

# WTO and the civil society

Influence of NGOs at the Hong Kong Ministerial Conference

Fredrik Sjö

# Abstract

Many of the world's trade ministers gathered for the World Trade Organization ministerial conference in Hong Kong in December 2005 discussing the Doha agenda. Present at the negotiation as well as the delegates were a large number of non-governmental organizations or NGOs. My intention with this paper is to study the influence of the NGOs pre- and during the conference in Hong Kong. The influence will be studied by using a framework set up to study influence of environmental NGOs in negotiations. Following the framework I will use two types of data namely NGO participation and Goal attainment. The data once summarized will be analyzed by using the methods of process-tracing and counterfactual analysis. In the study the process leading up to the negotiation as well as the actual negotiation will be covered. The study gives many indicators of influence, primarily from the larger more well-established NGOs. Furthermore the sensitive issues, state-exclusive form of the WTO, partial secluded negotiations and difficulty of placing formulations in the drafts were obstructing the NGOs from having more influence over the process.

*Keywords:* Influence, WTO, NGO, multilateral negotiation, framework study

*Characters:* 65973

# Contents

<b>1</b>	<b>List of Abbreviations .....</b>	<b>1</b>
<b>2</b>	<b>Introduction.....</b>	<b>2</b>
2.1	Purpose and main question.....	3
2.2	Methodology .....	4
2.3	Outline.....	5
2.4	Limitations .....	6
<b>3</b>	<b>Theory.....</b>	<b>7</b>
3.1	Influence.....	7
3.1.1	Influence as Opposed to Power .....	8
3.2	NGOs.....	8
3.2.1	What is a NGO then? .....	9
3.2.2	The workings of the NGOs .....	11
3.2.3	NGOs and ENGOs .....	11
3.3	The Multilateral Negotiation Setting.....	12
3.4	The Framework Explained .....	13
<b>4</b>	<b>Presentation of the case .....</b>	<b>15</b>
4.1	The Doha Round .....	15
4.2	Hong Kong and Influence .....	17
<b>5</b>	<b>Application of the Framework.....</b>	<b>19</b>
5.1	NGO participation .....	19
5.1.1	Activities .....	19
5.1.2	Access.....	20
5.1.3	Resources .....	21
5.2	NGO goal attainment .....	22
5.2.1	Outcome .....	22
5.2.2	Process.....	23
5.3	Analyzing .....	25
5.3.1	Process Tracing .....	25
5.3.2	Counterfactual Analysis .....	26
<b>6</b>	<b>Conclusions.....</b>	<b>27</b>

6.1.1	General conclusions .....	27
6.1.2	Framework outside of ENGOs .....	28
6.1.3	Further Research .....	28
<b>7</b>	<b>References.....</b>	<b>29</b>

# 1 List of Abbreviations

APAC	Agricultural Policy Advisory Committee for Trade
ACP	Africa Caribbean Pacific Group of States
CAFOD	Catholic Agency for Overseas Development
CPTech	Consumer Project of Technology
ECOSOC	Economic and Social Council
ENGO	Environmental Non-Governmental Organization
GATT	General Agreement on Tariff and Trade
G-20	Group consistent of 21 developing countries which Brazil and India could be noted as driving forces
G-90	A loose group of 90 developing countries
G-110	A group consistent of 110 developing states
HKPA	Hong Kong People's Alliance on WTO
IPC	International Food & Agricultural Trade Policy Council
ITO	International Trade Organization
INGO	International Non-Governmental Organization
LDC	Less Developed Countries
MC6	The sixth ministerial conference of WTO
NGO	Non-Governmental Organization
TRIPS	Trade-Related Aspects of Intellectual Property Rights.
UN	United Nations
WTO	World Trade Organization

## 2 Introduction

I wrote my bachelor thesis on the subject on how power asymmetry worked in the loophole fishing negotiation between Iceland and Norway/Russia.<sup>1</sup> During the time I worked on the thesis I unearthed a lot of theories, ideas and thoughts regarding multilateral negotiations. But since the negotiation I was looking into was not a multilateral one I became keen on looking into multilateralism when the next opportunity presented itself.

Trade has existed alongside humanity for eons, and is thus not a new invention of the 20<sup>th</sup> century. Nations have gone to wars and fought numerous battles over the aspect of trade. Some link the eruptions of the great wars to trade related differences between nations. But no matter how many that die over the issues of trade and no matter how much nations and relations change, the actual trade continues on. International trade as a phenomenon today is not very similar to the trades of the ancient times since the issue is conducted on such larger scale and concerning so many more variables. In this melting-pot of actors and interests the WTO organization is one of the crossroads for agreements on global trade issues between member nations, acting towards the liberalization of trade. But there are more actors than the member nations that have interest in the international trade system. International trade negotiations, being a very important issue in the world, brings the stakes bargained upon by the member states to the attention of others not having a vote in the WTO organization. The non-governmental organizations, referred by some as representatives for the civil society, focusing on their own agendas are anxious to get their point of view heard in WTO as well. But since NGOs have a non-voting position in the WTO organization they have to use other means to influence the negotiations. The relationship between the states and the NGOs during multilateral negotiations is complex due to the vast number of actors.

