

Some Changes that Must be Made to Global Trade Rules to Achieve the Sustainable Development Goals (SDGs) of the post-2015 Development Agenda

Based on Zero Draft of List of Proposed Sustainable Development Goals to be attained by 2030, as of July 19, 2014

While governments and civil society have been discussing the post-2015 development agenda and Sustainable Development Goals (SDGs), other governments and corporations have been engaging in negotiations that, if completed, would seriously circumscribe the same policy space that would be necessary to implement such goals, through “trade” and investment agreements. This includes not only existing WTO rules, but aspects of the Doha Round of the World Trade Organization (WTO), the Trade Facilitation Agreement within the WTO, the expansion of the Information Technology Agreement (ITA) and negotiations on Environmental Goods (EGs) in the WTO, the proposed Trade in Services Agreement (TISA), and bilateral and regional Free Trade Agreements (FTAs) and Economic Partnership Agreements (EPAs). These agreements often involve conforming domestic policy space in public and private services regulation and ownership (health care, education, water, energy, etc), shipping and customs procedures, and industrial and agricultural development policy to “trade” policies oriented to increase the trade profits of transnational corporations of rich countries, rather than focusing on using trade to strategically support sustainable development.

Governments and civil society must ensure that changes to the current global trade system facilitate, rather than hinder, the achievement of the post-2015 agenda and SDGs. This will require the Turnaround of the negotiations of the WTO, as well as a moratorium on and rollback of FTAs and Bilateral Investment Treaties (BITs) as they currently exist. The following represent just some of the changes that must be made in order to ensure that the proposed SDGs can be implemented. Most of these changes are taken from the **“WTO Turnaround 2013: Food, Jobs and Sustainable Development First” Statement of the Our World Is Not for Sale (OWINFS) global network**, endorsed by 247 organizations and available at <http://www.ourworldisnotforsale.org/en/signon/wto-turnaround-2013-food-jobs-and-sustainable-development-first-statement>. Please contact Deborah James at djames@cepr.net for more information.

<p>1. End poverty in all its forms everywhere</p>	<p>1.1 by 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day</p> <p>1.2 by 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions</p> <p>1.3 implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable</p>	<p>After more than three decades of experience with a corporate-led model of globalization, it is clear that this particular model of globalization has failed workers, farmers, and the environment, while facilitating the vast enrichment of a privileged few. The emergence of the global financial and economic crises of the last five years have exposed many negative impacts of policies, such as: deregulation of the financial sector resulting in financial collapse and job loss; commodification of the agricultural markets resulting in food price volatility and hunger; “race to the bottom” liberalization policies for production leading to deadly calamities, such as the collapse of the factory in Bangladesh where more than 1000 textile workers perished; intellectual property monopolies limiting global access to life-saving medicines; and corporate-trade-expansion policies exacerbating the climate crisis. Despite this incredible harm, these liberalization, deregulation, and corporate monopolization policies form the backbone of the current global trade system, consolidated by the WTO.</p>
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<p>2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture</p>	<p>2.1 by 2030 end hunger and ensure access by all people, in particular the poor and people in vulnerable situations including infants, to safe, nutritious and sufficient food all year round</p> <p>2.2 by 2030 end all forms of malnutrition, including achieving by 2025 the internationally agreed targets on stunting and wasting in children under five years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women, and older persons</p> <p>2.3 by 2030 double the agricultural productivity and the incomes of small-scale food producers, particularly women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets, and opportunities for value addition and non-farm employment</p> <p>2.4 by 2030 ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters, and that progressively improve land and soil quality</p> <p>2.5 by 2020 maintain genetic diversity of seeds, cultivated plants, farmed and domesticated animals and their related wild species, including through soundly managed and diversified seed and plant banks at national, regional and international levels, and ensure access to and fair</p>	<p>We Demand Trade Rules that Support Food Security and Food Sovereignty</p> <p>The rules of multilateral trading that have been institutionalized through the WTO make it impossible for developing country governments to provide this support. When GATT (WTO’s predecessor) was negotiated, all, except 17, developing countries which were not giving any subsidy at that time were barred from increasing subsidies, and were to adhere to a limit of 10% of additional production that could be given out as subsidies. In contrast, developed countries that gave massive subsidies to their agriculture sector (prior to the founding of the WTO) were asked to reduce these trade distorting subsidies (OTDS) by only about 20%. Moreover they were allowed to shift most of their subsidies to a “green box” which was marked as non-trade distorting.</p> <p>-Export subsidies should be disciplined, including so-called “Green Box” subsidies.</p> <p>-Currently MOI 2.b addresses only the issue of export subsidies but bypasses the issue of historical unfairness of domestic agricultural subsidy rules in the WTO’s Agreement on Agriculture (AOA) which allows developed countries to provide massive subsidies that harm markets for developing country farmers. At the same time AOA rules prevent developing country governments from giving essential subsidies to producers even for public food stockholding programmes to maintain national food security.</p> <p>-It is time for a fundamental transformation of the food system, and the following changes to the WTO are essential for a global system that would ensure Food Sovereignty and Food Security to develop:</p> <p>-Developing countries should have the right to subsidize food for the poor, including through direct payments to poor farmers, as proposed in the current negotiations by the G33 to promote Food Security. See “Global civil society calls for a Permanent Solution to G 33 Food Security Proposal in WTO” at http://www.ourworldisnotforsale.org/en/signon/global-civil-society-calls-permanent-solution-g-33-food-security-proposal-wto for more information.</p> <p>-Developing countries should have the right to raise tariffs and use other measures to protect farmers’ livelihoods, rural development, and food</p>
