésion consciente ou contrainte à la conception néolibérale qui s'est imposée en même temps qu'elle imposait une vue économiste des choses fondée sur l'offre. L'affaiblissement des Etats qu'elle entraîne renvoie à un mode d'intégration sociale régi "naturellement" par l'intégration des marchés à l'échelle planétaire, où la société civile se trouve promue au statut transnational sans qu'aucun gouvernement mondial puisse lui servir d'interlocuteur, puisque ce gouvernement n'existe pas et que l'objectif lointain d'une "gouvernance mondiale" ne saurait s'y substituer.

Certes, on trouve çà et là le rappel du caractère *bifrons* de la société civile, de la nécessité d'identifier les institutions qu'elle recouvre et du rôle qu'elle est appelée à jouer dans la formulation des politiques nationales et de la politique internationale. Parmi les multiples chercheurs qui ont adopté cette perspective intégrative, Christopher Newman mentionne explicitement comme relevant de la sphère de la société civile, au même titre que les OING, les sociétés multinationales, les institutions éducatives et religieuses, les organisations professionnelles, les syndicats et toutes les organisations qui agissent plus ou moins indépendamment de l'Etat⁵. De même, et plus près du système des Nations unies, la Commission on Global Governance, association transnationale d'inspiration interétatique, définit la société civile comme l'ensemble que constituent les organisations non gouvernementales, le secteur économique, la communauté universitaire et les médias, même si elle reconnaît le statut particulier des ONG dans cet ensemble et souligne la diversité des rôles joués par ces acteurs⁶. De même, dans un ouvrage tout entier consacré à la définition de la société civile dans l'optique onusienne, Michael Oliver souligne que les ONG ne sont qu'un "segment" de la société civile, ce qui justifie à ses yeux la distinction entre la réalité des ONG et celle des "OSC" (organisations de la société civile, CSO en anglais)⁷. Acception guère différente de celle qui est retenue par la Commission européenne dans un récent document, où il est dit que "Les ONG peuvent apporter une importante contribution au développement

4. Cf. notamment J. Habermas, *Après l'Etat-nation*, Fayard, Paris, 1998 et C. Delcampagne, *La philosophie politique aujourd'hui*, Seuil, Paris, 2000, et plus spécialement le chapitre 9 intitulé "Au-delà de l'Etat-nation".
5. "The Nation-state or global civil society", <http://suite101.com/article.cfm/sociology/10502>
6. Cf. *The Millennium Year and the Reform Process, a contribution from the Commission on Global Governance*, Londres, 1999
7. Cf. "UN Agencies and programmes and civil society", in *Whose World is Anyway?*, edited by J.W. Foster with Anita Anand, UN Association of Canada, Ottawa, 1999.

de la démocratie et de la société civile dans les pays candidats.⁸ Certaines ONG, comme l'OIT, soulignent par ailleurs le caractère mixte de certaines organisations et le chevauchement des buts non lucratifs et de la recherche du profit, comme dans le cas souligné par cette organisation des mutualités, qui comptent "de grandes organisations en concurrence directe avec les entreprises commerciales, avec lesquelles elles ont beaucoup de points communs", au point que les membres des premières "demandent la transformation de la mutuelle en société commerciale, dont ils deviennent alors des actionnaires".⁹ Sur la scène européenne, la situation n'est guère plus claire, où la société civile se trouve représentée tantôt par les ONG de développement, qui bénéficient du gros de l'aide financière accordée par la Commission aux associations, tantôt par les organisations professionnelles - patronales et syndicales - réunies au sein du Comité économique et social (CES), pourvu du statut consultatif et dont on sait qu'il se veut le porte-parole de la "société civile européenne". Notons en passant que les ambiguïtés du segment associatif de la société civile rejaillissent logiquement sur le secteur économique, comme en témoigne le secteur de l'économie dite "sociale", dont les enjeux sont l'objet d'un débat renouvelé dans la perspective de ce que l'on nomme aujourd'hui "tiers secteur", à l'interface de l'économie et du social. Les chevauchements que nous mentionnons ici ne constituent pas, du reste, une problématique nouvelle ni originale si l'on considère l'histoire déjà longue du mouvement coopératif, bien antérieur aux interpénétrations contemporaines de l'économie et du social.

Aussi y a-t-il quelque naïveté à considérer sans précaution, comme certains chercheurs universitaires et représentants d'associations réunis par l'université de Birmingham en 1999 autour du thème de "NGOs in a global future", que la société civile, mondiale ou non, se réduit aux seuls acteurs non gouvernementaux, ou à identifier le modèle politique de type délibératif à la seule perspective "néolibérale", ou encore à voir dans la conception mécaniste d'une société civile destinée à promouvoir l'économie de marché la caractéristique propre du "néo-conservatisme". La notion de société civile requiert bien plutôt l'articulation de ses multiples composantes historiques et la mise à jour des ambiguïtés qui la constituent, si l'on veut se

représenter, au niveau pratique, l'orientation qu'elle imprime à la politique internationale et, à un niveau plus théorique, comprendre les enjeux d'une sociologie des relations internationales¹⁰. Le flou conceptuel et les ambiguïtés qu'elle implique quant au sens de la participation des acteurs transnationaux à une hypothétique gouvernance mondiale ou, plus modestement, à la gestion des affaires mondiales et des régimes transnationaux, semblent s'étendre à certaines réunions internationales, comme la Conférence mondiale des ONG (World NGO Conference, WONGOC, mentionnée plus haut) lancée par l'Université des Nations unies, et de là aux réunions organisées par les Nations unies et auxquelles les premières sont appelées à participer, comme le Sommet du Millénaire qui se tiendra en septembre 2000.

Le politique, le marchand et le savant

Ces tensions, qu'on peu dire externes, se doublent par ailleurs de tensions internes à la société civile elle-même, lorsque s'affrontent les acteurs qui s'en réclament, ou lorsque ses représentants se désolidarisent, par exemple, de la recherche scientifique en reprochant aux chercheurs le pacte faustien qu'ils auraient conclu avec un savoir conçu sans limites. A juste titre sans doute, si l'on juge que la technicisation des connaissances et de sa transmission occulte bien souvent la décision politique livrée à des comités d'experts et autres commissions de sages, fussent-ils éthiques. Mais en oubliant peut-être que la science contemporaine se définit aussi par un principe d'incertitude permanent et par la reconstruction indéfinie de ses concepts et de ses outils. Sans doute l'exercice de la démocratie se trouve-t-il affecté par la puissance de la rationalité scientifique et de ses techniques, mais n'oublions pas que le *Faust* de Goethe ne verra son âme emportée en enfer que si son plaisir et son accomplissement sont infinis et indépassables, ce dont la science admet précisément l'impossibilité dans la mesure où elle considère ses résultats comme provisoires, "falsifiables" et soumis à une constante remise en question. Dominique Lecourt avait justement dénoncé, après la Conférence de Rio en 1992, la peur irraisonnée suscitée par le recours à une pensée binaire opposant en termes absolus la technicisation du monde et un "nouvel ordre écologique", la tradi-

8. "La Commission et les organisations non gouvernementales : le renforcement du partenariat", COM (2000) 11 final, 18 janvier 2000. La version anglaise de ce document a été reproduite dans le numéro 3/2000 d'Associations transnationales.

9. *Rapport sur le travail dans le monde 2000*, BIT, Genève, 2000, p. 27.

10. Sur la genèse de la notion de société civile et l'entrecroisement de ses diverses composantes, voir notre étude "Le concept et les notions de société civile", contribution au projet de recherche du Centre de Vienne dirigé par C. Villain-Gandossi et J. Berting sur "The Role of Stereotypes in International Relations. Le rôle des stéréotypes dans les relations internationales", reproduit dans *Equivalences* (1., 1995) et Associations transna-

tionales (3/1995).

11. Cf. *Contre la peur*, suivi de *Critique de l'Appel de Heidelberg*, Hachette, 1990-1992. Le mythe du *nouvel ordre écologique* est analysé par Luc Ferry dans un ouvrage portant ce titre (Grass, 1992).

12. Nous reprenons l'expression à Axel Kahn (*Et l'Homme dans tout ça? Plaidoyer pour un humanisme moderne*, NIL Editions, Paris, 2000), qui préconise du reste la réintégration des valeurs éthiques dans l'espace sociopolitique par la maîtrise de l'évolution technoscientifique.

13. A la place de l'ancien concept, Kant puis Fichte avancent la notion de société citoyenne, *staatsbürgerlicher Gesellschaft*.

Chez Fichte en particulier, deux notions spécifiquement modernes apparaissent : la distinction tranchée entre Etat et société, et la conception de la société elle-même en termes individualistes et universalistes... c'est-à-dire qu'il évolue du libéralisme à la démocratie radicale.

14. Cf. J. Habermas, *La paix perpétuelle. Le bicentenaire d'une idée kantienne*, Cerf, 1996.

15. Cf. notamment M. Merle, "Un imbroglio juridique : le 'statut' des OING, entre le droit international et les droits nationaux", *Associations transnationales*, 5/1995 266-272.

16. Voir à ce sujet M. Merle, "L'article 71 de la Charte" in *La Charte des Nations unies*, commentaire

article par article, sous la dir. de J.P. Cor et A. Pellet, Economica, Paris, 1991.

tion et la modernité, l'obscurantisme des communautés et l'universalisme des Lumières¹¹. L'écueil que constitue une telle dichotomisation de la pensée et de la représentation du politique ne pourra être évité que si l'ensemble des communautés de citoyens, dans les sphères nationales et internationales, réinvestissent le mythe faustien en reprenant possession des procédures délibératives et décisionnelles qui leur reviennent et qui conditionnent la maîtrise de la science comme l'exercice de la démocratie. Alors seulement pourra-t-on ne plus dire "la société civile et la science"¹², et envisager sereinement la réintégration de la science dans la société. C'est aussi à cette condition que la réflexion actuelle sur la nature du politique se trouvera affinée, en même temps que seront clarifiés les enjeux qui s'affrontent dans le face à face volontiers schizophrénique du politique et de l'économique, où il apparaîtra que le *bien* n'est pas nécessairement du côté du politique, ni le *mal* du côté de l'intérêt économique ou de la rationalité technoscientifique. Il s'agit bien plutôt d'élaborer une politique nouvelle fondée sur une démocratie délibérative étendue à la sphère transnationale, dont un élément fondamental serait l'espace public universel où s'exprimerait l'ambition concomitante d'assurer l'orientation d'un destin commun, où l'expression de la volonté générale conçue comme expression du politique aurait repris la maîtrise de ses orientations, que celles-ci touchent au bien commun, aux intérêts particuliers ou à l'expertise scientifique et technique.

Repères juridiques

On pourrait penser que les acceptions *juridiques* du terme sont les plus faciles à cerner, du fait de l'univocité à laquelle tend la terminologie du droit. Aussi l'aspect juridique a-t-il été fréquemment retenu comme fondement de la société civile par la philosophie politique. Dans le projet de Kant¹³, la société civile est conçue d'emblée dans son universalité, tout en conservant la conception de Montesquieu qui retient les corps intermédiaires, où les corporations sont fondées sur la mobilité et le mérite professionnels plutôt que la naissance ou l'héritage. La modernisation de la notion d'état englobée par la redéfinition kantienne de la société civile en tant que fondée sur les droits de l'homme universels conduit, de ce fait,

au delà de tout ordre juridique ou politique particulariste. Dans la philosophie de l'histoire de Kant, la société civile universelle fondée sur l'Etat de droit est postulée comme le *telos* du développement de l'homme. Kant rejette tout compromis (dans l'esprit de la Révolution française) avec les pouvoirs des corporations et des états de l'ère absolutiste, et l'"Etat fédéral mondial" accorde aux individus un statut juridique direct qui court-circuite la souveraineté des Etats, dont la fonction est double, nationale et internationale¹⁴.

Dans la réalité contemporaine, le paysage juridique se présente comme infiniment plus complexe¹⁵, entre l'extrême diversité des droits nationaux et les lacunes du droit international, lacunes d'autant plus étonnantes que le phénomène décrit, ou qui devrait être décrit, est ancien et omniprésent. Sans remonter jusqu'aux ligues urbaines et aux ordres religieux du Moyen Age, on constate aujourd'hui la multiplication des OING (75 fois plus nombreuses qu'au temps de la SdN, alors que les OIG ne sont "que" 10 fois plus nombreuses). Or on constate dans le même temps l'absence de tout statut juridique au niveau international le plus large, celui des Nations unies, qui n'accorde qu'un "statut consultatif" non obligatoire (Article 71 de la Charte¹⁶) à un certain nombre d'ONG (un millier environ), dont la sélection est par ailleurs modifiable, décidée par les OIG et soumise à l'approbation de leurs gouvernements respectifs. On notera toutefois l'exception remarquable du Comité international de la Croix-Rouge (non gouvernemental), à qui les Nations unies ont octroyé, il y a quelques années, le statut d'observateur traditionnellement réservé aux Etats. Le relation paradoxale des ONG avec les grandes institutions interétatiques s'explique manifestement par le fait que seuls les Etats ont qualité pour doter les OING d'un statut juridique, dont le but est précisément de réduire les prérogatives de ces mêmes Etats, pris individuellement ou collectivement. Un deuxième élément d'explication réside dans la difficulté qu'auraient les Etats à s'accorder sur le choix d'un statut associatif unique, dans l'hypothèse très improbable où ils accepteraient de prendre une telle décision collectivement. Encore si une telle décision était prise, le sens du fait associatif ne deviendrait pas plus clair sous les régimes autoritaires, qui font des associations des courroies de transmission de leur pouvoir discrétionnaire, et même dans de nombreux

17. New York 1990 pour le droit des enfants, Rio 1992 pour l'écologie, Vienne 1993 pour les droits de l'homme, Le Caire 1994 pour la démographie, Copenhague 1995 pour la questions sociales, Berlin 1996 pour le climat de la Planète, Pékin 1995 pour le statut des femmes dans la société, Rome 1996 pour l'alimentation, etc.
18. Ce n'est pas en vertu d'un éventuel droit d'ingérence que les actions autorisées par les Nations unies en Irak, en Bosnie, au Rwanda et en Somalie ont été menées, mais en vertu des dispositions du chapitre VII de la Charte.
19. Cf. notamment K.