The highpoint of the WTO is the ministerial conferences, since it is the topmost decision making body in the organization.<sup>2</sup> They have attracted a lot of attention in the media, partially due to the demonstrations that take place outside of the negotiation chambers. Apart from the member states, invited observers and protesters; the NGOs also are present when WTO calls for ministerial conferences. In this thesis I will address the WTO ministerial conference that took place in Hong Kong, December 2005. As I hinted in the beginning my personal reason for looking into this issue spurns from my interest in negotiation and the WTO negotiations are indeed both multilateral and complex. Continuing on from

---

<sup>1</sup> Sjö F, 2005, *The Loophole, the Power and the Sea – Small States in Asymmetrical Negotiations*, Lund

<sup>2</sup> WTO, 2005, *Understanding the WTO*, World Trade Organization

“The Loophole, the Power and the Sea” where states were analyzed I will in this thesis focus more on non-state actors and their place in international negotiations. The multitude of actors makes the process a lot more complex than the bilateral setting but with complexity comes a challenge as well.

## 2.1 Purpose and main question

The position in international negotiations held by the states in the end of the 19<sup>th</sup> century was one of undisputed dominance. There were, of course, international trade, communications and other relations conducted outside of the frames of statehood. But on the big scale it was the states that held the steering wheel for the relations with the outside world.

Comparing the of late 19<sup>th</sup> century and the international negotiation situation of the world today would produce an enormous amount of differences. One side in these differences could be the establishment of the civil society as an actor and a voice in the international community. There are other actors than states in international negotiation, that is a fact, but when it comes to how much influence that should be contributed to these non-states actors the opinions diverge.

To recognize that the NGOs can affect the international community is not to cause a landslide. Scores of researchers have recognized the importance of the NGO as an international actor.<sup>3</sup> My aim with this paper is to highlight the relationship between the WTO and NGOs considering their participations in international negotiations. The participation of NGOs in international multilateral negotiations is today a common occurrence. Betsill and Corell have studied the influence of environmental NGOs in multilateral negotiations and argue that a problem exists when discussing the influence of NGOs since the research often lack the ability to compare one study to another.<sup>4</sup> The idea of why the measuring of NGO influence in multilateral negotiations is important is not hard to understand. The existence of NGOs is well known and moving from recognizing a mere existence to study of actual influence seems natural. But once influence is recognized the question of how much influence the NGOs actually have is equally natural to ask.

In this thesis I will utilize a framework set up to analyze the level of influence of environmental NGOs in multilateral negotiations. The *purpose* of the thesis is firsthand to analyze the WTO ministerial conference in order to see the level of influence that the NGO exerted on the negotiations. The second purpose comes along with the use of the framework. By conducting the study of the influence I will at the same time evaluate the framework’s usefulness when applied outside of

---

<sup>3</sup> Willets, Soderholm, Corell, Betsill among others

<sup>4</sup> Betsill & Corell, 2001, *NGO Influence in International Environmental Negotiations: A Framework for Analysis*, page 65

the environmental NGO group. My *question* that I will address can thus be formulated as following:

- *To what extent can one, using the framework set up by Betsill and Corell, see the level of NGO influence in the WTO ministerial conference in Hong Kong 2006.*

## 2.2 Methodology

The task to find evidence of NGO influence is not an easy one. One of the problems, when looking at a multilateral negotiation in the past tense is the separation and identification of what caused the end document to get its final form and to identify this without resorting to ad hoc theories. One can relate this to several causes as well as contribute the end result to any number of changes. Furthermore the complexity of the multilateral negotiation in itself gives a smoke-screen that is hard to penetrate.

In order to analyze the influence of NGOs in the WTO ministerial conference I will use a framework for analyzing influence of environmental NGOs and follow the main principles laid out by that framework.<sup>5</sup> The two main methodological points of the framework analysis is to use process-tracing and counterfactual analysis.<sup>6</sup> In the process-tracing method I will try to look at the negotiation as a process, not just focusing at the end document. By looking at the positions offered in the beginning, or even a pre-negotiation state, and examining the changes in correlation with the workings of the NGOs one could determine the level of influence the NGOs had in the negotiation as a whole.

Counterfactual analysis is a bit more abstract and focuses in this framework on the idea of what would have happened if the NGO was not present. The counterfactual analysis is, according to the authors, a “useful way to rule out alternative explanations”.<sup>7</sup> The authors describe counterfactual analysis as an “imaginative construct” and thus consider if the negotiators would have ended up with the same end result even if the NGOs absent.<sup>8</sup> In the framework presented by Betsill and Corell they stress for the use of both multiple sources and data types when gathering the evidence of NGO influence.<sup>9</sup> The idea of multiple sources and data is not a revolutionary idea when it comes to research. The problem associated with this line of thinking is always that when the number of sources and data

---

<sup>5</sup> Environmental NGOs will henceforth be called ENGOs

<sup>6</sup> Betsill M, Corell E, 2001, *NGO Influence in International Environmental Negotiations: A Framework for Analysis*, Global Environmental Politics 1:4, page 77

<sup>7</sup> Betsill M, Corell E, 2001, *NGO Influence in International Environmental Negotiations: A Framework for Analysis*, Global Environmental Politics 1:4, page 78

<sup>8</sup> Ibid

<sup>9</sup> Ibid

types increase time put into the project increases exponentially. When concerning data types I will look into two different aspects.