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	<p>and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge as internationally agreed</p> <p>2.a increase investment, including through enhanced international cooperation, in rural infrastructure, agricultural research and extension services, technology development, and plant and livestock gene banks to enhance agricultural productive capacity in developing countries, in particular in least developed countries</p> <p>2.b. correct and prevent trade restrictions and distortions in world agricultural markets, including the parallel elimination of all forms of agricultural export subsidies and all export measures with equivalent effect in accordance with the mandate of the Doha Development Round</p> <p>2.c. adopt measures to ensure the proper functioning of food commodity markets and their derivatives, and facilitate timely access to market information, including on food reserves, in order to help limit extreme food price volatility</p>	<p>security. This ability, called the Special Safeguard Mechanism (SSM) in the WTO, must be far more flexible than is reflected in current WTO proposals for it to be useful in achieving food security. No additional commitments on Agriculture should be made of LDCs.</p> <p>-Developing countries should be able to exempt products from any potential future tariff cuts as they deem necessary to protect farmers' income, food security and rural development; the Special Products designation in the WTO must be expanded. We reject any standstill on tariffs in agriculture.</p> <p>One of the important outcomes of the Doha declaration is to examine the relation of TRIPS agreement with the UN Convention on Biological Diversity (CBD). Ten years of deliberation has led to concrete proposals to amend the TRIPS agreement to prevent biopiracy, which is essential to meet the requirements of Target 2.5.</p> <p>-The mandatory review of the patenting of life obligation under article 27.3 (b) of the TRIPS Agreement must be completed. We reiterate the call for a ban on patenting of life forms as many developing countries have proposed.</p> <p>Derivative trading in food has resulted in huge speculation on future food prices and has contributed to the food crisis. See "We Demand Financial Stability Rather than Financial Deregulation" next to Goal 1 above.</p> <p>-Trade rules must be modified to facilitate proper regulation of commodities to prevent excessive speculation and volatility in the global markets. Currently target 2.c addresses this issue but it needs to be implemented in an effective manner.</p>
<p>3. Ensure healthy lives and promote well-being for all at all ages</p>	<p>3.1 by 2030 reduce the global maternal mortality ratio to less than 70 per 100,000 live births</p> <p>3.2 by 2030 end preventable deaths of newborns and under-five children</p> <p>3.3 by 2030 end the epidemics of AIDS, tuberculosis, malaria, and neglected tropical diseases and combat hepatitis, water-borne</p>	<p>The achievement of many of these health-related targets could be jeopardized in countries whose professional services (doctors, nurses, midwives) and health and social services are subject to GATS market access rules, and could be further impinged by the proposed TISA. See text, "We Demand the Right to Regulate Essential Services"below.</p> <p>We Demand Access to Health and Affordable Medicines before Patent Monopolies: Advocates for access to health care and affordable medicines gained an important victory in 2001 through the adoption of the Doha Declaration on Public Health and the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement. This declaration reaffirmed the</p>

	<p>diseases, and other communicable diseases</p> <p>3.4 by 2030 reduce by one-third pre-mature mortality from non-communicable diseases (NCDs) through prevention and treatment, and promote mental health and wellbeing</p> <p>3.7 by 2030 ensure universal access to sexual and reproductive health care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes</p> <p>3.8 achieve universal health coverage (UHC), including financial risk protection, access to quality essential health care services, and access to safe, effective, quality, and affordable essential medicines and vaccines for all</p> <p>3.b support research and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration which affirms the right of developing countries to use to the full the provisions in the TRIPS agreement regarding flexibilities to protect public health and, in particular, provide access to medicines for all</p> <p>3.c increase substantially health financing and the recruitment, development and training and retention of the health workforce in developing countries, especially in LDCs and SIDS</p>	<p>flexibilities contained in the TRIPS agreement and its use to address the public health needs of WTO member states. However, the negotiations that followed the Declaration that were to have facilitated export of medicines under compulsory licensing for countries having insufficient or no manufacturing capabilities concluded without establishing a workable mechanism to translate the agreed rights into real access. Thus, public health has suffered due to the complex and stringent patent monopolies that are prioritized above ensuring access to medicine. Thus:</p> <ul style="list-style-type: none"> - The goal specific MOIs are very useful and need to be implemented fully. In particular, it crucial that target 3.b acknowledges the importance of TRIPs flexibilities for developing countries which are being challenged by countries such as the USA. However there are other TRIPs related provisions that must be addressed. -The MOI 3.b also supports research and development of vaccines and medicines for communicable and non-communicable diseases. However this can only be met if IPR barriers are addressed and nowhere in the entire SDG document are IPRs mentioned. For example targets 3.7 and 3.8 can never be met if IPR barriers in general are not removed either at the WTO or in the FTAs. -Further the development and research of these medicines and vaccines as described in MOI target 3.b must be based and promoted in developing countries themselves and not come just from the North. -Members must review the August 30th decision of 2003 to waive Article 31 (f) of TRIPS and the subsequent decision to amend the TRIPS in 2005, and improve these decisions to make them workable. Members should agree to a permanent moratorium on non-violation TRIPS complaints. -Members must make permanent the waiver of TRIPS obligations for LDCs, as long as they are LDCs, without any conditions, including allowing LDC members to roll back existing TRIPS implementation. See Civil Society Letter to Members of the WTO Concerning a Further Extension of the Transition Period for LDCs under Article 66.1 of the TRIPS Agreement, endorsed by 367 organizations, available at http://www.scribd.com/doc/127226202/CSO-Letter-Supporting-LDCs-TRIPS-Waiver.