Rutherford, "The landmine ban and NGOs: the role of communication technologies", *Transnational*

Associations, 2/2000, p. 60-73.

20. Voir l'article de Jacky Mamou, président honoraire de Médecins du monde, qui paraîtra sur ce sujet dans un prochain numéro d'*Associations transnationales*.

21. Sur ces derniers points et sur les questions associées, voir *Droit humanitaire*, textes introduits et commentés par Mario Bettati, Seuil, Paris, 2000.

22. L'état actuel de la ques-

contextes démocratiques, où l'on ne compte plus le nombre des associations fictives (comme le Carrefour du développement en France), des associations intégrées aux services publics (comme les quangos britanniques) ou des organisations sectaires et mafieuses, elles aussi non étatiques.

La définition d'un statut international buterait également sur la diversité des interprétations données par les droits nationaux à la distinction entre national et international. C'est ainsi que la France a considéré jusqu'en 1981 que les associations internationales étaient des entités "étrangères" et, à ce titre, soumises au pouvoir politique s'agissant de la création comme de la dissolution de l'association, alors que la Belgique accorde un régime de faveur aux associations internationales (loi du 25 octobre 1919 complétée par la loi du 6 décembre 1954) sous forme de la personnalité civile, et que d'autres pays ne font aucune distinction entre les nationales et les internationales (la Suisse, et la France depuis 1981).

Si les perspectives juridiques qui s'offrent à la société civile internationale apparaissent bien étroites, la consultation informelle des ses multiples représentants dans les grandes conférences des Nations unies¹⁷ semblera plus encourageante, car elle a servi de catalyseur à une opinion mondiale naissante avec toutes les contradictions qui peuvent caractériser les groupes de pression et autres groupes d'opinion. Mais ce rapprochement informel ne vaut pas plus reconnaissance juridique aux associations invitées que les procédures consultatives établies par les OIG.

Ces aspects négatifs n'ont certes pas empêché qu'une coopération pragmatique s'engage sur le terrain entre les OIG (notamment le HCR, l'OMS, l'Unesco) et les OING. De même, une OING comme l'Organisation mondiale pour la nature (IUCN) s'est vu confier l'administration d'un régime international, tandis que diverses organisations intergouvernementales, jusqu'à la Banque mondiale plus récemment, s'engagent résolument dans des projets de coopération gérés de commun accord avec des acteurs non étatiques. De même, l'alliance de certaines associations internationales avec certains Etats a permis d'inscrire dans le droit international humanitaire, non pas certes le droit d'ingérence, mais une pratique d'ingérence humanitaire que le Conseil de sécurité a pris l'habitude d'approuver en appelant les

Etats à l'exercer dans les crises internes aux Etats¹⁸. C'est dans la même perspective que les ONG ont contribué à l'adoption de la législation interdisant les mines antipersonnel¹⁹, à la création des tribunaux pénaux internationaux (sur l'ex-Yougoslavie, le Rwanda et, depuis peu, la Sierra Leone), à l'instauration d'une Cour pénale internationale et appellent aujourd'hui, à l'initiative de Médecins du monde, à la création d'un Buteau international humanitaire en tant qu'organe subsidiaire du Conseil de sécurité²⁰. Toutefois, comme le rappelait récemment Mario Bettati, la réalité de l'action humanitaire des acteurs associatifs reste fortement limitée dans la mesure où l'emblème de la Croix-Rouge ne permet pas la protection en cas de conflit interne, ce qui est tragiquement illustré par la crise tchétchène. Du reste, si certaines ONG ont un droit limité d'apporter une assistance humanitaire dans les conflits internationaux, elles continuent de dépendre de l'autorisation des autorités des Etats concernés, l'emblème de la Croix-Rouge appartenant essentiellement aux Etats en tant que signe protecteur²¹.

Les avancées les plus encourageantes restent peut-être celles de certaines organisations régionales, comme le Conseil de l'Europe et l'Union européenne. Les potentialités de la société civile sont généralement perçues comme très différenciées, prometteuses bien qu'ici aussi elles restent sous-estimées, que ce soit dans la perspective du Traité sur l'Union européenne ou du processus de la Conférence sur la sécurité et la coopération en Europe (CSCE). Les rédacteurs du Traité sur l'UE hésitent en effet (malgré l'existence déjà ancienne de formes de coopération de la Commission avec les ONG européennes de développement et l'adoption par la Commission, dès 1992, d'une "proposition de règlement portant statut d'association européenne") à reconnaître formellement l'existence des associations européennes²². C'est d'ailleurs l'absence dans le Traité de Maastricht de toute disposition juridique relative au dialogue civil ou à la consultation des ONG qui a incité un certain nombre de celles-ci à demander que les relations entre la Commission et les ONG reçoivent un fondement juridique dans le Traité que devrait adopter la prochaine Conférence intergouvernementale. Ceci dans le cadre plus global du débat sur la réforme de l'Union européenne, et notamment de l'apport des acteurs associatifs aux

travaux de la Convention européenne dans la perspective de ce que le rapport de 1996 du Comité des Sages définissait comme "une Europe des droits civiques et sociaux".

Pour ce qui est de la "grande" Europe, on constate que les dispositions existantes de la CSCE, et notamment la Charte de Paris adoptée en 1990, reconnaissent le rôle que les acteurs non gouvernementaux (individuels et collectifs) sont appelés à jouer dans la construction politique d'une Europe démocratique et pluraliste, mais ne le font qu'en des termes vagues et de manière anachronique²³. Cependant, si l'universalité juridique de la société civile est problématique à l'échelon planétaire, l'accord des Etats comme des acteurs civils rencontre moins d'obstacles dans le cadre d'organismes qui se fondent *a priori* sur des conceptions politiques et sociales convergentes. De fait, les progrès réalisés dans la reconnaissance du fait associatif transnational par une organisation comme le Conseil de l'Europe sont encourageants, et ont connu un saut qualitatif depuis l'adoption, le 24 avril 1986, de la Convention relative à la reconnaissance de la personnalité juridique des organisations internationales non gouvernementales, qui est entrée en vigueur le 1er janvier 1991²⁴. De même, le projet de statut associatif des ONG européennes actuellement étudié par la Commission européenne et qui présente de larges convergences avec les objectifs de la Convention du Conseil de l'Europe, consumerait un progrès par la reconnaissance du rôle que les associations sont appelées à jouer dans le cadre d'une "Europe des citoyens". L'innovation la plus audacieuse, toujours dans le cadre de l'Union européenne, est l'application prévue par le Traité de Maastricht du principe de subsidiarité aux conventions collectives établies de commun accord par les partenaires sociaux européens, dans le cadre du "volet social" du Traité. Cette possibilité apparaîtra comme originale dans la mesure où le principe de subsidiarité est habituellement conçu comme devant s'appliquer aux Etats, dans les cas où l'action de ceux-ci sera reconnue comme plus efficace que celle de la Communauté, qui ne serait appelée à intervenir que "dans la mesure où les objectifs de l'action envisagée ne peuvent pas être réalisés de manière satisfaisante par les Etats membres et peuvent donc, en raison des dimensions et des effets de l'action envisagée, être mieux

réalisés au niveau communautaire" (Article 3B, alinéa 2). Le fait que des accords conclus par des acteurs non gouvernementaux dans le champ de l'espace social européen soient promus au statut de normes européennes constitue à cet égard une véritable innovation, de nature politique et juridique. Politique, par la place qui est faite à l'intervention officialisée par le Traité de Maastricht des organisations patronales et syndicales, intervention qui s'impose légalement à la politique de l'Union en général et à la politique sociale en particulier. Juridique ensuite, par l'émergence d'un Heu de formation du droit, ici supranational, autre que celui des instances étatiques ou interétatiques. Le droit communautaire est un bon révélateur des transformations profondes du droit et des institutions. Selon une décision du Tribunal des Communautés européennes, l'arrêt CGPME du 17 juin 1998, le principe démocratique de participation des peuples à l'élaboration de la loi ne s'exprime plus seulement par l'intermédiaire des assemblées élues. Il peut être assuré, de manière alternative, en l'occurrence par l'intermédiaire des partenaires sociaux lorsqu'ils négocient sur la base de l'accord social de Maastricht. Il y a là une rupture évidente avec l'idée qu'on se fait depuis deux siècles de la démocratie et depuis un siècle de la négociation collective. Cette négociation légiférante entre groupes d'intérêts, hissée au même niveau que la délibération entre élus du peuple ouvre un de larges perspectives à l'action des acteurs sociaux, c'est-à-dire non étatiques, non sans poser d'ailleurs la délicate question de la représentativité de ces formations citoyennes²⁵.

Les espaces transnationaux à l'épreuve de l'ordre international

La nécessité pour une société civile mondiale de créer un espace public et un référent politique propres butte par ailleurs sur la contradiction liant l'international et le transnational, exacerbée par les représentations mythiques d'une société internationale et d'une communauté internationale qui n'existent guère dans l'ordre réel des choses. C'est ici que la notion de transnationalité acquiert une pertinence particulière, car elle effectue une rupture épistémologique et pragmatique par rapport à l'international. La perspective transnationale, minoritaire au sein des associations internatio-

23. Cf. K. E. Birnbaum, "Civil Society and government policy in a new

Europe", *The World Today*, mai 1991, 84-85.
24. Pour qu'elle entre en vigueur, il fallait que la Convention fut ratifiée par trois pays au moins. Après le Royaume-Uni et la Grèce, la Belgique a ratifié la Convention le 4 septembre 1990 (suivie de près par la Suisse le 24 septembre), permettant de ce fait son entrée en vigueur le 1er janvier 1991 (Voir les commentaires et analyses de M.-O. Wiederkehr, "La Convention européenne sur la reconnaissance de la personnalité juridique des organisations internationales non gouvernementales". *Annuaire français de droit international*, XXXIII, Editions du CNRS, Paris, 1987) et de M. Merle, "Un imbroglio juridique : le statut des ONG, entre le droit international et les droits nationaux", *Associations transnationales*, 5/1995, 266-272.
25. Cf. G. Guéry, "La dimension conventionnelle de l'Europe sociale sur la base du Traité de Maastricht", *Revue internationale du travail* 6/1992, 677-646.

26. Soit ce qui qualifie les identités héritées ou imposées, par opposition aux allégeances librement choisies caractéristiques de la liberté associative conçue dans un contexte démocratique libéral.

27. On pourra remarquer ici que la distinction épistémologique que nous signalons n'est pas si neuve qu'on pourrait le penser, es le 16e siècle. Jean Bodin propose en effet une vision complexe de l'ordre juridique international, qu'il présente comme composé, d'une part, d'un ordre horizontal de relations volontaires juxtaposés et, d'autre part, d'un ordre public vertical contenant des principes communs

avec la loi de Dieu, auxquels sont subordonnés les droits internes (*Six Livres de la République*, V, VI). On retrouve aujourd'hui l'entrecroisement, *mutatis mutandi*, entre l'ordre hiérarchique du droit international et la transversalité des forces ou espaces transnationaux (Voir mes remarques sur ce point dans "De l'interétatique au transnational : les niveaux logiques de l'international", in René-Jean Dupuy (dir.), *les relations internationales à l'épreuve de la science politique*, Mélanges Marcel Merle, Economica, Paris, 1993, 53-71.

28. Entrepris dont le pilier central est l'ISO, citée plus haut.

nales, s'éloigne de la logique étatique sur laquelle ces dernières restent centrées du point de vue de leur stratégie géopolitique, ce qui pourra de ce fait apparaître comme une attitude "incivile" dans une perspective transnationale radicale (le "statut" ou la "seconde assemblée" qu'elles réclament aux Nations unies en sont la meilleure illustration en ce qu'elles se subordonnent volontairement à l'ordre interétatique). Le transnational est par essence extraterritorial, n'est pas fondé sur des normes ou sur une légitimité préétablies et constitue un lieu d'élaboration dont l'incertitude est l'un des facteurs constitutifs en ce qu'il est confronté au conflit politique et à la multiplicité des allégeances qu'il est contraint de gérer. On apercevra également le caractère "incivil" des organisations religieuses à vocation universelle en ce qu'elles se réfèrent à des normes préétablies et transportent dans l'ordre international, voire transnational, les particularismes des communautés restreintes, soit ce que les sociologues rattachent à la notion d'"ascription"²⁶.

La transnationalité est un phénomène relativement récent, si l'on s'abstient de remonter à l'ordonnement polycharchique du Moyen Âge²⁷, et mine par des voies transversales par rapport au découpage étatique comme par rapport à l'ordre des communautés, la souveraineté étatique et l'ascription communautaire. Les formations transnationales sont un type particulier d'acteurs non étatiques de par leur nature ouverte, la perméabilité de leurs limites et leur capacité de transformation, là où l'Etat et la communauté sont perçus comme des instances essentiellement identifiantes et homéostatiques. Singulièrement favorisées par la révolution de l'information et des communications, elles ont tissé des liens transfrontières à l'échelon régional, continental ou planétaire. C'est le phénomène qui correspond à la notion de "transnationalité", qu'elle emprunte la personnalité juridique des OING ou s'identifie, dans un sens plus fréquent dans le vocabulaire des Nations unies et dans la langue anglaise, aux acteurs économiques (en premier lieu les sociétés multinationales). C'est par ces voies transversales internationales mais surtout transnationales et extraterritoriales que se trouve transcendé, dans une mesure limitée et fluctuante, l'ordre westphalien. Si les religions à vocation universaliste s'étaient déjà définies comme non territoriales,

l'avènement d'autres organisations civiles se définissant comme telles dans le domaine des droits de l'homme, de l'information scientifique, des échanges culturels et des problèmes écologiques pour ne prendre que ces exemples, constitue assurément un fait nouveau propre à la modernité. On peut voir dans l'émergence de la transnationalité à l'échelon européen un cas particulièrement exemplaire en ce qu'il butte précisément sur l'obstacle international compris comme dérivé de l'interétatique, qu'il s'agisse des intérêts portés par les organisations syndicales, par les organisations d'employeurs, par les unions de consommateurs ou par les mouvements de défense de l'environnement ou des droits de l'homme.