1. NGO participation:

The aspect of how much the NGO actually participated in the shaping of the negotiations.

2. Goal attainment:

Whether or not the NGO were received and listened to is the main idea of the goal attainment. In other words; were the NGOs goals achieved.

Other researchers besides Betsill and Corell adopt this line of thinking. In an article covering NGO influence on the Kyoto protocol Gulbrandsen and Andresen use a similar approach.<sup>10</sup> Besides NGO participation and goal attainment they included a third data source for the measurement of influence; ego and alter perceptions. This is described to be how both NGOs and key actors judge the NGOs ability to exert influence.<sup>11</sup>

When it comes to the sources I will concentrate on the use of primary and secondary sources in favor of interviews given the space available and timeframe. The organizers of the ministerial conference have recorded many of the proceedings and made them available to public screening, so even though I wasn't on site for the negotiations I can still participate as an observer through this media, although it is limited and selective participation. The absence of interviews has made me not to use the ego and alter perceptions in this study.

## 2.3 Outline

The basic thought of this paper is to look into a negotiation and with a specific theory analyze the level of influence a certain actor type has in the negotiation. Before I can start the analysis the first thing I need to do is to determine what I am actually looking for. This will be done in the theoretical chapter. Here I will look into essential concepts, definitions and what I can gather from earlier research on the subject. I will also go over in more detail the framework that I intend to use.

Once I am done with the theoretical overview I will present the case I am about to study, give background information and discuss the case's suitability for utilization in the framework.

Given the theory and background I will be ready to move on to the main part of the paper. Here I will look into different parts of the negotiation. I will present and analyze the material I found that could be linked and used in the framework. I will present the analysis in two sub chapters; one containing different aspects of

---

<sup>10</sup> Gulbrandsen L, Andresen S, 2004, *NGO Influence in the Implementation of the Kyoto Protocol: Compliance, Flexibility Mechanisms and Sinks*, Global Environmental Politics 4:4, page 59

<sup>11</sup> Ibid

data and one where I will trace causal mechanisms through process tracing and counterfactual analysis. The data will be presented by the guidelines offered in the framework. Thus, first a part covering three aspects of NGO participation; activities, access and resources and a second part covering two aspects; outcome and the process.

Lastly I will draw conclusions from my analysis as well as discuss the results. This will be done in a chapter where I summarize my analysis and consider how, if possible, it can be used in further research.

## 2.4 Limitations

Facing two areas, NGOs and the WTO, that in them self could occupy an entire faculty it is essential to clarify what I'm about to study and what I will leave for others to look into. First and foremost the study is about how NGOs influenced the WTO ministerial conference held in Hong Kong December 2006. Realizing that the conference is only a part of a negotiation round I will include long standing aspects that could have influenced the proceedings prior to the actual conference.

There were a large number of NGOs participating at the meeting and the possibility to count for the influence of each and every one of them would be a folly. I don't see this as a problem since my question states that I look for the level of influence on a more general level.

Given that many of the delegates and participants are ministers and members of a top hierarchy it would be hard for me to get in-depth interviews with them, I fully recognize the fact that this would have add further reliability to my thesis.

Some of my data sources include recorded media. The problem using recorded media as a data source is that it's biased and easily could miss out vital information that could have been gathered if I would have participated as an observer myself. Furthermore the observations done outside of the limelight of the camera is perhaps even more vital than the sessions caught on camera. I am aware of this problem and this is why I am using the recorded media in conjunction to other data, as described in the framework.

# 3 Theory

There are some concepts that are vital for this thesis. Throughout the entire paper as well as being included in the overall question are the concepts influence and NGOs. It is important to define and clarify those concepts and what I mean in my use of them. Furthermore I will, before I set out to do my own work, look into what other researchers have encountered in this area before me.

## 3.1 Influence

Since this paper has set out to find the level of influence of NGOs it is essential to look at the concept of influence and what I mean by influence in this paper. Betsill and Corell state that one of the main problems in the research on the NGOs in politics has been the lack of specifications of what one mean by influence and how to identify it.<sup>12</sup> When dealing with NGO influence one have to separate influence from indicators of influence. Where the latter could be for example the presence at a negotiation and can indicate a possibility of influence, the actual influence is something else. Influence is according to the lexical reference an “a power to affect persons or events especially power based on prestige etc”.<sup>13</sup> This is in many ways a flawed explanation when we are dealing with NGOs. Betsill and Corell mean that the influence of NGOs is directly linked to the result given by the work performed by the NGOs. Thus by looking at the mere presence or resources of a NGO doesn’t say anything of the actual influence of the same NGO since access and other variables doesn’t by default link directly to influence.<sup>14</sup> The influence a NGO have in a negotiation can thus be said to be when it alters or affects standpoints of the participating delegates. If a draft is favourable to a NGO standpoint from the start then one cannot say that the NGO had influenced the end result. Influence as viewed by Knocke is when “one actor intentionally transmits information to another that alters the latter’s actions from what would have occurred without that information”<sup>15</sup>, and thus includes two important aspects: the