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<p>4. Ensure inclusive and equitable quality education and promote life-long learning opportunities for all</p>	<p>4.1 by 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes</p> <p>4.2 by 2030 ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education</p> <p>4.3 by 2030 ensure equal access for all women and men to affordable quality technical, vocational and tertiary education, including university</p> <p>4.a build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all</p> <p>4.b by 2020 expand by x% globally the number of scholarships for developing countries in particular LDCs, SIDS and African countries to enrol in higher education, including vocational training, ICT, technical, engineering and scientific programmes in developed countries and other developing countries</p> <p>4.c by 2030 increase by x% the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially LDCs and SIDS</p>	<p>Many of the targets listed here would be challengeable under the GATS and the proposed TISA, would a country submit its education sector to GATS or proposed TISA disciplines, or for any member countries due to the cross-cutting Domestic Regulation rules.</p> <p>We Demand the Right to Regulate Essential Services The existing GATS rules should not be the basis for liberalization. By conflating liberalization and deregulation, the GATS Market Access rules prohibit public interest regulations that apply equally to domestic and foreign firms to promote financial stability, consumer safety, public health, environmental quality and educational access. The GATS contains additional limits on domestic regulation with respect to qualification requirements and procedures, technical standards and licensing requirements.</p> <p>-Any plurilateral agreement on services, such as the Trade in Services Agreement (TISA) should not expand the deregulatory requirements that already exist in the GATS, and should not be used as a basis for any multilateral services negotiations. See “International Civil Society Sends Letter to Governments Opposing Proposed “Trade in Services Agreement (TISA)”” available at http://www.ourworldisnotforsale.org/en/signon/international-civil-society-sends-letter-governments-opposing-proposed-trade-services-agreeme for more information.</p> <p>-The proposed TISA is an assault on the public interest as it fails to ensure that foreign investments in service sectors (such as education) actually promote public goals and sustainable economies. We are particularly wary of further undermining of essential services such as health care and insurance, water and energy provision, postal distribution, education, public transportation, sanitation, and others if they are handed over to private and foreign corporations motivated only by profits and available only to those who can pay market rates. Therefore such essential services – including those that operate under a public/private mix, compete with private providers, or charge a fee – should not be subject to any closed-door, unaccountable trade negotiations, including the TISA.</p> <p>-Public services in particular must be excluded from any services agreement with a broad and authentic carve-out.</p>
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<p>6. Ensure availability and sustainable management of water and sanitation for all</p>	<p>6.1 by 2030, achieve universal and equitable access to safe and affordable drinking water for all</p> <p>6.2 by 2030, achieve access to adequate and equitable sanitation and hygiene for all, and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations</p> <p>6.3 by 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater, and increasing recycling and safe reuse by x% globally</p> <p>6.4 by 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity, and substantially reduce the number of peoplesuffering from water scarcity</p> <p>6.5 by 2030 implement integrated water resources management at all levels, including through transboundary cooperation as appropriate</p> <p>6.6 by 2020 protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes</p> <p>6.a by 2030, expand international cooperation and capacity-building support to developing countries in water and sanitation related activities</p>	<p>See above, “We Demand the Right to Regulate Essential Services”. Many of the goals listed here are constrained by the Domestic Regulation provisions of the GATS. They would be further constrained under an expansion of the GATS or a proposed TISA.</p> <p>The TISA negotiations largely follow the corporate agenda of using “trade” agreements to bind countries to an agenda of extreme liberalization and deregulation in order to ensure greater corporate profits at the expense of workers, farmers, consumers and the environment. The proposed agreement is the direct result of systematic advocacy by transnational corporations in banking, energy, insurance, telecommunications, transportation, water, and other services sectors, working through lobby groups like the US Coalition of Service Industries (USCSI) and the European Services Forum (ESF).</p> <p>Strong regulation of and oversight over both public and private services is crucial for democracy, the public interest and development, as well as for the orderly functioning of the services market. We fear that all of these values and goals would be seriously undermined by this proposed TISA.</p> <p>-Public services in particular must be excluded from any services agreement with a broad and authentic carve-out.</p> <p>-Many of the targets listed here would be challengeable under the GATS and the proposed TISA, would a country submit its sanitation sector to GATS or proposed TISA disciplines, or to allow drinking water to be subject to GATS or TISA rules.</p> <p>The international investment regime must be transformed. Investor to State Dispute Settlement mechanisms included in many FTAs and the proliferation of Bilateral Investment Treaties (BITs) have led to an explosion of “investor-state” cases, where many health, safety, and environmental laws have been attacked by transnational corporations at private courts, resulting in awards in the billions of dollars from taxpayers to corporations. Cases brought to ICSID (International Centre for the Settlement of Investment Disputes) represent the excessive powers granted to multinational corporations through bi-lateral investment treaties and free trade agreements. ICSID is an important part of a larger web of rules and institutions that promote and protect foreign investment with little regard for the costs to democracy, the environment and the public welfare.</p>
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	<p>and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies</p> <p>6.b support and strengthen the participation of local communities for improving water and sanitation management</p>	<p>-It is imperative that current clauses dealing with Investor-State dispute settlement be annulled, particularly those that allow investors to challenge and sue host States via international arbitration over governmental regulatory actions that they perceive to be harmful to their particular interests.</p> <p>-Investor-State disputes should be settled before national tribunals, in accordance with the host country's legislation.</p> <p>-In addition, any new treaties must: eliminate the current arrangements of National Treatment, Minimum Standards Treatment, and Most Favored Nation Treatment; eliminate the concept of indirect expropriation and restrict the definition of investment; and eliminate the ultimate arbitrability clause as well as retroactivity. See "A Call for the Building of an Alternative Legal Framework to the International Investment Treaties" at http://justinvestment.org/wp-content/uploads/2014/05/A-Call-for-the-Building-of-an-Alternative-Legal-Framework-to-the-International-Investment-Treaties-May-2014.pdf for more information.</p>