Si les peurs engendrées par la mondialisation économique et la dégradation écologique de la planète sont liées à des facteurs fondamentaux - et d'une grande visibilité - de la transnationalisation en cours, il ne faudrait pas minorer le rôle joué par des acteurs plus discrets, se présentant bien souvent comme les représentants d'un ordre "naturel". Ainsi, l'entreprise de normalisation du savoir et de la langue techno-scientifiques²⁸, et dans l'ordre pratique des concepts et des notions qu'elle maîtrise, réalise l'objectif peu contesté des organisations scientifiques inter/transnationales selon lequel "Etant donné la nature intrinsèquement universelle de la science, sa réussite dépend de la coopération, de l'interaction et de l'échange, dont une grande part dépasse les frontières nationales"²⁹. Lequel rejoint, dans la ligne du programme physicien du Cercle de Vienne dont est issue la théorie terminologique dominante, l'idée que les variations culturelles recèlent des concepts et des valeurs susceptibles de fonder un système conceptuel universel que la science terminologique a pour tâche de construire. La terminologie scientifique, en se faisant le véhicule de la normalisation et de la transnationalisation du savoir détaché de ses attaches locales et temporelles, poursuit de la sorte la tradition de l'unification de la science propre à la modernité occidentale (bien qu'elle remonte à Aristote). Le texte rationalisé par la science littéralisée se caractérise par ailleurs comme authentiquement rhétorique - au sens où il s'agit de persuader l'interlocuteur du bien fondé d'un point de vue - car son langage n'est pas fait que de "mots" dont le sens et l'usage pourraient relever de l'arbitraire et se prêter à l'interprétation. Prétendant à la descrip-

tion univoque de l'objet (scientifique) qu'il s'est assigné jusque dans le champ des sciences humaines, la transnationalité se constitue ici, au delà des mots, en "termes" qui, dépassant ce qui ne serait qu'expression de particularismes culturels ou locaux, voudrait être la description d'une réalité universelle renvoyant à des concepts univoques assumés à ce titre par la "communauté" scientifique internationale, à vrai dire proprement transnationale. On pourra voir dans ce côté partiellement arbitraire de la langue scientifique, associé à son caractère rationaliste, l'un des derniers avatars du naturalisme qui submergerait la variabilité des cultures humaines, qui laisseraient la place à l'ordonnement harmonieux et universel des champs cognitifs des différentes disciplines. Il s'agit là d'un développement qu'on pourrait donc dire "rhétorique" de la transnationalité, par la décision de faire percevoir le monde selon les schématisations ainsi créées par le choix des taxinomies conceptuelles et langagières, et donc d'agir sur les usagers du langage jusque dans des domaines aussi culturalisés que l'organisation du travail ou le classement des pathologies. On trouve dans cette universalité de la communauté scientifique appelée à fonder la communauté universelle de l'homme connaissant un cas extrême d'engendrement d'une communauté mythique au départ ce qui ne constitue par une communauté au sens tonisien, mais plutôt une société (ou association) constituée par le jeu libre d'une intersubjectivité rationnelle - même si l'élément affectif n'en est pas absent - et qui, une fois constituée, revendique simultanément les attributs de la communauté et de l'universalité par l'efficacité de son discours et de son action sur le monde et sur les collectivités humaines.

L'emballage de la société civile internationale

A n'en point douter, il y a dans ces différentes formes de transnationalité parcourant les sociétés civiles la possibilité de construire un espace dialogique et transformateur, peut-être préfiguré par la Fédération des associations internationales et la systématisation des savoirs que l'UAI avait tenté de fonder, dans l'esprit utopique de 1907. Ses fondateurs [les Belges Paul Otlet (1868-1944) et Henri Lafontaine (1854-1943), Prix Nobel pour la paix en 1913] entrevoient la possibilité de

superposer une structure mondiale aux structures sociales qui avaient atteint leur aboutissement dans l'institution étatique et concevaient une "idéogénie" universalisante, empreinte des connotations évolutionnistes et organicistes du 19^e siècle. A la vision monadiste d'une Cité mondiale réalisant la cité platonicienne au niveau planétaire répondait la constitution d'une science universelle et d'un ordre néotechnique portés par l'élan progressiste de l'époque. Vision platonicienne mais aussi authentiquement kantienne, dans le sens où Kant évoque l'idée, non pas d'un "Etat des peuples" (*Volkerstaat*) qu'il considère comme dangereux car susceptible de mener à une forme d'autocratie universelle, mais d'une fédération des peuples (ou d'Etats séparés). Dans l'esprit du philosophe, une telle fédération devait pouvoir infléchir les rapports conflictuels entre les Etats et renforcer l'action normative contre le recours à la force, ce que devaient permettre dans une certaine mesure la Société des Nations. L'élan universalisant de l'époque se retrouve dans d'autres réalisations institutionnelles, comme la création de l'Organisation internationale du travail (OIT), où les acteurs étatiques et non étatiques sont appelés à collaborer, ou dans des initiatives contemporaines comme celle qu'illustre la subsidiarité intégrant les acteurs sociaux dans le cadre législatif de l'Union européenne, discuté plus haut. L'émergence de la politique au niveau mondial est dépendante des logiques hétérogènes qui correspondent à l'ordre interétatique, à l'ordre intercommunautaire, à l'ordre intersubjectif ou transindividuel, mais ne saurait être déduit automatiquement de leur coexistence, fut-elle pacifique. Car l'hétérogénéité de ces logiques et la pluralité des allégeances qu'elles impliquent pour les individus et les institutions supposent le passage intermédiaire et dialogique qui est précisément ce par quoi se forme le politique, entre les raisons et les passions, les intérêts et l'empathie de ses participants. Non pas le passage de la communauté à la société, mais l'intégration nécessairement conflictuelle des structures sociales, communautaires, individuelles qui appellent la création d'un espace politique nouveau, que ne saurait engendrer, par exemple, une seconde assemblée des Nations unies appelée à représenter les acteurs non gouvernementaux, car celle-ci risque de refermer la boucle en revenant à une notion englobante, voire hiérarchique et tota-

29. CIUS/ICSU (Conseil international des unions scientifiques), *Déclaration sur la libre circulation des scientifiques*, 1989.

lisante, de ce que devrait être une société civile internationale revenue à la Cité des Anciens portée au niveau planétaire. On peut percevoir les prémices d'un tel mouvement dans certaines des initiatives prises par les instances internationales d'inclure dans la société civile les acteurs économiques, ou dans l'agglomérat réuni par le Forum de la politique mondiale déjà cité, qui réunit les représentants des citoyens, de la science et des religions, du monde de la communication et de la sphère économique et marchande, voire certains

représentants du Prince. Il reviendra aux citoyens d'une telle société, sur la voie incertaine qui recoupe l'interétatique et le transnational, d'imaginer les institutions qui permettront d'articuler une universalité encore virtuelle et les particularités socioculturelles qu'elle ne saurait éliminer, en même temps que d'élaborer l'éthique appelée à subsumer la juxtaposition des morales fixées dans les traditions de l'humanité.

Août 2000

NGO web sites: keeping business in the spotlight

By Kelly O'Neill

Objectives and content

More and more, NGOs are discovering the tremendous value in the use of electronic mailing lists and Web sites in preparing for conferences and events—there is virtually no comparison between the degree of communication and the breadth of participants in conference and event organising—especially at an international level—once e-mail and especially the use of electronic mailing lists takes over from conventional mail and fax as the primary means of communication.¹

We have one very important factor in our favour—we are not trying to sell something for a financial profit at the expense of our futures. Our primary purpose in our Internet campaigning, as in our 'on the ground' campaigning, is to bring into the public domain information which is hidden by companies who make a profit out of environmental abuses.²

This paper has argued that the Rio Earth Summit marked a watershed for global civil society as NGOs, aided by ICTs, have moved in to fill the void left by retreating governments. And although social change groups have had to share the podium with TNCs and their associations, these groups have harnessed the Internet for their own purposes. For instance, leading environmental voices from both North and South can now share their best practices more broadly, more quickly and less expensively than conventional media allows. As the Free Burma Coalition, the EZLN, the Shell Nigeria protest and McSpotlight cases demonstrate, ICTs allow citizen groups to expand their networks by forming strategic alliances that cross national borders with an unprecedented fluidity.

As part of the primary research that informs this exploration into the role ICTs play in invigorating the corporate responsibility debate, several important NGOs were surveyed and their Web sites reviewed for content and structure. Questions sought to complement the information provided by the Web sites and were individualized accordingly. The purpose behind this time-consuming but personalized enquiry was to elicit organization-specific information; in other words, the intention was not to survey all groups with an interest in trade and environ-

ment but to better understand the Internet communications of some of the more active on-line organizations.

A typical NGO Web site in the survey contains most or all of the following elements: a home page that presents the contents of the site; e-mail and conventional contact information; the organization's mission statement and history, activities and campaigns; electronic mailing lists or listservers and/or bulletins; interactive action alerts; and links to other relevant Web sites, such as partners' sites or on-line research resources.

Corporate Watch³, a joint project of the Institute for Global Communications and the Transnational Resource and Action Center, is one of the most comprehensive Web sites dealing with international business accountability for worldwide social and environmental degradation. Intended primarily for "everyday Internet users" including journalists, activists, policy makers, teachers and students, Corporate Watch is committed "to exposing corporate greed by documenting the social, political, economic and environmental impacts of transnational giants". The Web site of the self-described "watchdog on the Web" exemplifies how rich in content a site can be; for example, Corporate Watch includes:

- an eight-part research manual on transnational corporations;
- monthly "greenwash" awards highlighting questionable environmental advertisements, given out by Corporate Watch and Greenpeace (Web site visitor nominations are also encouraged);
- an image gallery, with a permanent environmental art collection and rotating monthly exhibits;
- in-depth analysis of corporate globalization, including reports from the Institute for Policy Studies in Washington, DC and the New Delhi-based Public Interest Research Group;
- news from various sources, including Multinational Monitor, the Third World Network, and Ecuador-based Oil Watch;
- direct links to the Corporate Watch Affiliate Group, a collection of organizations providing in-depth research services; and
- links to hundreds of other Web sites, including corporate sites and a variety of Internet information sources related to TNCs.⁴

This text is an excerpt from a discussion paper

written by Kelly O'Neill for the United Nations Research Institute for Social Development (UNRISD).

1. E-mail communication with Roben Pollard, 31 August 1998.

2. E-mail communication with Martin Baker, Communications

Development Manager, Greenpeace International, 19 October 1998.

3. See <http://www.corp-watch.org>.

4. Based on Joshua Karliner's e-mail announcement of Corporate Watch Web site.

Advantages over traditional media: dissemination, interactivity and on-line campaigns

According to questionnaire respondents, the key advantages of Web sites over traditional media lie in their interactivity, cost-effectiveness and efficient dissemination of current information. One of the ways that Web sites disseminate effectively is by incorporating the push technology of electronic mail. An example of this is an electronic mailing list that sends subscribers regular information on particular subjects or areas of concern directly to their e-mail addresses. With appropriate software, a mailing list can also bring subscribers back to an organization's Web site by including hyperlinks.⁵ This marriage of e-mail and Web site technology is particularly effective for gathering large amounts of information in one place and for directing e-mail users to Web sites. For instance, a mailing list on the MAI contained a list of links to relevant documents on a variety of global Web sites. The links included Oxfam-Great Britain's analysis of the OECD document, Corporate Watch's extensive list of MAI links and OneWorld's posting of relevant digitized newspaper articles from around the world.

Dissemination has many other advantages, including the ability to distribute data and analysis broadly and to link directly to corporations, politicians and policy makers. For instance, the Web site of the Pesticide Action Network North America (PANNA) enables visitors to subscribe to a free weekly news service containing items on sustainable agriculture from around the world, as well as information regarding the effects of pesticides and relevant regulatory decisions.

The Web can be overwhelming due to the number of groups posting information on it. But "supersites" conveniently bring together sites around specific themes. Social change and environmental groups, for example, can be found on a number of supersites. OneWorld is one such supersite, a self-described journalistic conduit for the information produced by a partnership of 300 NGOs and media organizations. Oxfam and the Panos Institute, for example, are linked on-line at the OneWorld supersite and

also maintain independent Web sites. OneWorld's editor, Mark Lynas, describes the purpose of the supersite thus: "to gain the human rights and sustainable development community significant extra 'eyeballs' than they would get if they were scattered in far-flung corners of Cyberspace".⁸ In order to address the dearth of opinion—on-line or otherwise—which is available from developing countries, OneWorld offers free Web sites and editorial prominence to Southern-based NGOs.

Organizations with access to the Internet are not only able to circumvent traditional media outlets and reach the on-line public directly, but they are also able to promote alternative analyses of conferences, proposed trade agreements and other important documents. The dynamic interactivity offered by Web sites and electronic mail means that groups can exchange information and analysis on late-breaking events quickly and widely. Indeed, as Elmer-Dewitt (1997) notes, on the environmental battlefield, currency is crucial. For instance, shortly after the OECD posted a UK DFID-commissioned report on the development implications of the MIA (Fitzgerald, 1998) on its Web site, the World Development Movement (Coates, 1998) and the WWF-UK (Mabey, 1998) produced rebuttals that were posted on the Web and circulated on electronic mailing lists worldwide.