---

<sup>12</sup> Betsill M, Corell E, 2001, *NGO Influence in International Environmental Negotiations: A Framework for Analysis*, Global Environmental Politics 1:4, page 65

<sup>13</sup> <http://wordnet.princeton.edu/> 2006-20-04

<sup>14</sup> Betsill M, Corell E, 2001, *NGO Influence in International Environmental Negotiations: A Framework for Analysis*, Global Environmental Politics 1:4, page 68-69

<sup>15</sup> Knocke D, *Political Networks: The Structural Perspective*, 1990  
page 3

transmission of information and the alternating of action. Concluding the views we can say that for influence to have occurred there must have been:

1. Systems where in information can be transferred intentionally
2. A exchange of information
3. A change taken place after the information was received

### 3.1.1 Influence as Opposed to Power

The linkage between power and influence can at the first glance appear close and to make clear what makes out the difference I will set out a dividing line. It can be useful to present influence in opposition to something else and in the comparison get a clearer meaning of what I mean by influence. Power as a concept is a huge area of research and I will not get involved in the debate. Rather I will adapt a power concept that I think work well in a comparison. Tawney defined power in the early 1930's as "ability to move another in an intended direction".<sup>16</sup> This definition was refined and modified by other researchers later but the initial concept of the power as ability to change another's position in an intended direction was still there.<sup>17</sup> The main difference is that power in itself as opposed to influence doesn't have an incitement as a part of its definition. Where influence, by its definition, demands a degree of action from the actor power does not. This gives that NGOs, or anyone else for that matter, can very well be in a position of power but neglect to affect the surrounding world making the influence it exerts minimal. In the same line of thinking an actor of little power can exert influence over others. But as one might get from Tawney's definition having the ability to affect others is certainly not a disadvantage when trying to influence. This is making powerful actors more likely to be successful in attempts to influence.

## 3.2 NGOs

The non-governmental organizations have increased enormously in numbers during the later part of the 20<sup>th</sup> century; this is recognized by scores of scholars.<sup>18</sup> The number of delegates from NGOs now sometimes outnumbers the delegates from state-representatives. Although some point out that NGO presence is not a

---

<sup>16</sup> Zartman, W & Rubin, J, *Power & Negotiation*, 2000, page 7

<sup>17</sup> See for example Baylis & Smith, 2001, *The globalization of world politics: A introduction to international relations*, page 144 but also, William & Rubin, Jeffrey, *Power & Negotiation*, 2000, page 9

<sup>18</sup> The increase of the numbers of NGOs is discussed for example in Alger C, 2002, "The Emerging Roles of NGOs in the UN System: From Article 71 to a People's Millennium Assembly", *Global Governance* 8:1, page 95 where the number of NGOs accredited by ECOSOC within the UN system is summarized. The increase from 377 approved NGOs 1968 to 1350 1998 gives a increase of over 350% in 30 years

new thing, the level of participation is on an entirely different scale.<sup>19</sup> Betsill and Corell mean that the NGOs indeed are very participating in international environmental politics:

NGOs participate in global environmental politics in a number of ways: they try to raise public awareness of environmental issues; they lobby state decision makers hoping to affect domestic and foreign policies related to the environment; they coordinate boycotts in efforts to alter corporate practices harmful to nature; they participate in international environmental negotiations; and to recognize that these activities are carried out by a wide range of NGOs in different political arenas that may involve unique goals, strategies, and political dynamics.<sup>20</sup>

Along with the increase of NGOs the academic interest for NGOs have followed and the amount of literature covering different aspects of NGOs have become quite extensive.<sup>21</sup> Apart from the states there are several actors on the international arena. Peter Willets argues against what he describes as a broad assumption that international relations of today exist of coherent states.<sup>22</sup> In his argument, that is hard to contradict, he concludes that there is multitude of legitimate and illegitimate actors affecting the international community. Willets recognizes that transnational companies, inter governmental organizations, international non-governmental organizations and NGO all play an important role in the international system.<sup>23</sup>

### 3.2.1 What is a NGO then?

There are a lot of different abbreviations when it comes to non-state actors, but what is the actual non-state organization whose influence I am about to study. Willets suggest that the very definition of non-state actors in itself implies that the states are the dominant actors of the international community, and that the concept of the state carries within ambiguity in its meaning.<sup>24</sup> Willets gives the definition of a NGO as any group of people relating to each other regularly in some formal manner and engaging in collective action, provided that the activities are non-

---

<sup>19</sup> Van Rooy A, 1997, "The Frontiers of Influence: NGO Lobbying at the 1974 World Food Conference, The 1992 Earth Summit and Beyond", World development 25:1, page 93 as well as in Alger C, 2002, "The Emerging Roles of NGOs in the UN System: From Article 71 to a People's Millennium Assembly", Global Governance 8:1, page 93