<p>7. Ensure access to affordable, reliable, sustainable, and modern energy for all</p>	<p>7.1 by 2030 ensure universal access to affordable, reliable, and modern energy services</p> <p>7.2 increase substantially the share of renewable energy in the global energy mix by 2030</p> <p>7.3 double the global rate of improvement in energy efficiency by 2030</p> <p>7.a by 2030 enhance international cooperation to facilitate access to clean energy research and technologies, including renewable energy, energy efficiency, and advanced and cleaner fossil fuel technologies, and promote investment in energy infrastructure and clean energy technologies</p> <p>7.b by 2030 expand infrastructure and upgrade technology for supplying modern and sustainable energy services for all in developing countries, particularly LDCs and SIDS</p>	<p>See above, "We Demand the Right to Regulate Essential Services". Many of the targets on the left are constrained by the Domestic Regulation provisions of the GATS. They would be further constrained under an expansion of the GATS or a proposed TISA.</p> <p>-Democracy is eroded when decision-making about important sectors – such as financial services (including banking, securities trading, accounting, insurance, etc.), energy, education, healthcare, retail, shipping, telecommunications, legal services, transportation, and tourism – is transferred from citizens, local oversight boards, and local or provincial/state jurisdiction to unaccountable "trade" negotiators who have shown a clear proclivity for curtailing regulation and prioritizing corporate profits.</p> <p>-TRIPS rules should be altered to allow countries to negotiate additional flexibilities to the intellectual property regime, regarding technology transfer, including in other multilateral venues.</p>

<p>8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all</p>	<p>8.1 sustain per capita economic growth in accordance with national circumstances, and in particular at least 7% per annum GDP growth in the least-developed countries</p> <p>8.2 achieve higher levels of productivity of economies through diversification, technological upgrading and innovation, including through a focus on high value added and labour-intensive sectors</p> <p>8.3 promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage formalization and growth of micro-, small- and medium-sized enterprises including through access to financial services</p> <p>8.5 by 2030 achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value</p> <p>8.6 by 2020 substantially reduce the proportion of youth not in employment, education or training</p> <p>8.8 protect labour rights and promote safe and secure working environments of all workers, including migrant workers, particularly women migrants, and those in precarious employment</p> <p>8.9 by 2030 devise and implement policies to promote sustainable tourism which creates jobs, promotes local culture and products</p>	<p>We Demand Jobs and Industrial Development Policy Space</p> <p>Following the global financial and economic crisis, the situation of unemployment has deteriorated even further in rich and poor countries alike. Yet rather than prioritizing job-creation, the WTO framework focuses on reducing tariffs and forcing workers to compete in an uneven playing field, resulting in further erosion of jobs, rather than on using trade to increase employment. Even worse, Doha Round proposals would slash tariffs in developing countries even more than in rich countries; this would further erode decent jobs in key industries. Already vulnerable developing countries should not have to “pay” for fixes to the current global trading system with offering more market access, which would destroy their prospects for industrial development.</p> <p>-Any current or future agreement must focus on using trade to expand employment, such as through the Decent Work Agenda, and protecting policy space of countries, rather than just cutting tariffs.</p> <p>-In any future negotiations in Non-Agricultural Market Access (NAMA), the Swiss formula should be abandoned; talks must be based on the mandate of Less Than Full Reciprocity; discussions on sectorals must be voluntary; manufacturing jobs should not be “traded off” for agricultural jobs, and there should be no anti-concentration clause, as countries must maintain the flexibility to protect vulnerable and labor-intensive sectors.</p> <p>-We need assessments on the qualitative and quantitative aspect of any future potential WTO agreements on employment and also the environment.</p> <p>-The expansion of the Information Technology Agreement (ITA) must be abandoned. See “Information Technology Agreement (ITA) - Global Unions and International Civil Society Express Concerns” below.</p> <p>-In order to achieve targets 8.5, 8.6 and 8.8 and the MOI 8.b including jobs for the youth and safe working conditions for workers including migrants, women, the aggressive liberalization framework brought by the WTO and FTAs must be transformed. The intensive competition generated by these systems has led to increasing casualisation and exploitation of workers and has forced developing country producers to cut wages and increase “competitiveness”.</p>
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	<p>8.10 strengthen the capacity of domestic financial institutions to encourage to expand access to banking, insurance and financial services for all</p> <p>8.a increase Aid for Trade support for developing countries, particularly LDCs, including through the Enhanced Integrated Framework for LDCs</p> <p>8.b by 2020 develop and operationalize a global strategy for youth employment and implement the ILO Global Jobs Pact</p>	<p>With regards to target 8.8, we denounce the intent within the proposed TISA to promote the liberalization of so-called temporary movement of natural persons, who are actually migrant workers, without guaranteeing legal protections for their human and labour rights. The movement of workers is outside the competence of trade agreements and must be dealt with as part of the normative tripartite framework of the International Labour Organization (ILO).</p> <p>-Regarding 8.10, foreign banks have little interest in serving the poor or providing credit to small industrial or agricultural producers. This lack of credit undermines the ability of domestic producers to compete with imported products, mostly traded by multinationals. See “We Demand Financial Stability Rather than Financial Deregulation”above.</p> <p>-While MOI target 8.a is good in principle and is much needed, implicit conditionalities on aid for trade must be addressed along with increase in aid for trade.</p>