Kenny Bruno (1998) underscores this point by noting that the key to winning battles with corporations is to ground campaigns in documentable facts. At the Web site of US-based Friends of the Earth,⁹ visitors can download an entire document that analyses the MAI, proposes alternatives and suggests various forms of actions against it. This on-line manual also lists resources for further research, including links to helpful data on the Internet. The Web site also links to Europe-based Friends of the Earth International.¹⁰ On its "Trade and Environment" Web page, visitors can access an extensive list of links to related on-line resources including the sites of the WTO, Third World Network, WWF's Expert Panel on Trade and Sustainable Development, the OECD and UNCTAD. Users can also access important documents posted on the Internet such as NAFTA, the MAI and the Trade and Environment Database. Malini

5. A hyperlink allows visitors to jump instantly

from the Web site they are on to another Web site. A regular link enables visitors to jump within a Web site. NetAction publishes a useful guide to making the most of Web sites and e-mail as activist tools. *The Virtual Activist* is available on-line at <http://www.netaction.org/training/reader.html>.

6. See <http://www.panna.org>.

7. See <http://www.oneworld.org>.

8. E-mail communication, 4 September 1998.

9. E-mail communication, 1 September 1998. Bruno is a Greenpeace campaigner and co-author of *Greenwash: The Reality Behind Corporate Environmentalism*. See <http://www.foe.org>.

10. See <http://www.foe.org>.

Mehra reflects earlier statements cited in this paper when noting that, with regard to the Multilateral Agreement on Investment, the Internet has been an "absolutely crucial" instrument for rapid engagement in the debate as it unfolds. Furthermore, through the "multiplier effect", the medium ensures that late-breaking news, data and analysis are strategically transmitted instantly and cheaply to like-minded organizations around the globe.¹¹

The World Wide Web also hosts dozens of sites that help to deconstruct and analyse complicated negotiation processes and the documents they produce. For example, in an attempt to demystify the trade-related documents produced by institutions like the OECD, the Web site of Public Citizen's Global Trade Watch includes a "Pocket Trade Lawyer" guide, as well as analysis of the MAI, GATT, WTO and other important trade organizations and initiatives. The site also tracks the development of other trade liberalization negotiations, including the Crane Sub-Saharan Africa bill and the Caribbean Basin Initiative. And the Third World Network¹² (TWN) of non-governmental organizations was one of the earlier groups to protest the blaming of the South, by affluent nations, for global environmental ills. This organization contends that corporate participants co-opted UNCED. Its Web site contains articles regarding the deleterious impacts of trade liberalization on developing nations, including "The spirit of Rio has vanished" and "Globalization widens the rich-poor gap".

In addition to mailing lists and on-line forums, the action alerts on many NGO Web sites not only educate and update visitors about an organization's activities and campaigns—they also enable users to draw up letters of protest to be sent via the Web site, via e-mail or fax server, directly to relevant corporations, policy makers and politicians. The Web sites of organizations such as Greenpeace International¹³, the Rural Advancement Foundation International (RAFI), Pesticide Action Network (PAN) and the Rainforest Action Network (RAN) feature action alerts targeting corporations in sectors that design and manufacture products deemed socially and environmentally harmful by the NGOs.

RAFI,¹⁴ an international NGO headquartered in Winnipeg, Manitoba, promotes agricultural biodiversity and examines the effects of intellectual property rights on agriculture and world food security. On 29 September 1998, RAFI initiated a worldwide e-mail campaign with the goal of cutting off Monsanto Corporation's negotiations with the US Department of Agriculture (USDA) to license and control the Technology Protection System US patent #5,723,765 (Control of Plant Gene Expression) that the Consultative Group on International Agricultural Research (CGIAR) believes would threaten food security. Critics also refer to this technology as the "Terminator" because it sterilizes seeds so that it is not possible to save them for future crops. This forces farmers to buy new modified seeds and pay the technology fee.

Opponents of the technology dispute USDA claims that the technology will help farmers in developing countries. For instance, RAFI claims that the potential impact of the technology is global since the owners of the product's patent are intending to apply for patents in 87 countries. The RAFI Web site is designed so that users from around the world can review the Terminator patent document for their country when composing their letters of protest. As of 18 October 1998, the Web site's "Terminator Ticker" had recorded 1,606 letters from 49 countries to USDA Secretary Dan Glickman (see Appendix 4).¹⁵ The RAFI Web site takes visitors section by section through the US Department of Agriculture's response to the controversy,

Comprised of 150 grassroots organizations from around the world and representing over 30,000 members, RAN uses its interactive Web site¹⁶ in all of its major campaigns. RAN has employed the Web as an organizing and campaigning tool since 1994. In 1996, J.C. Callender took over the directorship of the ultimately successful Boycott Mitsubishi Campaign. He and his colleagues have since used the Web to provide site visitors with the following:

" general campaign information and the background of the boycott;

* paperless versions of campaign updates;

* e-mail and faxes from an alterable template to governmental and corporate decision-makers;

11. Interview, 24 March 1998. Mehra, the Earth International Programmes Officer also notes that the anonymity of e-mail can also enable unfriendly or disruptive people to join mailing lists

12. See <http://www.twinside.org>.

13. See <http://www.greenpeace.org>.

14. See <http://www.rafi.org>

15. See the Terminator action page at <http://www.rafi.org/usda.html>.

16. See <http://www.ran.org>.

17. RAN acknowledges that some problems with Solcarsa remain, including unpaid fines and reports of instances of continued logging in the region. See the organizations Web site.

18. See the Panda Passport at <http://www.panda.org>.

19. E-mail communication, 19 October 1998.

20. The GCC is a group of US industrial giants which lobby against stronger government measures to combat climate change.

21. *The Shell Report—1998: Profits and Principles—Does There Have to be a Choice?* <http://www.shell.com/download/2872/>

22. The Rio Declaration notes that "in order to protect the environment, the precautionary approach shall be widely applied by states according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation" (Article 15). The precautionary principle is also applied in the Framework Convention on Climate Change. For an elaboration on the principle's roots in the German idea of *Vorsorge* and its core concepts, see O'Riordan and Cameron (1994).

23. E-mail communication with Julia Flynn, 23 September 1998.

24. E-mail communication, 11 March 1998. NetAction is a project of the Tides Center, an American non-profit organization. NetAction works to ensure the accessibility of information technology and the Internet, see

- RAN's template letter, a target government/corporate response letter and RAN's counter-response in a concise format; and
- information on upcoming events, including demonstrations, rallies and conferences.

RAN's on-line activist tools have leveraged the organization's influence in other campaigns. The Web site's January 1998 action alert featured the wood processing operations of the Solcarsa Company, a subsidiary of Korean logging firm Kumkyung. These operations took place in the most extensive intact tropical rainforest in the Western hemisphere—the North Atlantic Autonomous Region in Nicaragua—which is also the traditional homeland of the Rama, Sumo and Miskito Indians. The impetus behind the protest was the Nicaraguan Ministry of the Environment and Natural Resource's granting of a vast logging concession to Solcarsa.

Opponents of the concession claimed that this action contravened the constitution, which requires corporations to first consult with regional advisory councils to determine environmental impacts. And although the Nicaraguan Supreme Court eventually ruled that the logging concession was unconstitutional, critics claimed that both the environmental ministry and President Alemán had refrained from stopping Solcarsa's operations. RAN's action alert resulted in thousands of protest letters being sent to the Nicaraguan president. By January 1998, this strategy helped bring about the government ban on Solcarsa's operations in the country.¹⁷

In December 1998, the WWF-International¹⁸ launched one of the Internet's most sophisticated on-line activist tools: the Panda Passport, an interactive communications and campaigning tool for the environment. Passport holders are able to choose the location and level of involvement they wish in 85 areas of the world and through several methods of action, including e-mail petitions (e-petitions), electronic postcards and letters, donations and faxes. Currently, there are more than 900 Passport holders; the WWF-International notes that membership in this free initiative is growing daily, resulting in hundreds of people being just minutes away from partici-

ing its separate forests, climate, oceans, ocean dumping, genetic engineering, toxic and nuclear campaigns. According to the NGO's Communications Development Manager, "we make all campaign teams aware of the potential uses of the Internet in the planning stage and then talk them through the details when the respective campaign activity gets close to implementation".¹⁹

Greenpeace International's Climate Change Campaign has lobbied corporations, such as Shell, to withdraw from the Global Climate Coalition (GCC).²⁰ The yearlong campaign eventually resulted in the oil giant's capitulation; at the launch of *The Shell World Report—1998: Profits and Principles*²¹, the Chair of Shell Transport and Trading Company announced that they would leave the GCC due to "irreconcilable differences". While Greenpeace notes Shell's withdrawal on the NGO's Web site, an on-line press release also remarks that although the oil giant publicly supports precautionary action²² regarding climate change, it nevertheless continues oil explorations in the Arctic and North East Atlantic. Greenpeace has called for an end to such developments and increased commercialization of renewable energies (Greenpeace International, 1998).

The communication enabled via Web sites can also be used to convey moral support for struggles on the other side of the planet. For example, UK-based Oxfam has campaigned to support the efforts of a South American community struggling to set up a violence-free community. Web site visitors sympathetic to the situation of these people can immediately compose an electronic message of support that Oxfam will relay to the people. The organization's Internet Project Manager²³ also notes the usefulness of the Web site for campaigning purposes; for instance, Oxfam's "Urgent Action" page not only generated over 100 expressions of support for the Community of Peace in San Jose de Apartado, Columbia, but it also led to over 40 sign-ups monthly to their Cut Conflict campaign.

Audrie Krause, Executive Director of NetAction, notes that the Web is also very useful because it allows considerable amounts of information to be archived and accessible to a global audience.²⁴ For example, back issues of maga-

25. Gopher is a menu-based system used to organize and retrieve programmes and files on the Internet.

26. File Transfer Protocol refers to the rules regarding the transfer of files and programmes over the Internet. FTP allows file transfer among computers irrespective of the computer types or operating systems involved in the exchange. See Internet Glossary of Terms at

<http://www.nytimes.com>.

27. See

<http://www.unep.org>. Since Internet dissemination is a new method for UNEP, visitors are encouraged to send e-mail feedback on the site's usefulness.

28. E-mail communication, 31 August 1998. He also notes that "these factors are all reflections of the underlying economics of information and communications technology—economics that are in many respects radically different from the economics of the production and exchange of material goods, perhaps most notably in the fact that in a number of critical areas, marginal costs are virtually zero—undermining a traditional economic framework that is based, at least in theory, on a supply and demand relationship in which price tends to approximate marginal cost."

29. E-mail communication, 27 October 1998.

30. E-mail communication, 4 September 1998.

zines, newsletters and bulletins may be easily sent via the Internet. Databases containing large amounts of information are also made accessible through Gopher²⁵, FTP²⁶ and the Web. UNEP has produced a digital version of its *Global Environmental Report 1997* and launched it on UNEP Web servers in Kenya, Japan, Mexico, Switzerland and the United States. Aimed at educators, policy makers, environmentalists, scientists and journalists, the report is an environmental reference resource that looks at the global environmental assessment process. It describes the state of the environment and trends from seven regions of the world and includes 70 environmental global and regional graphics.²⁷

In addition to the dissemination and interactivity offered by e-mail, Web sites and mailing lists, relative cost-effectiveness and efficiency are crucial advantages of electronic dissemination over conventional media. As Robert Pollard notes, the speed, cost and ease of dissemination offered by a mass distribution of pamphlets represents a considerable expense for many activist groups, whereas a Web site and e-mail enable a global reach at minimal cost once the site is operational.²⁸ The intention here is not to suggest that setting up an electronic dissemination system is cheap, but rather that compared with postal services as well as local and long-distance phone calls and facsimiles, computer-mediated communications are not only quicker and more reliable but also more cost-effective.

Electronic distribution is also considerably less labour intensive, involving fewer people and thus representing greater cost savings. Aside from site maintenance and equipment upgrades when necessary, a single document posted on a Web site may be read and downloaded by thousands of individuals and organizations without significant additional costs to the owner of the Web site.

Civil society organizations increasingly attract visitors to their Web sites, many of whom would not have come to the groups as readily—if at all. The Corporate Watch site averages 27,000 user sessions monthly. According to Oxfam-UK's Web Editor, the site averages 8,500 to 10,000 unique visitors monthly. The WWF-International Web site is especially robust: as one of the busiest Web sites in the environmental sector, it receives on

average 160,000 hits daily or approximately 10,000 visitors according to Webmaster Andrew Pattison.²⁹ With a full-time site administrator and several support staff, WWF is able to update the site daily. In a typical month, five news features, 12-15 press releases, three to four publications, one monthly journal, a main feature (such as the *Living Planet Index Report*), and three smaller features with on-line lobbying are added to the site.

In line with the experiences of cyber-activists against the Multilateral Agreement on Investment, respondents to the questionnaire administered for the present paper by no means suggested that ICTs supplant conventional media. Mark Lynas of the OneWorld super site points out that the Internet provides a powerful networking and educational tool, and that it may also be used in combination with more traditional media to great effect:

We also use the Internet to feed into the diversity and effectiveness of traditional media—especially radio. We have just set up a programme exchange, where stations around the world can upload and download programmes to be broadcast on each other's stations. This is much cheaper than using satellite, is not time-bound, is interactive and much quicker than putting tapes in the post. In addition, an unlimited number of stations can use a single digital file—at very low marginal cost.³⁰

Indeed, survey respondents praised Internet communications because they are especially useful for sharing current data and analysis, for coordinating events and actions and for building and enhancing strategic relationships with other civil society groups. NGO Web sites are also used increasingly to attract membership support. For instance, the home page of the Rainforest Action Network enables visitors to order RAN merchandise, and the revamped Web site of Greenpeace International is designed to lead visitors to donate to the organization. Another fundraising technique used on sites is the offering of areas restricted to paying members. While most of the NGO Web sites examined are designed to exchange information, facilitate campaigns and inform at no cost to visitors, it is important to consider accessibility when membership fees are involved.