<sup>20</sup> Betsill M, Corell E, 2001, "NGO influence in international Environmental Negotiations: A Framework for Analysis", Global Environmental Politics 1:4, page 67

<sup>21</sup> Ibid page 65

<sup>22</sup> Willets Peter, 2001, *The Globalization of World Politics – An Introduction to International Relations*, page 357

<sup>23</sup> Willets Peter, 2001, *The Globalization of World Politics – An Introduction to International Relations*, page 357

<sup>24</sup> Ibid page 360

commercial, non-violent and are not on behalf of a government.<sup>25</sup> The definition as spoken doesn't say any thing about the difference between INGOs and other NGOs. A similar definition is given by Albin who defines a NGO as:

[...] denote non-profit making, non-violent making organizations which do not represent governments or states. It does not include inter-governmental organizations (IGOs) although some NGOs, such as the International Committee of the Red Cross (ICRC), resemble such organizations in certain aspects.<sup>26</sup>

Within the international community the UN has long been a working place for NGOs. ECOSOC is the organization within UN that gives NGOs an accreditation to certain levels and can be said to be the council that legitimates NGOs to the international community. This can be drawn from the article by Willets where he points out that UN in many ways functions as an establisher of norms in the international community:

Because UN practice establishes global norms for diplomatic behavior, NGOs in recent years have even had access to most multilateral arms control negotiations.<sup>27</sup>

And thus it could be interesting to look at what ECOSOC put as a criterion for accrediting a NGO. Basically ECOSOC follow 20 principles when it hands out accreditations.<sup>28</sup> Willets interpret and cut them shorter by boiling them down to six essential demands:<sup>29</sup>

1. An NGO should support the aims and the work of the UN
2. An NGO should have a representative body, with identifiable headquarters, and officers, responsible to a democratic policy-making conference.
3. An NGO cannot be a profit-making body.
4. An NGO cannot use or advocate violence
5. An NGO must respect the norm of 'non-interference in the internal affairs of states'.
6. An international NGO is one that is not established by intergovernmental agreement.

Given these principles most NGOs can apply to the ECOSOC and receive a status. The principles of non-profit and similar demands does not exclude

---

<sup>25</sup> Ibid page 370

<sup>26</sup> Albin C, 1999, "Can NGOs Enhance the Effectiveness of International Negotiation" International Negotiation 4:1999, page 373

<sup>27</sup> Willets P, 2000, "From Consultative Arrangements to Partnership; the Changing Status of NGOs in the Diplomacy at the UN", Global Governance 6:2, page 193

<sup>28</sup> ECOSOC resolution 1996/31

<sup>29</sup> Willets Peter, 2001 *The Globalization of World Politics – An Introduction to International Relations*, page 371-372

transnational corporations from forming a branch organization that represent them, even though the corporations are indeed profit making in themselves.

### 3.2.2 The workings of the NGOs

The NGOs are very different to each others, both in appearance and how they operate. Gulbrandsen and Andresen, although their work is mostly centered on ENGOs, drives a wedge between what he calls the activist NGOs; who primarily concentrates on membership and public support and the advisory NGOs; who rely on support through their ability to give policy recommendations and advice.<sup>30</sup> When it comes to how NGOs work Gulbrantsen and Andresen identifies different strategies that the NGOs use. The strategies are based on how the NGOs work towards the governments or negotiators they want to affect. In the insider strategy, the NGO is working close to their target and tries to influence them by producing “policy solutions and expert advice”.<sup>31</sup> The closeness to the governments or the negotiators can give the NGO credibility and possibility to enter early in a process and establish a confidence towards their organization. Gulbrandsen and Andresen also put the research performed by the NGOs as a part of this strategy. In this area we can find the NGOs described by Corell as

In the case of the desertification negotiations, some NGOs were represented on the scientific advisory panel and a number of desertification researchers were found among the NGOs. Some scientists may simultaneously wear “NGO” and “scientific adviser” hats.<sup>32</sup>

The second strategy used by NGOs is the outsider strategy. Here the means to affect the target is by utilizing pressure by public opinion in various forms in order to make the government or negotiator change their standpoints.<sup>33</sup>

### 3.2.3 NGOs and ENGOs

As put out by the authors of the framework I intend to use for this study their workings primarily involve environmental NGOs. The environmental groups are a strong representative of the NGOs but far from the only ones. The line were to distinguish an environmental NGO from others are blurred, mostly because the

---

<sup>30</sup> Gulbrandsen L, Andresen S, 2004, *NGO Influence in the Implementation of the Kyoto Protocol: Compliance, Flexibility Mechanisms and Sinks*, Global Environmental Politics 4:4, page 56

<sup>31</sup> Ibid

<sup>32</sup> Corell E, 1999, *Non-State actor Influence in the Negotiations of the Convention to Combat Desertification*, International Negotiation 4:1999, page 216

<sup>33</sup> Gulbrandsen L, Andresen S, 2004, *NGO Influence in the Implementation of the Kyoto Protocol: Compliance, Flexibility Mechanisms and Sinks*, Global Environmental Politics 4:4, page 56-57

concept of NGOs itself wide and incorporates a lot of different actors. The multitude of different actors amongst the NGOs is making it hard to separate ENGOs as different on the basis of behavior or strategies. In much literature there is only an issue dividing rift between the ENGOs and other NGOs. In many ways ENGOs simply focus on environmental issues in the same ways as humanitarian NGOs focus their attention on humanitarian issues. Furthermore when investigating influences it very hard to set a definite line when the influence of ENGOs stops and influence of other NGOs begin. This problem spurns from the fact that issues don't follow categories of non governmental groups. Using this framework I will continue on without putting any difference between the ENGOs and other NGOs leaving the discussion of the frameworks suitability to the end.