<p>9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation</p>	<p>9.1 develop quality, reliable, sustainable and resilient infrastructure, including regional and trans-border infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all</p> <p>9.2 promote inclusive and sustainable industrialization, and by 2030 raise significantly industry’s share of employment and GDP in line with national circumstances, and double its share in LDCs</p> <p>9.3 increase the access of small-scale industrial and other enterprises, particularly in developing countries, to financial services including affordable credit and their integration into value chains and markets</p> <p>9.4 by 2030 upgrade infrastructure and retrofit industries to make them sustainable, with increased resource use efficiency and greater</p>	<p>See, “We Demand Jobs and Industrial Development Policy Space.”</p> <p>-The expansion of the Information Technology Agreement (ITA) must be abandoned. See “Information Technology Agreement (ITA) - Global Unions and International Civil Society Express Concerns.” at http://www.ourworldisnotforsale.org/en/signon/information-technology-agreement-ita-global-unions-and-international-civil-society-express-co.An expanded ITA might lead to an erosion of domestic manufacturing and loss of growth potential. ICT is an important manufacturing sector with the potential to generate domestic industries and exports. Unfortunately, ITA tariff reductions have opened the flood gates to imports into the domestic markets of many developing countries, with many local manufacturers being pushed out of the market. In many countries, large numbers of domestic manufacturers have turned into assemblers and traders of ICT products, or have seen a reduction in the domestic content of ICT goods. Developing countries could give an advantage to their producers if they excluded their ICT markets until their domestic industries become competitive internationally, thus also providing avenues for higher domestic investment in production.</p> <p>-An expanded ITA will likely benefit Transnational Corporations (TNCs) in countries with advanced technological development, particularly given patent monopolies and the lack of technology</p>

	<p>adoption of clean and environmentally sound technologies and industrial processes, all countries taking action in accordance with their respective capabilities</p> <p>9.5 enhance scientific research, upgrade the technological capabilities of industrial sectors in all countries, particularly developing countries, including by 2030 encouraging innovation and increasing the number of R&D workers per one million people by x% and public and private R&D spending</p> <p>9.a facilitate sustainable and resilient infrastructure development in developing countries through enhanced financial, technological and technical support to African countries, LDCs, LLDCs and SIDS</p> <p>9.b support domestic technology development, research and innovation in developing countries including by ensuring a conducive policy environment for inter alia industrial diversification and value addition to commodities</p> <p>9.c significantly increase access to ICT and strive to provide universal and affordable access to internet in LDCs by 2020</p>	<p>transfer. A small number of TNCs from developed countries reap the largest benefits from the intellect-intensive processes of technological design and marketing. The domination of the global ICT sector by a few corporations poses threats to the utilization of technology to address developmental concerns of developing countries and LDCs. In many countries the effects of mass production have not benefitted consumers and users of technology due to the oligopolistic market settings.</p> <p>-TRIPS rules should be altered to allow countries to negotiate additional flexibilities to the intellectual property regime, regarding technology transfer, including in other multilateral venues. Trade and IPR policy should be subservient to needs of industrial policy. Patents on technologies account for the largest part of value added, and have increased disproportionately compared to other industry sectors in both developed and developing top-trading ITA participants.</p> <p>-Any negotiations on goods should focus on expanding the potential for decent jobs, which the proposed ITA-II does not. The claimed benefits of economic growth and potential job creation in ICT manufacturing have failed to materialize for the majority of ITA members. The creation of new industry is essential for the generation of sustainable decent jobs; yet domestic ICT manufacturing, and thus jobs, have been eroded rather than expanded. Where ICT jobs do exist in developing countries, workers have yet to be able to capture a fair share of the alleged gains. Workers in developing countries are often trapped in performing only low value-added processes in the ICT sector, often in export processing zones (EPZs) and special economic zones (SEZs), where workers do not enjoy the right to unionise and collectively bargain or the right to sick leave and social insurance. EPZs and SEZs are isolated production enclaves with few forward and backward linkages. Low taxation and high repatriation of profits further reduce domestic investment in job creation or other development priorities. Negotiations on goods must begin with a focus on decent job creation, to be based on the principles of fairness and equity in order to lift living standards by supporting employment growth, improving social protections and providing for fundamental workers' rights and environmental standards.</p> <p>-Developing countries must be allowed to develop their environmental friendly goods sectors without having to import them through the Environmental Goods negotiations that have recently been launched.</p>
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<p>10. Reduce inequality within and among countries</p>	<p>10.1 by 2030 progressively achieve and sustain income growth of the bottom 40% of the population at a rate higher than the national average</p> <p>10.2 by 2030 empower and promote the social, economic and political inclusion of all irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status</p> <p>10.3 ensure equal opportunity and reduce inequalities of outcome, including through eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and actions in this regard</p> <p>10.4 adopt policies especially fiscal, wage, and social protection policies and progressively achieve greater equality</p> <p>10.5 improve regulation and monitoring of global financial markets and institutions and strengthen implementation of such regulations</p> <p>10.6 ensure enhanced representation and voice of developing countries in decision making in global international economic and financial institutions in order to deliver more effective, credible, accountable and legitimate institutions</p> <p>10.7 facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies</p> <p>10.a implement the principle of special and</p>	<p>We Demand the Right to Protect the Policy Space for Development</p> <p>Trade must be available to developing countries to be utilized as a tool for development. Trade is not the goal <i>per se</i>. If the actual result of trade under the current or proposed rules hinders the ability of poor people and poor countries to develop, then new rules are needed. Starting well before the 2001 Doha Round, developing countries have put forward myriad proposals in the WTO that would allow them to access the benefits of trade while maintaining policy space for development. These include the original proposals, referred to as the “Implementation Issues,” drafted more than a decade ago and submitted as an alternative to the Doha Round agenda, that are designed to fix the asymmetries and biases of the Uruguay Round. In addition, the trade concerns of the Least Developed Countries (LDCs) should not fall victim to the extreme demands of the rich countries for more market access in the emerging market nations. Developing countries have put forward proposals that would allow the LDCs to safeguard development policy space while gaining the benefits of trade. In addition, Trade Facilitation Agreement, if implemented, would place undue financial, human resources, and technology burdens on developing countries, and result in far more facilitation of imports than exports. Thus:</p> <p>-In keeping with MOI target 10.a, the Trade Facilitation Agreement should be voluntary for developing countries. The proposals on Special and Differential Treatment (SDT) in this agreement must be strengthened and completed, including technical and particularly financial assistance, to developing countries’ satisfaction, before any binding commitments on Trade Facilitation are requested of them.</p> <p>-Again in order to effectively implement target 10.a , the proposed LDC package, including Duty-Free Quota-Free access for LDCs, and a fair and immediate resolution to the demands of the cotton-producing countries, and a services waiver for LDCs, should be adopted whether or not a complete Doha package is finalized.</p> <p>-Implementation Issues must be restored as the main focus for the WTO. A real development agenda, which has been missing from negotiations at the WTO, would focus on reforming rules on intellectual property, services and goods, so that they are more helpful for development.</p> <p>-As target 10.a suggests, the thorough re-negotiations of a full range – not a limited set – of proposals to ensure SDT for developing countries should</p>