Disadvantages of on-line campaigns

While respondents ascribe key benefits to Internet communications, some did articulate several important challenges presented by the technology. The limitation most commonly noted reflected a concern with access for economically disadvantaged individuals and organizations in both the North and the South. As Lori Wallach, Director of Public Citizen's Global Trade Watch, remarks: "I'm a convert to the use of information technology. I was sceptical at first. Since 40 per cent of our information goes to non on-line groups, the question of access is still really key".³¹ And even when organizations do have access to computers and telephone lines, as Lynas notes, there is a lack of standardization in the operating platform. In a practical sense, this means that although the problem is not insurmountable, Web site architecture needs to reflect the fact that there are many different browsers and connection speeds available.³² This is an especially important consideration when sites target under-resourced organizations and individuals from both North and South. For instance, Focus on the Global South produces a Focus-on-Trade, a bulletin that is available on the organization's Web site as well as to e-mail subscribers, of which there are over 1,200. Due to the possibility of instant distribution, the editor of the electronic bulletin can respond very quickly to related issues as they arise and then share this information with subscribers instantly.

Another disadvantage articulated by survey participants concerned the volume of information that circulates on the Internet—a fact which is both a benefit and a drain on organizational resources. The e-mail feedback mechanism of Web sites can result in an inundation of requests for information from organizations. While this may be good for educational purposes, responding to e-mail from the public can be a formidable task, particularly for under-resourced groups. Moreover, as Bullard cautions: "You end up spending your life downloading and sending e-mails and this is a great danger to original thought and reflection which are crucial aspects of any activism".³³

Another challenge presented by Internet communications relates to the quality of content

transmitted almost instantaneously from sources all over the planet. As Vidal (1999b) cautions, the democratic appeal of the Web sometimes comes at the cost of the reliability of the information posted. Questionnaire respondents in this study note that given this lack of quality control, it is as important as ever to exercise discrimination when selecting which electronic sources of material, such as Web sites and mailing lists, are more credible and reliable than others.

In an attempt to reduce the gap between technology haves and have-nots, many NGO sites are often designed with the low-end user in mind. As noted earlier, the OneWorld super-site attempts to bring Southern NGOs on-line by providing Internet space for their home pages. Oxfam considers the lower end user whether they are in the North or the South. As Internet Project Manager Julia Flynn notes:

Our strategy is to reach as many users as possible, and we endeavor to make information on our activities and analysis available using low-end browsers. In achieving this we use different styles of presenting information throughout the site—for example, policy papers are presented in a straightforward style and our campaigning pages are more interactive and designed for impact, using both images and facts and figures to convey our campaigning messages.³⁴

Research into the use of information technology by citizen groups to lobby against the MAI demonstrates that while activists recognize the impetus the Internet provides their lobbying efforts, they do not suggest that electronic networking should, or even can, supplant the street-level education and organization characteristic of this century's most effective citizen movements. Certainly, on one end of the spectrum are those who herald the Internet as the saviour of contemporary activist struggles, while at the other end there are the sceptics who do not see the utility of this communication tool. Others may wish to take advantage of the Internet but lack the resources to connect to its potential.

The truth of the matter seems to lie somewhere between the techno-optimistic and the techno-pessimistic extremes: ICT's greatest strength is its ability to enhance ongoing efforts by social movements. According to survey respondents, ICTs are most effective when combined with

31. Interview, Geneva, 23 March 1998.

32. E-mail communication, 4 September 1998.

with Nicola Bullard, 14 September 1998.

34. E-mail communication, 22 September 1998.

conventional networking and activism. As a comment posted to an MAI newsgroup notes:

I doubt that anyone is suggesting the Net is wholly and solely responsible for the MAI being put on the backburner—temporarily. However, credit where it's due, few would doubt the major role the Net has played. Some believe it to be one of the initial sparks which has ignited international opposition, without which all the 'old-fashioned' footwork in the world would have no basis."

Interviews with MAI organizers reinforce the complementary role enabled by the Internet in the trade and environment debate. As Global Trade Watch Field Director Mike Dolan notes,

Before we all got e-mail or even faxes . . . I cut my teeth in the streets and *barrios*, registering voters and mobilizing neighbourhoods. . . .

Naturally I was sceptical about the utility of these new fancy communications techniques. Neither I, nor any other field organizer, could have foreseen the potential of the digital revolution to advance the people's agenda and make a real difference. . . . However, I believe that the Web and listservs are much less effective at the local level, where only traditional organising techniques can truly empower a community.³⁵

As Dolan implies, the communicative modes facilitated by the Internet and the World Wide Web cannot replace the truly grassroots education and mobilization that must inform it. Sub-Comandante Marcos and his team of Internet collaborators would not have met with the success they did were it not for the Zapatista organization in Chiapas and across Mexico; the messenger is of little effect without a compelling, informed and articulate message. While Focus on the Global Souths Bullard acknowledges the numerous benefits offered by the Internet, she does suggest that electronic communication has resulted in a new version of a "cosmopolitan individualism" that "separates us from what should be the inspiration for our efforts to create a fairer world—ordinary people and their daily struggles."³⁷

Works in progress

The rapid development of ICT capability combined with the changing needs of organizations and the importance of offering late-break-

ing developments on issues and events means that groups must revisit their Internet communication strategies regularly. During the course of this research the Web sites of several organizations were redesigned according to the expressed needs of site visitors and the organizations themselves. This was the case for both corporations and non-profit organizations. Oxfam-Great Britain's Web site focuses on several areas, including the promotion of fair trade and improved corporate conduct as well as the dismantling of the arms trade. While Oxfam views the Web site as successful, the organization is nevertheless reviewing its current use as well as surveying what other groups are doing to maximize their use of Internet communications.³⁸

In October 1998, Greenpeace International re-launched its Web site. Building on the NGO's success with Internet communications, the revamped version includes a new, highly interactive "Become a Cyberactivist" section. Here, visitors can join by simply clicking on the "act" button at the top of the page. The Cyberactivist section of the site refers visitors to the organization's Climate Change pages for up-to-date information. It also enables users to send an e-mail message directly to the Executive Director of STATOIL encouraging the company to change their investments from oil and fossil fuel to renewable energy. As Greenpeace's Communications Development Manager Martin Baker notes, the interactive Web site is becoming an increasingly important element in the organization's repertoire—a fact echoed by many questionnaire respondents.

Ahead of the game - for now

In fact, most companies appear slow to incorporate such tools [new telecommunication media] into their own communication strategy. When asked what steps they planned to take to match pressure group mastery of these channels, most respondents simply repeated their intention to expand into this area or admitted that their preparations were still in a preparatory stage (Lubbers, 1998).

As Web sites like McSpotlight demonstrate, it is possible for a group of committed volunteers, equipped with the appropriate technology, to

35. Message to Marjaleena Repo, National Organizer, Citizens Concerned About Free Trade and posted on news.flora.org/flora.mai-noi/4306 (viewed 15 May, 1998).

36. E-mail communication, 11 June 1998.

37. E-mail communication, 14 September 1998.

38. E-mail communication with Julia Flynn, Oxfam-UK Internet Project Manager, 23 September

monitor and critique corporations before a global audience. The on-line activism undertaken by environmental NGOs has not gone unnoticed by many of corporations on the receiving end of the criticism. For instance, the McSpotlight Web site claims that McDonald's corporation accessed it 1,700 times in its first week, suggesting the global corporation's interest in the activist site. RAFI's Web site analysis asserts that while Monsanto—the target of their anti-pesticide campaign—has not made any public announcements regarding the disputed technology, the company does appear to visit the RAFI site repeatedly. As RAFI notes:

The only exception to the silence: One person writing from an e-mail address belonging to a Monsanto subsidiary used RAFI's page to e-mail the USDA a lackluster defense of the Terminator titled "Ignore RAFI!". But the author conve-

niently ignored the fact that each of the one thousand letters sent from the page was edited and submitted by a concerned person or institution.

For the time being, the structure of Cyberspace offers a playing field that is more equal and accessible than what is offered by conventional promotional and educational tools that are often prohibitively expensive, time consuming and labour intensive. Their immense budgets notwithstanding, one of the best responses that TNCs currently have to Web sites which monitor and critique their operations is to likewise develop an Internet presence.³⁹ For instance, the McDonald's corporation built a Web site shortly after McSpotlight went live on the Internet.⁴⁰ Thus corporations in the critical spotlight enabled by the Internet are beginning to seek greater "air time" on the worlds largest and fastest growing communications network.

39. Additional steps some companies are beginning to take include hiring Internet clipping services to monitor on-line coverage and critique of corporate activities, as well as taking organizations to court for on-line content.

40. The McDonald's corporate site went on-line, two months after the anti-McDonald's McSpotlight site. An interesting feature of McSpotlight is the "SiteSeeing Tour" of the McDonald's site that takes visitors through the corporate site accompanied by critical analysis of its design and content.

Le micro-credit est-il un instrument de développement ?

par Fernand Vincent*

Historique

Dans le passé, mais aussi, de nos jours dans certaines parties du monde, le micro-crédit est souvent lié à l'usure. Les marchands, dans le Sud comme dans le Nord, qui accordent de petits crédits à ceux qui ne peuvent joindre les deux bouts ont été les premiers à prêter de petites sommes aux villageois qui n'avaient pas l'argent pour payer les médicaments ou l'écolage des enfants. Malgré les taux d'intérêts très élevés, souvent camouflés en remboursements en nature au moment de la récolte, les usuriers avaient du succès et se sont enrichis car ils étaient proches des besoins des populations parmi lesquelles ils vivaient. Cette proximité et cette intégration du prêteur dans le milieu culturel des emprunteurs est important car cette connaissance réciproque était le moyen de la couverture du risque.

Peu à peu, ces prêteurs furent contestés à cause des intérêts astronomiques qu'ils demandaient. Les églises et les prêtres prirent des initiatives d'organiser le petit crédit local. Les caisses Raiffeisen en Allemagne, puis dans toute l'Europe, les Caisses Desjardins au Canada et d'autres initiatives semblables dans d'autres pays se sont créées.

Le premier objectif de ces initiatives fut de rassembler l'épargne des populations et le curé de la paroisse fut souvent le trésorier assurant la garantie que l'argent épargné était bien en sécurité. Mais l'épargne, dans ces caisses locales servait souvent à des dépenses de consommation. Ce n'est que plus tard, que, l'épargne globale de ces caisses devenant importante, furent créées de petites banques qui commencèrent à prêter pour promouvoir des activités économiques et des entreprises locales. Aujourd'hui, les Caisses Raiffeisen en Europe et les Caisses Desjardins au Canada sont des banques importantes qui rivalisent et concurrencent les grandes banques commerciales.

Dans le Sud, les missionnaires ont eux aussi lancé les caisses d'épargne et de crédit sur le modèle des mutuelles décrites ci avant où le risque est partagé et les gens regroupés dans un même village ou un même quartier.

Mais le terme de "micro-crédit" est devenu connu par l'initiative des Grameen Bank du Bangladesh. Le Professeur Yunus, las de voir les

femmes incapables d'obtenir des banques locales, du crédit pour leur petit commerce prêta aux femmes, de sa propre poche, de petites sommes qui furent remboursées rapidement à 100%. De cette expérience es: née la Grameen Bank qui aujourd'hui prête à des millions de pauvres

qui remboursent leurs prêts, totalement et sans problème. Le modèle Grameen repose sur les mêmes principes que les premières caisses Raiffeisen ou Desjardins: prêts et épargne par petits groupes de personnes, surtout des femmes, qui se connaissent, se rencontrent régulièrement (chaque semaine) et qui acceptent de jouer le jeu de la caution mutuelle pour couvrir le risque éventuel que l'une d'elles ne puisse rembourser son prêt. Epargner et prêter dans le même milieu sans laisser l'argent partir à la capitale, auto-contrôle par la connaissance de la situation de chaque membre, solidarité en cas de coup dur, telles sont les valeurs reconnues du système.

Les Grameen Bank et des initiatives semblables créées dans d'autres pays se développent de 1980 à 1995. Elles sont devenues des banques reconnues par les Etats et les organisations internationales.

Récemment, sous l'initiative du professeur Yunus, toutes ces organisations de micro-crédit se sont rassemblées à Washington pour le premier Sommet du micro-crédit. Cette "grande messe" permit à des milliers de personnes engagées dans leurs pays, du Sud, de l'Est et du Nord, de prendre conscience de l'importance de leur action et de décider d'éradiquer, par le micro-crédit, la pauvreté du monde.

Les dirigeants de ce Sommet mirent sur pied une politique de communication exemplaire. Par leur lobbying, les directeurs généraux des grandes organisations internationales, de certaines banques commerciales, des Agences de coopération internationale multi et bilatérales s'engagèrent avec eux pour financer et développer le micro-crédit, "outil miracle" contre la pauvreté. Dès lors, le micro-crédit devint un terme à la mode dans le langage du développement.

Il faut donc nous interroger sur le contenu et l'efficacité du micro-crédit. Est-il vraiment une solution pour le développement et si oui à quelles conditions ? Cette récupération du micro-crédit par les organisations internationales, et demain par les grandes banques, puis-

* Ancien secrétaire général de l'IREC, président de Access International.

qu'il peut être rémunérateur, n'est-elle pas un danger pour les pauvres ? Le micro-crédit, s'il a un effet positif sur le développement social, est-il aussi créateur d'entreprises, et donc d'emploi, et si oui à quelles conditions ? Bref, il faut aller au fond des choses et s'interroger sur les causes des échecs et des succès et sur les limites des expériences effectuées.

Qu'entend-on exactement par "micro-crédit" ?

Il n'y a pas de consensus parmi les professionnels pour définir ce qu'est le micro-crédit.