### 3.3 The Multilateral Negotiation Setting

The case selected for the analysis is the WTO ministerial conference in Hong Kong, where the delegates from the different member states take part in a large multilateral conference as a part of the on-going Doha round. The multilateral setting is recognized as a very complex setting for negotiations.<sup>34</sup> The multi-actor setting is not the only reason why negotiations like this are so complicated. The complexity spurns from many sources. Besides a multitude of actors scholars recognize several additional factors that are contributing to the complexity. In a multi-lateral negotiation they multitude of issues adds to complexity as well. The reason for this is that the value attributed to each issue is based on an actor basis where the difference in value given to each issue may vary depending on the different actors.<sup>35</sup> A factor present in multilateral negotiations but not in bilateral ones is the possibility of multiple roles of the negotiators.<sup>36</sup> This factor opens up a possibility not only adopt several roles but also to switch roles during the course of the negotiation. Other aspects of the multilateral negotiation recognized by Zartman are the combination of "variable values, parties and roles".<sup>37</sup> The combination of there enables a complexity that does not exist in a bilateral negotiation since the diffuse lines enables the participants to slide between these three interaction levels. The multilateral negotiations are further distinguishable that many of them work on the basis of a consensus, making the shaping of the negotiation take a special form. Many of the multilateral negotiations have the form of establisher of rules rather than dealing in specifics. Zartman points out that the role as the rule establisher gives multilateral negotiations a role of greater

---

<sup>34</sup> Zartman W, 1994, *International multilateral Negotiation – Approaches to the Management of Complexity*, page 2

<sup>35</sup> Ibid page 4-5

<sup>36</sup> Ibid

<sup>37</sup> Ibid

importance than most bilateral negotiations.<sup>38</sup> Lastly the complexity of multilateral negotiations has shaped a behavior of coalition building as an essential part to reduce the complexity. By entering coalitions, accepting trade-offs and package deals the participants can overcome the complexity and the multiple partial complexities of the negotiations can be broken down into an agreement.

## 3.4 The Framework Explained

The framework relies on a process-based approach.<sup>39</sup> The data is collected and put into two main categories; NGO participation and Goal attainment. After the data has been collected the framework suggest that the real analyze should begin. What I am looking for in the analysis is evidence of NGO influence. The Analysis is done by utilizing the methods; process tracing and counterfactual analysis described in the methodology section.

In the participation category I will address three areas; activities, access and resources. In the activities part I will see what was done by the NGO in order to influence the negotiations. The access part will answer to the system referred to in the influence chapter that is I will see if how the opportunities were to get the information to where it would have influence. The resource part is mainly about what kind of leverage the NGOs use to transmit the information. Here I will see what kind of tools and applications the NGOs utilized in order to get their message heard by the right people.

In the Goal attainment part of the framework the study will be focusing on if the NGO participation met its intended effect. Going back to the influence chapter this section will cover the two last point, exchange of information and change taken place after the sharing of information. This part will cover two sections, handling the process and the outcome of the negotiation.

The level of influence will be put into a rough table at end, more to sum up and clarify my findings than to try to make a quantification of the influence. The influence indicators I will use are the same as found in Betsill and Corells framework presentation.<sup>40</sup> These indicators found in the table will, unlike in Betsill and Corell's presentation not be summarized until in the conclusion since I can put a more detailed explanation there. The contents of the influence indicator table are not everything that is important to look at but can be said to be indicator