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	<p>differential treatment for developing countries, in particular least developed countries, in accordance with WTO agreements</p> <p>10.b encourage ODA and financial flows, including foreign direct investment, to states where the need is greatest, in particular LDCs, African countries, SIDS, and LLDCs, in accordance with their national plans and programmes</p> <p>10.c by 2030, reduce to less than 3% the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5%</p>	<p>be prioritized as the key aspect of any forward negotiations.</p> <p>-If LDCs pursue accession into the WTO, their entry must not be conditioned on market access demands, but should be able to accede on terms that allow them to use trade according to their development needs. These terms should not go beyond those applied to original LDC Members of the WTO.</p> <p>We Demand Financial Stability Rather than Financial Deregulation The deregulation and liberalization rules of the WTO in the financial services sector helped set the stage for the debacle of the global financial crisis. Yet, while the G20, most governments and even the IMF have recognized the need for financial re-regulation in the wake of the financial crisis, the WTO's GATS rules can actually hinder financial regulation efforts; and current proposals in the GATS negotiations would established additional limits on domestic regulation and extend the coverage of deregulation requirements. Immediate changes are needed to current GATS rules regarding financial services, and no further deregulation or liberalization of financial services should be undertaken within the WTO. In addition, for meeting target 10.b:</p> <p>-Countries should not take any additional commitments for liberalization of trade in financial services within GATS negotiations or through the proposed plurilateral Trade in Services Agreement (TISA).</p> <p>-Existing and proposed GATS rules should be reviewed in light of the financial crisis, and then clarified and/or modified in order to ensure policy space for all countries to use macroprudential measures, such as capital controls and financial transaction taxes, as well as to implement other financial regulatory and prudential measures.</p>
<p>11. Make cities and human settlements inclusive, safe, resilient and sustainable</p>	<p>11.2 by 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons</p>	<p>Many of the targets listed here would be challengeable under the GATS and the proposed TISA, would a country submit its retail, construction, architectural, engineering, transportation, environmental services, sanitation, or many other sectors to GATS or proposed TISA disciplines, or for any member countries due to the cross-cutting Domestic Regulation rules.</p> <p>-We denounce the ambition of the RGF to bind further service sectors to the deregulatory GATS-like rules (e.g. in Article XVI on Market Access or</p>

	<p>11.6 by 2030, reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality, municipal and other waste management</p> <p>11.b by 2020, increase by x% the number of cities and human settlements adopting and implementing integrated policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, develop and implement in line with the forthcoming Hyogo Framework holistic disaster risk management at all levels</p>	<p>Article VI on Domestic Regulation) while legislatures move toward re-regulation. We further reject any plans to adopt new cross-sector restrictions on licensing, technical standards and other domestic regulations (even regulations that affect domestic and foreign businesses alike) that would surpass the existing GATS and FTA rules in restricting governments’ and parliaments’ right to regulate.</p>
<p>12. Ensure sustainable consumption and production patterns</p>	<p>12.1 implement the 10-Year Framework of Programmes on sustainable consumption and production (10YFP), all countries taking action, with developed countries taking the lead, taking into account the development and capabilities of developing countries</p> <p>12.2 by 2030 achieve sustainable management and efficient use of natural resources</p> <p>12.4 by 2020 achieve environmentally sound management of chemicals and all wastes throughout their life cycle in accordance with agreed international frameworks and significantly reduce their release to air, water and soil to minimize their adverse impacts on human health and the environment</p> <p>12.5 by 2030, substantially reduce waste generation through prevention, reduction, recycling, and reuse</p> <p>12.6 encourage companies, especially large and</p>	<p>The emergence of the global financial, food, economic, and other crises – which the WTO’s privatization and liberalization rules contributed to, and failed to prevent – provides an opportunity to reflect on the serious problems endemic to the particular model of globalization that the WTO has consolidated globally. Unfortunately, within the WTO, there exists a colossal failure to recognize the WTO’s contribution to the global crises, and instead many members have worked to maintain the focus on increasing corporate trade without regard to the human or environmental costs.</p> <p>While the global framework of these rules is set by the WTO, these same policies also appear in an even more extreme form, in regional and bilateral so-called Free Trade Agreements (FTAs) that have led to job loss, food price volatility, and increased foreign corporate control over public services and natural resources. These FTAs and the proliferation of Bilateral Investment Treaties (BITs) have led to an explosion of “investor-state” cases, where many health, safety, and environmental laws have been attacked by transnational corporations at private courts, resulting in awards in the billions of dollars from taxpayers to corporations.</p> <p>Given this situation, the Our World Is Not for Sale (OWINFS) network asserts that the global trade framework must work for the 99%: it must provide countries sufficient policy space to pursue a positive agenda for development and job-creation, and must facilitate, rather than hinder, global efforts to ensure true food security, sustainable development, access to affordable healthcare and medicines, and global financial stability. And it must privilege global agreements on human rights and environmental</p>