Les uns, influencés par les dirigeants du Sommet mondial de Washington, estiment que tout crédit de plus de 100 \$ US n'est plus du micro-crédit. Les premières expériences de crédit de la Grameen Bank et des organisations prêtant aux femmes pour le petit commerce ou des micro-projets se rangent dans cette catégorie.

Les autres, et ce sont les plus nombreux, prêtent des sommes, en monnaie locale, allant de 100 à 5.000 voire 10.000 \$US et plus et considèrent leurs prêts comme du micro-crédit.

Les destinataires du micro-crédit sont généralement des femmes qui ont besoin d'un capital de démarrage pour leur petit commerce (ventes de vivres, de cigarettes, de boissons, etc), l'achat d'une vache ou le paiement de l'écolage des enfants.

Le micro-crédit est donc étroitement lié à l'activité des travailleurs du secteur informel. Il est local et proche des gens. Quelquefois seulement, il est lié à l'épargne, en particulier en Afrique.

Les différents types d'organisations qui gèrent le micro-crédit

Au cours de ces dix dernières années, les gestionnaires du micro-crédit se sont développés face à la demande. Ils peuvent être classés actuellement de la façon suivante :

a) Les caisses locales d'épargne et de crédit et les tontines

Les tontines sont la forme traditionnelle la plus efficace de l'épargne et du petit crédit.

Tout comme les caisses locales et mutuelles, elles ne sont pas reliées à de grandes organisa-

tions, ni aux banques. Elles agissent de façon autonome pour un groupe de villages ou un quartier urbain. Elles reçoivent l'épargne de leurs membres, fixent elles-mêmes les taux d'intérêt sans tenir compte des lois et du marché financier. Elles sont informelles. Les membres se prêtent entre eux l'argent épargné dans le même environnement. Elles font rarement appel au marché financier et ne reçoivent pas d'aide extérieure. Leur rôle et leur fonction sont essentielles. Elles répondent parfaitement aux besoins locaux et les remboursements sont excellents car tout le monde se connaît et il n'existe que peu de risque, car il y a auto-contrôle.

b) Les systèmes nationaux et internationaux d'épargne et de crédit

De nombreuses caisses locales d'épargne et de crédit se sont organisées pour obtenir davantage de crédit que les possibilités créées par leur épargne et répondre ainsi à la demande locale ou pour placer l'épargne non prêtée. Elles ont constitué des unions et fédérations, quelquefois puissantes à l'exemple de l'APRACA (Association de crédit agricole d'Asie et du Pacifique), l'AFRACA (Association africaine de crédit agricole) ou encore les COOCEC ou COOPEC (unions coopératives et Mutuelles d'épargne et de crédit). Au niveau national, en Afrique de l'Ouest, des organisations, telles par exemple Nyesigiso et Kafo Jiginew au Mali, l'ACEP au Sénégal, la FECECAM au Bénin rassemblent des dizaines de milliers de membres épargnants ou/et emprunteurs et sont des partenaires efficaces et incontournables de l'attribution du crédit au monde paysan ou aux artisans du secteur non formel urbain.

Ces unions et fédérations représentent donc des millions de membres, plus particulièrement des milieux paysans, fonctionnaires et petits commerçants. Elles sont bien ancrées dans leur milieu et sont organisées en mutuelles de type Raiffeisen pour couvrir leurs risques. Elles font un effort important de formation de leurs gestionnaires souvent issus des caisses locales et de leurs membres. Elles sont bien gérées. Les taux d'intérêt utilisés pour rétribuer l'épargne ou prêter aux paysans, aux commerçantes ou aux femmes entrepreneurs varient selon les cas. Il est

souvent en dessous des prix du marché. Il n'est pas rare de constater que ces caisses ne s'autofinancent pas, principalement à cause des frais engendrés par leurs efforts de formation. L'aide extérieure est souvent étroitement mêlée à leur financement.

c) Les fondations et ONG, gestionnaires de micro-crédits

Depuis une vingtaine d'années, de très nombreuses fondations ou ONG se sont créées pour distribuer et gérer le micro-crédit en Amérique Latine, en Afrique et en Asie. Ces organisations agissent comme des intermédiaires entre les "financiers" (agences de coopérations, ONG du Nord, banques, etc.) et les demandeurs de crédit, isolés ou organisés en petits groupes professionnels.

La diminution des dons de l'aide internationale pour financer à fonds perdus des projets de développement et le transfert de ces dons vers des prêts ou des fonds de prêts aux ONG du Sud ont souvent facilité, en Amérique Latine en particulier, la création de "Fundación del Desarrollo", devenues gestionnaires de crédits accordés aux producteurs ou commerçants locaux du secteur informel des grandes villes. Dans cette ligne ou pour répondre aux besoins exprimés par les producteurs locaux, se sont créées, à titre d'exemple, IDESI au Pérou, FIE en Bolivie, SOINTRAL au Chili, APEM à Madagascar, Rural Finance Facility, Get Ahead Foundation et Start Up Fund en Afrique du Sud, Proshika, BRAAC-Credit au Bangladesh, etc.

Ces fondations et ONG ont joué par le passé et jouent encore actuellement un rôle essentiel dans le développement du micro-crédit. Des millions de petits producteurs ou commerçants dépendent de leur action. Ces organisations se sont professionnalisées et offrent actuellement des services d'intermédiation financière de grande qualité.

Proches des bénéficiaires, désireuses de les aider à progresser, ces fondations et ONG, sont des agents indispensables pour le bon fonctionnement du micro-crédit dans le Sud et à l'heure actuelle dans les pays de l'Europe de l'Est et certains secteurs des villes d'Europe et d'Amérique du Nord.

Certes, comme nous le verrons par la suite, le coût de leur intervention est élevé, comme l'est la gestion et l'appui au micro-crédit. Dès lors, si

ces organisations veulent être auto-financées et ne plus recevoir d'aide du Nord, elles doivent facturer leurs services au prix coûtant, ce qui entraîne une forte augmentation des taux d'intérêt qui comprennent souvent ces coûts d'appui.

d) Les banques de micro-crédit

Depuis quelques années, entraînées par l'expérience de la Grameen Bank du Bangladesh, les grandes fondations et ONG du micro-crédit de plusieurs pays du Sud ont leur propre banque. Limitées dans leur financement et souvent par les règles administratives nationales, ces organisations, face à la demande considérable de crédit émanant des petits producteurs et commerçants du milieu informel, mais aussi des petites et moyennes entreprises naissantes ou en développement, ont promu des instruments financiers qui ont évolué, avec l'accord des états et la reconnaissance des banques centrales, vers la création d'institutions financières formelles et de banques spécialisées dans le financement du micro-crédit.

Plusieurs d'entre elles gèrent des portefeuilles de micro-crédit supérieurs à 10 millions de SUS à l'exemple de Bancosol en Bolivie, de ProEmpresa au Pérou, de la Fondation Carjeval en Colombie, des Syndicate Banks en Inde, de Proshika et de la Grameen Bank au Bangladesh, de la BRI Bank en Indonésie, de K-REP au Kenya, de Rural Credit Facility d'Afrique du Sud, etc.

Ainsi, les professionnels du micro-crédit se sont donnés les instruments financiers et les banques nécessaires pour attirer et gérer l'épargne des populations et souvent des clients auxquels ils accordent du crédit et pour bénéficier des lignes de crédit accordées par les Banques internationales de développement ou les Agences bilatérales de coopération. Il s'agit donc d'un progrès important.

Quelques questions essentielles concernant le micro-crédit

A. Le micro-crédit est-il un outil de développement économique ?

Est-il possible de créer des entreprises et donc de résoudre en partie les problèmes de l'emploi

et de développer la croissance économique par le micro-crédit ?

La réponse n'est pas simple. Deux études, réalisées en Asie (1) nous donnent une première réponse intéressante :

- Les crédits inférieurs à 100 \$US, accordés principalement aux femmes, ne créent que très rarement (moins de 3%) de petites entreprises ou des emplois nouveaux. Ces crédits améliorent la situation sociale des bénéficiaires qui peuvent ainsi trouver les fonds nécessaires pour satisfaire des besoins de première nécessité (santé, nourriture, logement, écolage, etc.). Il y a donc amélioration, mais rares sont les bénéficiaires qui dépassent le seuil de pauvreté. Ces micro-crédits ont toutefois un rôle essentiel qui est avant tout un "plus social" et en cela, il doit être développé.

- Les crédits entre 100 et 1.000 \$US sont du même ordre. Ils améliorent cependant nettement le pourcentage (7 à 12 % selon les pays et les cas) de création d'emplois et de petites entreprises nouvelles.

- Ce sont des crédits de 5.000 \$US et plus qui déclenchent un processus de croissance par l'investissement dans de nouvelles unités de production, l'amélioration de la productivité et l'ouverture sur de nouveaux marchés.

Un autre exemple intéressant de gestion du micro-crédit nous est donné par les activités de IDESI/PRO EMPRESA au Pérou. Cette organisation d'appui (2), qui vient de créer son institution financière, gère plus de 50.000 dossiers de micro-crédits en zone urbaine et rurale et est devenue un instrument efficace de développement économique du pays.

IDESI/PRO EMPRESA divise son marché en quatre secteurs:

a Le secteur micro-entreprises, de 1 à 10 travailleurs et un chiffre d'affaire annuel maximum de 40.000 \$US par entreprise. Les crédits attribués à ces micro-entreprises vont de 50 à 900 \$US pour une période moyenne de six mois.

b Le secteur petites entreprises, de 10 à 20 travailleurs et un chiffre d'affaire minimum annuel supérieur à 40.000 \$US par entreprise. Les crédits attribués alors vont de 1.000 à 5.000 \$US pour une période moyenne de 24 mois.

c Le secteur entreprises moyennes, occupant de 20 à 100 travailleurs et faisant un chiffre d'affaires supérieur à 750.000 \$US par an et par entreprise. Les crédits distribués varient alors de 3 à 10.000 \$US et plus par entreprise et une période de prêt de 8 à 24 mois.

IDESI/PROEMPRESA distingue dans la gestion des ses crédits ceux, micro-crédits, attribués pour la "croissance", de ceux attribués, petits crédits, pour le "marché" (petites entreprises) et ceux attribués pour le "développement" (moyennes et grandes entreprises).

Ainsi, il apparaît nécessaire de bien choisir les bénéficiaires-cibles du crédit quand on lance un programme. Si on désire atteindre les plus pauvres, on le fera avec des crédits de 20 à 300 \$US et un objectif social pas forcément rentable financièrement. Si on veut créer des emplois et augmenter de façon significative les revenus, il faut alors avoir recours à des clients différents et des crédits d'un montant plus important. Si un ONG veut s'adresser à la fois à plusieurs catégories de clients, elle devra alors séparer la gestion de chaque programme et adopter des stratégies et des méthodes différentes selon les cas.

B. A quel taux d'intérêt faut-il prêter ?

Il y a plusieurs "écoles".

a Les uns, en particulier les donateurs ONG chrétiennes du Nord et leurs partenaires du Sud, défendent le principe que les pauvres ne peuvent payer des intérêts au prix du marché et qu'en conséquence, il faut prêter sans intérêt ou à des taux d'intérêt très bas (1 à 3% quelle que soit l'inflation). Certes ce point de vue est défendable, mais il est clair qu'un tel modèle ne peut fonctionner qu'avec l'aide extérieure ou, dans un milieu très localisé et restreint qui autogère l'épargne et les crédits accordés, grâce au volontariat, sans coûts financiers. Par ailleurs ces programmes ne sont généralement pas en relation avec le secteur financier moderne. Ce modèle a donc de grandes limites et peu d'avenir.

b Les caisses d'épargne et de crédit et les mutuelles, leurs fédérations et unions, de type Raiffeisen, adoptent des taux d'intérêt en dessous de ceux du marché, quand les Etats dans lesquels ils fonctionnent les y autorisent. Ils le

peuvent, car ils ne rétribuent pas ou peu l'épargne récoltée (à l'exemple des caisses d'épargne et de crédit Nyegigiso du Mali) ou bénéficient de lignes de crédit subventionnées ou/et de dons de l'aide internationale. Ce modèle est appliqué dans de nombreux pays en Asie, comme en Afrique ou en Amérique Latine.

c De plus en plus nombreuses sont les organisations qui gèrent autrement le micro-crédit. Les taux de prêts du crédit incluent non seulement le coût de l'intérêt bancaire (y compris l'inflation), mais aussi une participation à un fonds de couverture de risque, le paiement proportionnel des appuis reçus en formation et conseils et même des contributions à des caisses de solidarité qui interviennent en cas de décès ou d'événements spéciaux, d'Ainsi, à l'exemple de nombreuses fondations et ONG du Sud, citées ci-avant, les taux d'intérêt des prêts varient de 2 à 5% par mois pour de petits crédits à court terme. Nombreuses sont les organisations qui prêtent donc entre 30 et 60%, voire plus. Doit-on alors parler, comme certains le font, de taux proches de l'usure ? Pas sûr ! Les bénéficiaires de crédit ne se plaignent pas de ces taux. Ils estiment recevoir des services compétents et fort utiles de ces ONG, et le coût du crédit est de toute façon bien inférieur à ceux des usuriers. En plus, il faut remarquer que ces organisations de gestion du micro-crédit sont les seules capables de s'autofinancer et donc de durer ! Lors d'un colloque d'experts, organisé par l'OCDE à Paris en 1998, nous concluons, en mettant en commun nos expériences, que les programmes qui utilisaient les taux d'intérêts les plus élevés étaient aussi ceux qui étaient les plus performants et les plus efficaces. Dès lors, cette question a une réponse claire. On peut aider les pauvres avec des prêts sans intérêt ou à intérêts subventionnés, mais on ne peut continuer "à jouer les Mères Teresa" sans être conscients que de tels programmes ne sont pas durables et se termineront avec la fin de l'aide.