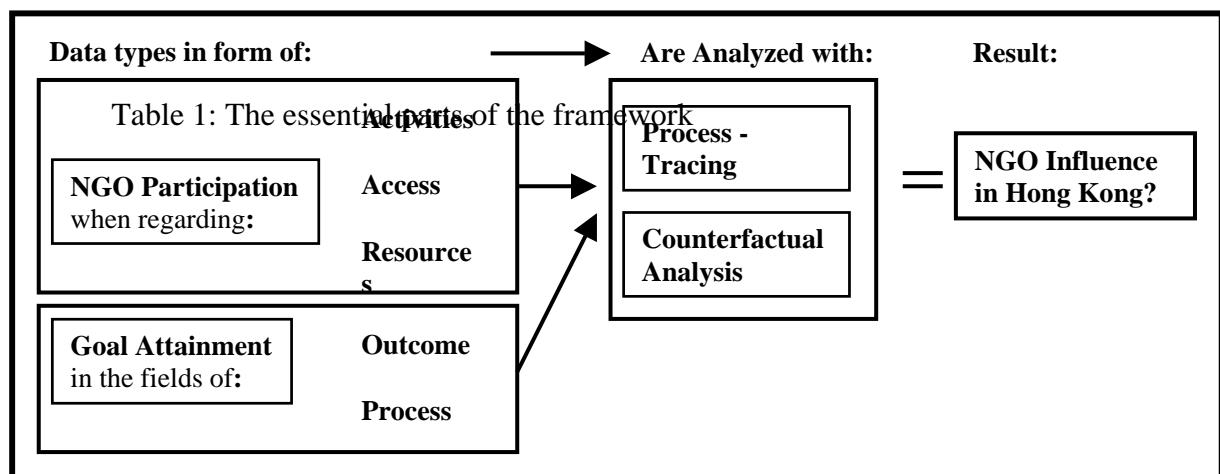
---

<sup>38</sup> Ibid page 6

<sup>39</sup> The framework is described in detail by its authors in Betsill M, Corell E, 2001, *A Comparative Look at NGO influence in Environmental Negotiations: Desertification and Climate Change*, Global Environmental Politics 1:4

<sup>40</sup> Betsill M, Corell E, 2001, *A Comparative Look at NGO influence in Environmental Negotiations: Desertification and Climate Change*, Global Environmental Politics 1:4 page 90

landmarks in the hard task of identify influence. To clarify the basics of the framework I present them in a flow diagram in Table 1.



# 4 Presentation of the case

## 4.1 The Doha Round

The case that I selected to study is as previously mentioned the ministerial conference of the World Trade Organization that took place in Hong Kong, December 2006. This negotiation is a part of the Doha round that started in 2001. Before Hong Kong there have been two ministerial conferences, in Doha 2001 and in Cancun 2003. When discussing Honk Kong it is vital to look at the Doha round since the conference is built upon the agreements from the earlier round agreements. The Doha round was according to the declaration said “to put the developing countries needs and interests to the heart of the negotiations”.<sup>41</sup> The negotiation round was to address several hard issues such as agriculture, trade in services and market access. The negotiations during the Doha round were according to the declaration only open to two groups. First, naturally, the WTO member states which were the only to take decisions on negotiation outcome<sup>42</sup>. The second group eligible to attend the conferences was those who currently were “in the process of accession” or who had given the WTO General Council their intention of negotiating a membership.<sup>43</sup>

The WTO is the successor of the GATT treaties formed from the reminders of the failed formation of the ITO 1948. After the eighth meeting of GATT in Uruguay the WTO was formed. The members of WTO are currently 149 and are all either states or customs unions.<sup>44</sup> The main structure of the WTO is based on four levels. Highest in the hierarchy is the ministerial conference that convenes at least once every two years. The next levels are the general council followed by three separate councils handling trade in goods, services and TRIPS. Apart from these councils there are six separate committees and subsidiary bodies, these groups report either directly to the general council or to their respective council.<sup>45</sup>

At the ministerial conferences there has been a large presence of both international press as protesters that demonstrate against the WTO organization.

---

<sup>41</sup> WTO Ministerial Declaration WT/MIN(01)/DEC/1 20 November 2001 page 1

<sup>42</sup> WTO Ministerial Declaration WT/MIN(01)/DEC/1 20 November 2001 page 10

<sup>43</sup> Ibid

<sup>44</sup> [www.wikipedia.org](http://www.wikipedia.org) 2006-05-10

<sup>45</sup> WTO, 2005, *Understanding the WTO*, World Trade Organization

Regarding NGO presence the WTO does not deal specifically with them in the Doha declaration. The round rather follows the general guidelines about NGOs set out in article V of the Marrakech agreement and further elaborated in the general council 18 July 1996.<sup>46</sup> In these guidelines the NGOs are recognized as to “increase the awareness of the public in respect of WTO activities” as well as being “contributors to public debate”.<sup>47</sup> Further the WTO give a vague recognition to the expertise role of NGO as “a valuable resource as contributors of accuracy”.<sup>48</sup> The guidelines give by this approach a rather limited recognition to NGOs apart from acting as a kind of public speakers. The WTO explicitly state that the dealings between NGOs and should be handled on a national level instead of within the WTO organization.

Closer consultation and cooperation with NGOs can also be met constructively through appropriate processes at the national level where lies primary responsibility for taking into account the different elements of public interest which are brought to bear on trade policy-making.<sup>49</sup>

But the ministerial meetings are still frequently visited by NGOs even if they don't have a formal place in the organization. For the ministerial congress in Cancun there were 1900 NGOs eligible to attend.<sup>50</sup> At the Hong Kong meeting there were some 1100 eligible to attend of which about 900 attended to the actual conference.<sup>51</sup> The process for gaining an eligibility to attend is worked out though an application that needed to be handed in half a year before the actual meeting. The declaration of the Doha round contained 21 issues which were to be discussed, giving the setting a multi-issue form that were identified by Zartman as one of the characteristics of multilateral negotiation. Of this ones agriculture is an important issue and a special problematic one since many states consider agriculture to be vital to their economies. In the work program of the Doha round agriculture is covered in two sections, general agriculture and modalities.<sup>52</sup>