	<p>trans-national companies, to adopt sustainable practices and to integrate sustainability information into their reporting cycle</p> <p>12.7 promote public procurement practices that are sustainable in accordance with national policies and priorities</p> <p>12.a support developing countries to strengthen their scientific and technological capacities to move towards more sustainable patterns of consumption and production</p> <p>12.b develop and implement tools to monitor sustainable development impacts for sustainable tourism which creates jobs, promotes local culture and products</p>	<p>sustainability over corporate profit. Thus, a completely new institution, with a central mandate of setting trade rules that allow countries to pursue trade for sustainable development while disciplining corporate behavior, must be created.</p> <p>In addition, in the interim, serious changes must be made to existing WTO policies, in order to allow countries more policy space to pursue urgent solutions to these key global challenges.</p> <p>Many challenges to nation states' regulation of natural resource extraction have come under attack by foreign corporations using international investment provisions in FTAs, as well as through Bilateral Investment Treaties. See above, "The international investment regime must be transformed."</p>
<p>13. Take urgent action to combat climate change and its impacts *</p> <p>*Acknowledging that the UNFCCC is the primary international, intergovernmental forum for negotiating the global response to climate change.</p>	<p>13.2 integrate climate change measures into national policies, strategies, and planning</p> <p>13.a implement the commitment undertaken by developed country Parties to the UNFCCC to a goal of mobilizing jointly USD100 billion annually by 2020 from all sources to address the needs of developing countries in the context of meaningful mitigation actions and transparency on implementation and fully operationalize the Green Climate Fund through its capitalization as soon as possible</p> <p>13.b Promote mechanisms for raising capacities for effective climate change related planning and management, in LDCs, including focusing on women, youth, local and marginalized communities</p>	<p>The WTO Is Not the Venue to Establish Climate Change Policy</p> <p>Putting climate change on the agenda of the WTO would represent a grave danger to climate stabilization, as WTO rules structurally favor the increasing of trade flows – a huge contributor to the greenhouse gases that cause climate change – over environmental sustainability. While several aspects of current WTO rules should be altered to allow more policy space for countries to protect the environment and pursue sustainable development policies, other multilateral agencies are far more appropriate venues for the discussion of and implementation of rules related to the global climate than the WTO.</p> <p>-TRIPS rules should be altered to allow countries to negotiate additional flexibilities to the intellectual property regime, regarding technology transfer, including in other multilateral venues.</p> <p>-Climate change policies should not be subject to challenge through the WTO's Dispute Settlement Mechanism.</p> <p>-No new "climate change" agenda should be introduced at the WTO.</p>

<p>15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</p>	<p>15.2 by 2020, promote the implementation of sustainable management of all types of forests, halt deforestation, restore degraded forests, and increase afforestation and reforestation by x% globally</p> <p>15.6 ensure fair and equitable sharing of the benefits arising from the utilization of genetic resources, and promote appropriate access to genetic resources</p> <p>15.b mobilize significantly resources from all sources and at all levels to finance sustainable forest management, and provide adequate incentives to developing countries to advance sustainable forest management, including for conservation and reforestation</p> <p>15.c enhance global support to efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities</p>	<p>We Demand Protection of Biodiversity and the Banning the Patenting of Life</p> <p>One of the important outcomes of the Doha declaration is to examine the relation of TRIPS agreement with the UN Convention on Biological Diversity (CBD). Ten years of deliberation has led to concrete proposals to amend the TRIPS agreement to prevent biopiracy.</p> <p>-Members should amend the TRIPS agreement to require disclosure of country of and proof of prior informed consent and fair and equitable benefit sharing.</p> <p>-The mandatory review of the patenting of life obligation under article 27.3 (b) of the TRIPS Agreement must be completed. The long pendency of the mandatory review cast doubts on the rules-based approach. We reiterate the call for a ban on patenting of life forms as many developing countries have proposed.</p>
<p>17. Strengthen the means of implementation and revitalize the global partnership for sustainable development</p>	<p>Finance</p> <p>17.1 strengthen domestic resource mobilization, including through international support to developing countries to improve domestic capacity for tax and other revenue collection</p> <p>17.2 developed countries to implement fully their ODA commitments, including to provide 0.7% of GNI in ODA to developing countries of which 0.15-0.20% to least-developed countries</p> <p>17.3 mobilize additional financial resources for</p>	<p>The international investment regime must be transformed. Investor to State Dispute Settlement mechanisms included in many FTAs and the proliferation of Bilateral Investment Treaties (BITs) have led to an explosion of “investor-state” cases, where many health, safety, and environmental laws have been attacked by transnational corporations at private courts, resulting in awards in the billions of dollars from taxpayers to corporations. Cases brought to ICSID (International Centre for the Settlement of Investment Disputes) represent the excessive powers granted to multinational corporations through bi-lateral investment treaties and free trade agreements. ICSID is an important part of a larger web of rules and institutions that promote and protect foreign investment with little regard for the costs to democracy, the environment and the public welfare.</p> <p>-It is imperative that current clauses dealing with Investor-State dispute</p>

	<p>developing countries from multiple sources</p> <p>17.4 assist developing countries in attaining long-term debt sustainability through coordinated policies aimed at fostering debt financing, debt relief and debt restructuring, as appropriate, and address the external debt of highly indebted poor countries (HIPC) to reduce debt distress</p> <p>17.5 adopt and implement investment promotion regimes for LDCs</p>	<p>settlement be annulled, particularly those that allow investors to challenge and sue host States via international arbitration over governmental regulatory actions that they perceive to be harmful to their particular interests.</p> <p>-Investor-State disputes should be settled before national tribunals, in accordance with the host country’s legislation. See “A Call for the Building of an Alternative Legal Framework to the International Investment Treaties” at http://justinvestment.org/wp-content/uploads/2014/05/A-Call-for-the-Building-of-an-Alternative-Legal-Framework-to-the-International-Investment-Treaties-May-2014.pdf.</p>
<p>17. Strengthen the means of implementation and revitalize the global partnership for sustainable development</p>	<p>Technology</p> <p>17.6 enhance North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation, and enhance knowledge sharing on mutually agreed terms, including through improved coordination among existing mechanisms, particularly at UN level, and through a global technology facilitation mechanism when agreed</p> <p>17.7 promote development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed</p>	<p>-TRIPS rules should be altered to allow countries to negotiate additional flexibilities to the intellectual property regime, regarding technology transfer, including in other multilateral venues. Trade and IPR policy should be subservient to needs of industrial policy. Patents on technologies account for the largest part of value added, and have increased disproportionately compared to other industry sectors in both developed and developing top-trading ITA participants.</p>