Si ces programmes veulent être financièrement autonomes, ils doivent prendre les moyens de leur politique et facturer les coûts financiers et ceux de l'appui ou de la formation aux bénéfi-

ciaires. La question ne semble plus être celle de la pauvreté, mais davantage celle de la formation nécessaire pour que les bénéficiaires augmentent suffisamment leurs revenus pour être non seulement capables de rembourser les intérêts, mais de rentabiliser leurs activités économiques et de faire du profit.

Mais est-ce aux bénéficiaires locaux, dans les villages et les quartiers, c'est à dire les plus pauvres, de payer ces frais ? La gestion du micro-crédit est très coûteuse. L'aide internationale pourrait à l'avenir concentrer son intervention sur le subventionnement de ces coûts intermédiaires (formation, participation à la couverture des risques, facilitation de négociations, coûts de gestion des garanties bancaires qui relient progressivement aux banques commerciales locales, etc) qui doivent être comptabilisés séparément et ne pas entrer dans les coûts de gestion du crédit.

C. Quels risques ?

La plupart des organisations de gestion du micro-crédit annoncent des résultats de remboursement de prêts variant entre 95 et 100 %. Que faut-il en penser ? N'y a-t-il pas ou peu de risques à effectuer du micro-crédit ?

La réponse n'est pas simple. Souvent, pour des raisons stratégiques, ces organisations ne prennent pas en compte certains coûts ou non remboursements. Par ailleurs, des conditions exogènes peuvent augmenter considérablement les risques. Récemment, au Bangladesh, les inondations qui ont détruit les biens acquis par les femmes, grâce aux crédits, les ont empêché de rembourser leur crédit à la Grameen Bank. Ou encore, selon le Fonds Pérou-Canada, le risque est passé à 20% pour les petits emprunteurs qui ont été touchés par El Nino(3), ce qui oblige le programme de se restructurer complètement.

L'étude de la réalité démontre que le risque est supérieur à celui annoncé et qu'il est très étroitement lié à la qualité de l'appui et du suivi des prêts. D'où, en conséquence des coûts de suivi importants. La réussite des activités de micro-crédit n'est-elle pas alors liée à des subventions nécessaires de ces coûts qui ne devraient pas entrer dans le calcul de la rentabilité des opérations de gestion des prêts ?

Par ailleurs, les risques sont aussi liés aux compétences des organismes de gestion du micro-crédit. Trop souvent des ONG non spécialisées ont prêté et n'ont pas ou peu été remboursées. Aucun suivi sérieux, une comptabilité discutable, de bons sentiments et, en fin de compte de la "casse". Ces organisations ont fait beaucoup de tort. Elles ont confondu "dons" et "prêts". "On ne prête pas à celui qui ne peut rembourser, sinon on le tue..." dit-on maintenant au Sahel.

Il est cependant vrai que les risques sont différents selon les catégories de personnes, si celles-ci sont en groupes à caution mutuelle, ou encore s'il s'agit d'avances pour le petit commerce ou un prêt pour la production agricole. "Les femmes remboursent mieux que les hommes". C'est vrai que, si elles sont organisées, leur taux de remboursement de prêts est proche de 100%. Il est vrai aussi, comme l'a démontré Marie Christine Guéneau (4) que certains secteurs de services ou de production sont moins risqués parce que plus rentables que d'autres.

D. Comment accéder au crédit des banques commerciales locales ?

L'objectif final, si on veut que le micro et le petit crédits aient un impact plus important et répondre davantage que maintenant aux besoins exprimés, est d'établir progressivement des relations professionnelles entre ces nouvelles catégories de clients et les banques commerciales locales. Ainsi, on mobilisera des fonds locaux, on garantira la pérennité financière de ces systèmes et on cassera les liens de dépendance que l'aide internationale perpétue. Cela nécessite un apprentissage et une meilleure connaissance réciproque. Cela prend du temps. Cependant des expériences intéressantes prouvent que l'on est déjà sur la voie du succès.

Comment accéder au crédit des banques commerciales ?

Le premier moyen, bien connu, et dont on a déjà parlé est la "caution mutuelle", appliquée systématiquement dans les modèles Grameen, Raiffeisen ou Desjardins. Un groupe de villageois ou de producteurs d'un quartier, où tout le monde se connaît, se porte garant du remboursement de tous les membres du même groupe.

Ce système "marche" souvent, mais systématisé, il n'apporte pas toute la sécurité dont on parle. Souvent même, les banques ne comptent pas sur la caution solidaire : trop de travail, et donc de coûts, pour récupérer une petite somme !

La couverture du risque par l'hypothèque d'un bien (sauf celle d'immeubles modernes) ne fonctionne pas bien et se révèle aussi très coûteuse. Un regard dans les jardins des ONG gestionnaires de micro-crédit est souvent intéressant. Des épaves de voitures, des outils et équipements, fruits des saisies, sont là, invendables.

Et la garantie bancaire ?

C'est une des meilleures façon d'obtenir des prêts des banques commerciales. Ces garanties sont celles des salaires de membres de la famille ou d'amis. Ce sont aussi des garanties bancaires locales ou internationales.

Plusieurs fondations ont mis au point des systèmes de garanties bancaires très efficaces, à l'exemple de la Fondation RAFAD à Genève, d'ACCION aux USA ou de FUNDES en Amérique Latine. Le principe est simple :

Constituer un Fonds en monnaie forte et l'investir dans une banque internationale qui accordera une garantie à une banque locale qui prêtera, parce que son risque est totalement ou partiellement couvert, aux petits emprunteurs locaux regroupés ou non. Une ONG locale est souvent l'intermédiaire de ces opérations.

Sur la base d'une étude comparative de l'impact de tels fonds (5) il a été possible de tirer les leçons suivantes :

a Ces fonds de garanties ont permis à des dizaines de milliers de petits producteurs, femmes et hommes, paysans ou commerçants, artisans et petits entrepreneurs du secteur non formel, "d'entrer en banque" et de recevoir les crédits qu'ils réclamaient depuis longtemps. Par ailleurs, pour les banques commerciales, ces expériences réussies de prêts aux acteurs du secteur informel, qu'ils ne connaissaient pas du tout, les ont convaincus qu'il est possible de "prêter aux pauvres et de faire de bonnes affaires". Cette connaissance réciproque est certainement le résultat le plus significatif de l'intérêt de l'utilisation de la garantie bancaire, car il permet de créer et de consolider des relations nouvelles entre partenaires qui s'ignoraient. Le

marché du micro-crédit devient alors, à long terme, un secteur d'activités nouvelles pour plusieurs banques commerciales du Sud.

b Le deuxième résultat de l'usage de la garantie bancaire est celui de l'effet multiplicateur qu'il entraîne. En effet, si les négociations sont bien menées entre l'émetteur de la garantie et la banque qui la reçoit, cette dernière est amenée à prendre progressivement plus de risques, puisque les remboursements sont bons, et à attribuer deux, trois, cinq, dix, voire plus de crédit que le montant de la garantie reçue. La garantie internationale permet alors de mobiliser les ressources financières locales.

c En plus, l'émission en monnaie forte d'une garantie par une grande banque internationale du Nord est très appréciée des banques commerciales du Sud. Cela renforce leur portefeuille de bonnes relations. Par ailleurs, la garantie en monnaie forte permet d'éviter l'érosion du capital initial de garantie par l'inflation locale.

Certes, la garantie n'est pas LA solution de la couverture de risques, mais en est un des moyens les plus efficaces. L'expérience de la Fondation RAFAD (6) en douze ans a permis de conclure que :

- les pertes moyennes annuelles d'un tel Fonds sont de l'ordre de 5%
- le multiplicateur est de 3,5 c'est-à-dire qu'avec 100.000 SUS de garantie, les banques locales ont donc attribué, en monnaie locale, pour 350.000 SUS de crédit
- l'intérêt chargé par les banques a été celui du marché, moins 1 à 3% selon les cas, puisque le risque était partiellement couvert par la garantie
- que les bénéficiaires de crédit avaient à rembourser leur prêt en monnaie locale et non en devises
- qu'après six ans, en moyenne, d'expériences positives, les banques locales ne réclamaient plus de garantie, considérant ces partenaires comme des clients

Conclusions

Depuis le Sommet de Washington, le micro-crédit est devenu une mode, souvent même un nouveau gadget de l'aide internationale. Certains voient en lui la solution aux échecs

répétés de la coopération entre le Nord et le Sud. Comme l'a bien décrit M. Motchane dans le numéro spécial du *Monde Diplomatique* sur le micro-crédit(7), le secteur privé, après l'ONU, est en train de récupérer le micro-crédit pour en faire un nouvel outil qui devrait prouver leur intérêt à "éradiquer la pauvreté".

Il est temps de dire clairement les choses. Le micro-crédit existe depuis longtemps, et on n'a pas attendu 1998 pour l'inventer. Beaucoup d'échecs et de réussites jalonnent le chemin des projets financés par le micro-crédit. Regardons le passé afin d'en tirer les leçons pour l'avenir. Le crédit est une des techniques de financement du développement. Il peut "tuer" l'initiative, comme on l'a dit précédemment s'il est accordé sans examiner soigneusement si le bénéficiaire peut rembourser ou si on l'entraîne dans le cercle vicieux de l'endettement ou de la faillite.

Par ailleurs, il faut aussi poser la question de l'impact global de tous les efforts actuels face aux besoins. En Amérique du Sud, par exemple, on a recensé plus d'un million de personnes ayant recours au micro-crédit pour un montant de 800 millions de SUS (8). Or, selon Francisco Dumie, gérant de COPEME au Pérou, intervenant lors de la récente Conférence Latino-américaine de la microfinance, "seul un dixième de la demande est satisfaite et le micro-crédit ne représente que 1% du crédit délivré sur le plan commercial" (3).

Ces faits nous obligent à plus de modestie, mais nous encouragent dans l'action à mener, en particulier à favoriser et renforcer les liens avec les banques ou institutions financières locales.

Nous croyons que le crédit, s'il est bien utilisé, est un outil efficace de développement à condition d'étudier avec soin les groupes cibles que l'on veut aider.

Professionnalisme, connaissance du milieu, adaptation des moyens aux conditions locales pour répondre aux vrais besoins, ce sont là les exigences de la réussite.

Le micro-crédit est une arme contre la pauvreté, mais il est coûteux et doit être subventionné. Les petits et moyens crédits doivent être développés davantage encore, car c'est eux seulement qui s'attaquent aux causes de la pauvreté en créant des emplois et en facilitant la croissance.

Genève, le 7 novembre 1999.

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- (8) *Les chemins et les défis de la croissance pour les institutions de la microfinance en Amérique Latine*, Robert PECK-CHRISTEN, C/GAP, Banque Mondiale, Washington, 1999.

Global Civil Society: Dimensions of the Nonprofit Sector, by Lester Salamon et al., Baltimore: Johns Hopkins Center for Civil Society Studies, 1999. (The Johns Hopkins Comparative Nonprofit Sector Project.)

This book is the first produce of a massive collaborative project involving 22 countries from Western and Eastern Europe, North America, the Middle East, East Asia, and Latin America (p.xvii). It is an excellent example of such work. The project itself helped define the nonprofit sector, set the standards to determine what data should be gathered, and gathered data missing from existing sources. The book presents the results in a form easily digested by nonspecialists. Moreover, the book contains a number of surprises even for the specialists.

First, the US does not have the largest third sector (p12). It is fifth, after the Netherlands, Ireland, Belgium, and Israel. This is partly due to the fact that the public sector provides over 50% of their revenue, but only 30% in the US (p275). The sector is concentrated mainly in the health industry (p268) and in higher education (p19), but 40% of the volunteers are in social services. Religion is important but not the largest area of nonprofit activity.

Second, the size of the third sector seems uncorrelated with the size of the welfare state per se (p.13-18). The study certainly does not show that the larger the welfare state, the smaller the third sector, nor does it show the opposite. This is partly due to the varied nature of nonprofit activities.

Third, the third sector in Central Europe is large, consisting mostly of business and professional associations, and of culture and

sports organizations. This is a legacy of the old Communist days (p22), when the state encouraged such organizations. Since the state provided social services under the old regime, the third sector does relatively little of that even now.

Fourth, the primary source of income for nonprofits is not private giving. Fees and public funds are the most important. This tends to confirm Salamon's own contention that the relation between the public and third sector is one of partnership, not competition as too many people think.

Just for fun, here are some others to whet your appetite: historically, France prohibited membership in nonprofits for seventy-five years, and Germany required it for a comparable period of time. Religion is not a major factor in the US. Private giving is more important in Central and Eastern Europe than in the US. Mexico has the smallest nonprofit sector.

The third sector follows certain patterns from region to region. Western Europe is more public-sector dominated and the nonprofits are concentrated in social services, education, and health. In the US, Israel, Australia, and Japan the sector is smaller and more fee-dominated and concentrated in health and education. Central and Eastern European third sectors are also fee-dominated and concentrated in culture and recreation and in professional societies and unions. Latin America has a small sector, fee-dominated and concentrated in education and the profes-

sions. Asia and Africa are not represented here but are covered in the volume edited by Anheier [1998], which comes out of the same shop.

Each chapter begins with a paragraph giving the main conclusions of the chapter, then proceeds with descriptions of the project, data, findings, etc., in almost identical paragraphs and footnotes. I was not bored by this; rather I was reassured that things were going according to plan. I also knew exactly what I could skip to get to the surprises.

Salamon et al. go to great lengths to standardize their concepts. They come up with an excellent definition (pp464ff): to fit the nonprofit category, a group must be organized, private, nonprofit-distributing, self-governing, and voluntary. Each of these terms is described in a paragraph. The industries in which nonprofits operate are classified according to their system, which is used throughout the study. I noticed in the chapters on second- and third-world countries that the authors did not neglect the possible revolutionary role of nonprofits, from Solidarność to squatters.

They make creative use of comparisons to make the numbers meaningful. Employment in the third sector is compared to that of the largest corporation and is shown to be larger than several industries. In the introductory chapter, an excellent comparative summary of the whole book, they show how large the nonprofit sec-

cor would be if it were a country (GDP somewhere between Italy and Brazil).

There is one drawback to the book for die-hard number-crunchers: there are no arrays of numbers, no shrink-wrapped CD-ROMs. There is however a description of data sources, which consist mostly of government statistical offices and their own surveys.

This project can provide evidence to test the Weisbrod hypothesis, for example, that the size of the nonprofit sector is a function of the diversity of the population. Belgium's placement near the top of the list lends this idea credence. For the Salamon hypothesis that the shrinking of

the welfare state will harm the third sector more than help it, the argument is made explicitly. The Reagan Administration erroneously believed that government crowds out nonprofit activity, so they cut government support for nonprofit activity. Nonprofits then turned to fees for support. In doing so, they "marketized" (p-31) and competed with profit-making firms. This caused people to ask why nonprofits should be considered special and led to the crisis in legitimacy we find today.

This is an important book. It should be on the shelf of every researcher in the field for the guidance it gives to sources. It

should be on the shelf of practitioners for the quick summary of important facts.

Robert Scott Gassier,
Professor of Economics,
Vesalius College, Vrije Universiteit
Brussels

References

Anheier, Helmut K., and Lester M. Salamon. 1998. *The Nonprofit Sector in the Developing World: A Comparative Analysis*. Manchester: Manchester University Press. (Johns Hopkins Nonprofit Sector Series)

L'UAI en Toscane

Derrière né des regroupements nationaux d'associations internationales, le Centre italien des associations internationales (Centro Italiano per le Associazioni Internazionali, CEAI) a tenu à marquer sa création coûte récente par l'organisation de deux événements d'importance.

L'un, un colloque (des 14 au 18 juin 2000) sur l'associationnisme international tel qu'il est perçu par les grandes associations internationales dont le siège est situé en Italie, mais aussi par divers représentants du phénomène associatif international et transnational issus d'autres horizons, tels que Frits Hondius (Administrateur principal à Europhil et représentant de Transparency International au Conseil de l'Europe), Cyril Ritchie (Président de la Fédération des institutions semi-officielles et privées établies à Genève, FIIG), Ghislaine de Coninck (Secrétaire général de la Fédération des associations internationales établies en Belgique, FAIB) et Nina Belyaeva (Interlegal Research Centre, Moscou). Le CIAI entendait ainsi donner une impulsion à l'un de ses objectifs

fondamentaux qui, outre le soutien apporté à l'associationnisme international et la promotion de ses Hens avec les organes intergouvernementaux, consistera désormais, plutôt qu'à fonder une fédération, à animer la coordination des associations internationales établies en Italie et de leurs activités sur le sol de la Péninsule.

En invitant d'autre part l'Union des associations internationales (UAI) à tenir son Conseil d'administration (des 18 au 20 mai) dans l'enceinte du Palais des congrès de Montecatini Terme, le CIAI s'honorait de la présence, sur le sol toscan, de l'un des plus anciens et des plus illustres géniteurs de l'associationnisme international, qui se trouve aussi être l'un des parrains du Centro. Gianni Tibaldi, professeur à l'université de Padoue et président du Centro, est lui-même membre du Conseil d'administration de l'UAI (au même titre que Cyril Ritchie, Frits Hondius et Nina Belyaeva, cités plus haut).

Sans doute la création du CIAI et les travaux de l'UAI n'ont-ils pas laissé les autorités italiennes indifférentes, puisque le ministre italien des Réformes institutionnelles Antonio Maccanico est venu personnellement encourager

le Conseil de l'UAI à "dépasser les logiques technocratiques vers la solution des problèmes engendrés par la mondialisation", après que le maire de Montecatini eut reçu les membres de l'UAI à la Mairie. Sans doute est-ce là un programme dont l'ambition dépasse celle de la seule UAI, comme d'ailleurs des fédérations nationales d'associations internationales. Cette dernière a néanmoins décidé, à l'occasion de ce Conseil exceptionnel, d'affirmer la vocation plurielle qui marque son identité en poursuivant ce qui a été entrepris et en défrichant de nouvelles pistes. Outre le rôle traditionnel qu'elle s'est définie au début du siècle d'observer, d'analyser et de tenir fût-il "civil" de la galaxie associative rebaptisée aujourd'hui "société civile" internationale et transnationale, elle a entrepris de s'engager plus avant dans quelques-unes des voies qui caractérisent la modernité contemporaine, là où la civilité associative joue un rôle déterminant. Ainsi de la définition et de l'application d'un droit humanitaire, de la mise en place d'une société communicationnelle en voie de mondialisation rapide, ou de la redéfinition de l'élément associatif dans les mondes contemporains.

Paul Ghils

"We the Peoples..."

Those are the first three words of the United Nations Charter. They signify that the United Nations, at its heart, reflects and represents the highest hopes and aspirations of the peoples of the world.

From 22-26 May 2000, the Millennium Forum brought together civil society representa-

tives from all over the world to consult about our future - the future of the peoples of the world — in relation to the great global challenges that must be confronted by the United Nations in the 21st Century.

Held at the United Nations headquarters as part of the preparations for the Millennium

Assembly at the UN in Fall 2000, among the main outcomes of the Forum was a "*Millennium Forum Declaration and Agenda for Action*," as well as a number of specific papers and documents on the main sub-themes of the Forum.

International forum on capacity building

The International Forum on Capacity Building (IFCB) brings its sixth issue with articles from other sources. This newsletter as a vehicle of a continuing discussion and debate on issues related to capacity building and the current challenges faced by NGOs in the constantly changing context.

The website for the Forum is operational. A report of the varied activities carried out by the

Forum in the last 18 months is posted on the web.

Comments on the site and suggestions for improvement are most welcome. We would further like to develop the site and invite you to comment on the sixth issue. We would also welcome suggestions and/or references of materials, which you might consider relevant for the website's database as well as to be printed in the newsletter.

For any further information, please do not hesitate to contact the Global Secretariat at: Society for Participatory Research in Asia (PRIA) 42, Tughlakabad Institutional Area
New Delhi-110062
Email: info@pria.org
Web: www.ifcb-ngo.org

A European Charter of Fundamental Rights

The prospects for a legally binding Charter of fundamental rights now look less good after the Feira European Council meeting of 21 June. Most Member States want to restrict the list of rights, but France did announce that under its Presidency they would seek to include new social rights. The real difficulty however lies in the reluctance of the majority of governments - with the possible exception of Germany and the

Netherlands - to see anything more than a declaratory Charter, which would not be enforceable in the Treaties and the Courts.

ECAS has been arguing for the EU to adhere to the Council of Europe convention on human rights. That argument may well have more force now - but no formal proposals have been tabled to that effect.

Ignacio Mendez de Vigo MEP
take over from Roman Herzog —

whose wife died recently - as President of the Convention. With the Convention hogged down with a mass of amendments, this does not make things easier!

NGOs are investing a lot of time and effort on the Convention. Time for rethinking the strategy?

*(From ECAS News Flash,
July 2000)*

Global Partnership Postgraduate Diploma in NGO Leadership and Management 2001

The Global Partnership (GP) for NGO Studies, Education and Training. GP is the outcome of process and cooperation between BRAC and the Organization of Rural Associations for Progress (ORAP), Zimbabwe and World Learnings School for International Training (SIT), Vermont, USA. The Global Partnership is formed to increase South-South-North sharing of educational programs and learning resources relevant to a new generation of leaders in NGOs, civil society and the various institutions, which work with this sector.

GP offers a postgraduate diploma course followed by Master's degree. The postgraduate diploma studies take place in Bangladesh and the final phases, which result in degree studies, take place in the United States. The NGO Leadership and Management (NLM) Program is the result of a one-year planning process involving a team of persons from all three GP program centers - BRAC in Bangladesh, the Organization of Rural Associations for Progress (ORAP) Zenzele College in Zimbabwe,

and World Learnings School for International Training (SIT) in the United States and input from over two hundred development practitioners in Asia, Africa and North America and (through electronic communication) other parts of the world.

We are pleased to inform you that the First Phase (January 18 - April 30, 2000) of the 4th batch of Postgraduate Diploma Program in NGO Leadership and Management on 30th April 2000. Total twenty-two participants from home and abroad took part in this program. The 3rd Postgraduate Diploma in NGO Leadership and Management (NLM-3,1999) was successfully completed on 18th May, 1999. A total of 19 students from five different countries including Bangladesh participated in last year course. The 2nd course (NLM-2,1998) was attended by 18 students from seven different countries. The 1st Postgraduate Diploma (NLM-1,1997) was attended by 20 participants from eight different countries. The participating countries were Ethiopia, Namibia, Cambodia, Laos PDR, Peru, New Zealand, USA,

Thailand, Philippines, Nepal, Pakistan, Swaziland, Zimbabwe, Japan, China, Belgium and Bangladesh. Nineteen students of them have completed their Masters' program at SIT, USA.

The participants in the program are the middle and senior level NGO professionals and development practitioners. The course involves participants in helping their organizations form strategic partnerships, networks and coalitions with other NGOs, civil society organizations, government agencies, donors, and so forth in order to impact policies, diffuse innovations and scale up programs.

*(From: BRAC TRAINING
DIVISION, June 2000,
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Les Etats ACP et l'Union européenne

Relations ACP-UE: quelle opinion les organisations de la société civile ont-elles du nouvel accord?

Plus tôt cette année, les États ACP et l'Union européenne ont conclu un nouvel accord d'une durée de vingt ans, après 18 mois d'intenses négociations, redonnant de la sorte un nouvel élan aux relations entre l'Europe et ses partenaires d'Afrique, des Caraïbes et du Pacifique. La nouvelle Convention a pour objet de revitaliser ces relations dans le contexte "post-Lomé". En outre, l'accord donne maintenant aux milieux économiques et sociaux des pays ACP une voix capitale dans les questions de développement.

Dans le cadre des activités qu'il mène depuis longtemps pour rassembler les représentants des

groupes d'intérêt des États ACP et des pays de l'UE, le Comité économique et social européen organise la 22^{ème} réunion des milieux économiques et sociaux ACP-UE du 13 au 15 septembre 2000, au siège du Comité à Bruxelles.

Cela sera la première occasion qu'auront les organisations de la société civile de discuter des dispositions de la nouvelle Convention dans une perspective non gouvernementale. De façon plus spécifique, les participants débattront (a) de la manière précise dont les milieux économiques et sociaux des ACP et de l'UE peuvent avoir une influence sur l'élaboration et la mise en oeuvre des politiques nationales et régionales de développement; et (b) de la fonction consultative en tant que facteur de

démocratisation et de développement.

Une large délégation de représentants des organisations socio-professionnelles et des conseils économiques et sociaux (CES) des États ACP participera à la rencontre, de même que des membres du CES européen et des CES nationaux ainsi que des représentants des institutions européennes et d'une série d'organisations internationales.

Communiqué de presse n° 67/2000

*Pour plus d'informations :
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e-mail: nicholas.foster@esc.eu.int*

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in order to stress the importance of the associative phenomenon
in what is rapidly becoming a worldwide society, to award a

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for a

DOCTORAL THESIS

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Whatever his or her specialty, the candidate must meet the conditions laid down by his or her own University for acceptance as a thesis candidate. Subjects suggested by candidates must be approved by a local course director and accompanied by a short note setting out the broad lines of the intended research. Candidatures have to be received by UIA before the 14th October 2000. The UIA Council reserves its right to accept only the more interesting or the more original subjects for competition. It will inform the candidate of its decision in due time.

The thesis has to be upheld in 1999 or, at the latest, before the 1st November 2000. Manuscripts must be written in English or French and sent to the UIA secretariat in triplicate before 1 January 2001. The UIA Council will proceed to set up a jury of qualified persons who will have full discretion in awarding, or if necessary, dividing the prize (or withholding any award)

The official award of the prize will take place during the UIA General Assembly 2001.

All additional information may be obtained from :
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L'Union des Associations Internationales
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a décidé
pour souligner l'importance du phénomène associatif dans une société en
voie de mondialisation rapide, d'attribuer un

PRIX

(d'un montant de 6.000 EURO)
à une

THESE DE DOCTORAT

rédigée sur un sujet touchant à l'histoire, à la vie, au fonctionnement ou à l'action des organisations internationales non gouvernementales. Le concours est ouvert aux étudiants de toutes nationalités.

Quelle que soit sa spécialité, le candidat devra remplir les conditions requises par son Université d'origine pour être admis à préparer une thèse. Les candidatures devront parvenir à l'U.A.I. avant le 14 octobre 2000. Les sujets proposés par les candidats devront être approuvés par un Directeur de thèse local et accompagnés d'une courte notice destinée à faire ressortir les principaux axes de la recherche. Le Conseil de l'U.A.I. se réserve de ne retenir, en vue du concours, que les sujets les plus intéressants ou les plus originaux. Il en informera les candidats en temps utile.

La thèse devra avoir été soutenue en 1999 ou, au plus tard, avant le 1^{er} novembre 2000. Elle devra être rédigée en anglais ou en français et remise en 3 exemplaires au Secrétariat de l'U.A.I. avant le 1^{er} janvier 2001. Le Conseil de l'U.A.I. aura la charge de constituer un Jury de personnalités hautement qualifiées, qui aura toute latitude pour décerner ou pour partager éventuellement le prix (ou pour n'en décerner aucun).

La remise du prix décerné par l'U.A.I. aura lieu en 2001 à l'occasion de son Assemblée Générale.

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Addresses: electronic and postal mailing addresses, website addresses, and residential address.

The entries are listed alphabetically by surname. Three indexes provide further access to the entries. One index lists biographees by the international organizations in which they are, or were, active. Another index lists biographees by the country of their citizenship (where known). The last index lists biographees by the fields of endeavour in which they are active, using subjects and combinations of subjects as headings.

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