<p>17. Strengthen the means of implementation and revitalize the global partnership for sustainable development</p>	<p>Trade</p> <p>17.10 promote a universal, rules-based, open, non-discriminatory and equitable multilateral trading system under the WTO including through the conclusion of negotiations within its Doha Development Agenda</p>	<p>Development Must Come Before Trade Facilitation in the WTO.</p> <p>-Lamentably, throughout the Doha Round, we have witnessed the often successful efforts by developed countries to push aside key development-oriented proposals put forth by developing countries and Least Developed Countries (LDCs) in favor of market access demands that benefit developed-country exporting and importing corporations.</p> <p>-Unfortunately, the outcomes of the 9th Ministerial Conference in Bali were similarly imbalanced. The issues of urgency for developing countries, such</p>

	<p>17.11 increase significantly the exports of developing countries, in particular with a view to doubling the LDC share of global exports by 2020</p>	<p>as the G33 proposal to allow developing countries to invest in Food Security, were sidelined, and the LDC proposals were concluded only in “best endeavor” language. However, the developed country agenda, reflected in the Trade Facilitation Agreement (TFA), was concluded with binding rules that carry extensive regulatory, capital and recurring cost implications, which, could divert limited resources away from priority development needs such as health, education, and domestic infrastructure investments in LDCs and developing countries.</p> <p>-Developing country and LDC members of the WTO are correct to demand that the TFA only enters into force upon completion of the single undertaking under the Doha Work Programme, and particularly the fulfillment of its Development mandate.</p> <p>-Developing countries and LDCs have made concrete proposals regarding the Development mandate, including implementation issues, strengthening and operationalizing Special and Differential Treatment (SDT), agriculture, and LDCs issues, and it is these issues which must be re-prioritized in the agenda.</p> <p>Please see “International civil society urges that development must come before Trade Facilitation in WTO” letter endorsed by 259 organizations, July 30, 2014 and available at http://ourworldisnotforsale.org/en/signon/international-civil-society-urges-development-must-come-trade-facilitation-wto.</p> <p>-The Trade Facilitation Agreement signed at Bali follows a model of corporate-driven globalization focused on increasing the volume of trade, rather than achieving globally-shared development goals through rules that facilitate countries’ use of trade policy for their own development needs, and in accordance with their levels of development. There is no empirical evidence of benefits to developing countries from the proposed Trade Facilitation agreement. The costs are un-accounted for, while it would likely lead to a loss in budget support for development priorities. The agreement encroaches upon national regulatory and policy space, and would erode rights of LDCs and developing countries. It would be more accurate to call it an “import-facilitating agreement”, because it would require developing countries to implement a set of rules reflective of the current trade facilitation practices of the developed countries. This would likely lead to the further privatization of ports, customs operations, and</p>
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	<p>17.12 realize timely implementation of duty-free, quota-free market access on a lasting basis for all least developed countries consistent with WTO decisions, including through ensuring that preferential rules of origin applicable to imports from LDCs are transparent and simple, and contribute to facilitating market access</p>	<p>shipment processing, which leaves little or no space for local operators, and which has already led to a loss of jobs, downward pressure on wages, and erosion of labor rights for public workers in these sectors. See “International civil society opposes binding rules on “Trade Facilitation” in the WTO” available at http://www.ourworldisnotforsale.org/en/article/international-civil-society-opposes-binding-rules-trade-facilitation-wto for more information.</p> <p>-Binding rules on developing countries on Trade Facilitation should not be promoted either inside the WTO through the TFA, nor through other avenues such as bilateral or regional Free Trade Agreements (FTAs) or Economic Partnership Agreements (EPAs). Developing countries should have the policy space to adopt, at their discretion, higher levels or standards and customs-related procedures as and when capacity exists to do so.</p> <p>-The entry into force of the TFA must be conditioned to the fulfillment of the development mandate of the Doha Round, similar to the demands for changes in the Turnaround Statement of OWINFS reflected here.</p> <p>-The proposed LDC package, including Duty-Free Quota-Free access for LDCs, and a fair and immediate resolution to the demands of the cotton-producing countries, and a services waiver for LDCs, should be adopted whether or not a complete Doha package is finalized.</p>
<p>17. Strengthen the means of implementation and revitalize the global partnership for sustainable development</p>	<p>Policy and institutional coherence</p> <p>17.13 enhance global macroeconomic stability including through policy coordination and policy coherence</p> <p>17.14 enhance policy coherence for sustainable development</p> <p>17.15 respect each country’s policy space and leadership to establish and implement policies for poverty eradication and sustainable development</p>	<p>See above, “We Demand Financial Stability Rather than Financial Deregulation.”</p> <p>See above, “Protect Policy Space for Development.”</p>

<p>17. Strengthen the means of implementation and revitalize the global partnership for sustainable development</p>	<p>Multi-stakeholder partnerships</p> <p>17.16 enhance the global partnership for sustainable development complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, technologies and financial resources to support the achievement of sustainable development goals in all countries, particularly developing countries</p> <p>17.17 encourage and promote effective public, public-private, and civil society partnerships, building on the experience and resourcing strategies of partnerships</p>	<p>Any partnerships that involve the private sector must ensure public and stakeholder accountability over private, and particularly for-profit, participants. Hundreds of civil society groups have made a call for a treaty that:</p> <ul style="list-style-type: none"> a) Affirms the applicability of human rights obligations to the operations of transnational corporations and other business enterprises; b) Requires States Parties to monitor and regulate the operations of business enterprises under their jurisdiction, including when acting outside their national territory, with a view to prevent the occurrence of abuses of human rights in the course of those operations, c) Requires States Parties to provide for legal liability for business enterprises for acts or omissions that infringe human rights; among other requirements. The full list of demands is available at http://www.treatymovement.com/statement.
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