Agricultural support is in some instances allowed for the member states in the WTO. The organization has put up different categories that label the support as allowed or to be reduced. Commonly referred to as the boxes the categories uses the allegory of a traffic light naming the allowed category the green box and the restricted amber box or the blue box pending on the conditions involved.<sup>53</sup> Of the other issues trade in services and non-agricultural market access were among the

---

<sup>46</sup> WTO Marrakech article V and WT/L/192 available at [http://www.wto.org/english/forums\\_e/ngo\\_e/ngo\\_e.htm](http://www.wto.org/english/forums_e/ngo_e/ngo_e.htm) 2006-04-28

<sup>47</sup> WTO WT/L/92, 1996

<sup>48</sup> Ibid

<sup>49</sup> Ibid

<sup>50</sup> NGOs eligible to attend the Fifth WTO Ministerial Conference

[http://www.wto.org/english/thewto\\_e/minist\\_e/min03\\_e/min03\\_ngos\\_e.htm](http://www.wto.org/english/thewto_e/minist_e/min03_e/min03_ngos_e.htm) 2006-05-01

<sup>51</sup> Ibid

<sup>52</sup> WT/MIN(01)/DEC/1, 2001

<sup>53</sup> [http://www.wto.org/english/tratop\\_e/agric\\_e/agboxes\\_e.htm](http://www.wto.org/english/tratop_e/agric_e/agboxes_e.htm) 2006-05-01

most debated. There were also talks on how the LDC should be able to catch up by giving them special treatment.

## 4.2 Hong Kong and Influence

Using the WTO s a case for studying has both merits and flaws. WTO is an important organization in regulating trade agreements and through it many NGOs could get a good boost on their own agendas. The WTO is in many aspects a high politics organization, dealing with issues vital to many states. The high political game make it hard in many aspect to get inside of the process since high political is sensitive. Despite this the WTO state in the clarifications of the Marrakech treaty adopted by the general council:

To contribute to achieve greater transparency Members will ensure more information about WTO activities in particular by making available documents which would be derestricted more promptly than in the past.<sup>54</sup>

And further develop transparency in the ministerial directions given at the Doha meeting:

The negotiations shall be conducted in a transparent manner among participants, in order to facilitate the effective participation of all. [...] While emphasizing the intergovernmental character of the organization, we are committed to making the WTO's operations more transparent, including through more effective and prompt dissemination of information, and to improve dialogue with the public.<sup>55</sup>

Some of these transparency directives speak solely on the transparency towards the members of the organization, while others direct the transparency towards the civil society. By opening up the WTO makes it easier to follow the process but at the same time one could argue for at the same time transparency increases the actual bargaining moves away from the transparent areas. The WTO states that the so called “green room” gives the secluded areas producing an atmosphere where hard issues could be bargained.

No one has been able to find an alternative way of achieving consensus on difficult issues, because it is virtually impossible for members to change their positions voluntarily in meetings of the full membership.<sup>56</sup>

---

<sup>54</sup>WTO WT/L/162, 1996

<sup>55</sup>WTO WT/MIN(01)/DEC/1, 2001

<sup>56</sup>WTO, 2005, *Understanding the WTO*, page 108

It is not hard to see why NGOs would want to influence the Hong Kong negotiations. The framework is set to work on a process, thus one could say it would be preferable to look at the entire Doha round instead of the single negotiation. The problem with looking at the entire Doha round is that the size of the case study would swell beyond the scope of this study since the Doha round contains not only the ministerial conferences but intermediate meetings as well. As Albin state the influence of the NGOs much depend on the leatroom offered by the states at a negotiation.<sup>57</sup> In the case of Hong Kong we stand in a position where the guidelines rules that member states only can cooperate at an individual level and representatives of the WTO can only interact with NGOs as individuals, if they are to act as representatives of the WTO they need the consent of the appropriate council.<sup>58</sup> When the Doha round progressed to the Hong Kong negotiation the stand is in many ways interesting, the timeframe set at the start of the round was beginning to be stretch out to a point where it could not be stretched much longer without the collapse of the entire round. Much of this is contributed to the understanding that the work with the agreement after it is signed is guaranteed to take time. The time that works against the WTO agreements is the expiration of the U.S Trade Promotion Authority Act. The act, also called the fast track, enables the president to put trade agreements up to congressional ratification with a yes or no voting only.<sup>59</sup> The expiration of the act would leave the U.S negotiators without the authority to speak for the congress and without U.S the agreement would not be legitimate. Thus the Hong Kong negotiations are interesting because they occur under large pressure that could affect the likelihood of an outcome according to Starkey.<sup>60</sup>

---

<sup>57</sup> Albin C, 1999, “*Can NGOs Enhance the Effectiveness of International Negotiation*” International Negotiation 4:1999, page 377

<sup>58</sup> WTO WT/L/162, 1996

<sup>59</sup> <http://www.state.gov/g/oes/rls/fs/2002/12953.htm> 2006-05-02

<sup>60</sup> Starkey B, Boyer M, Wilkenfield J, 1999, *Negotiating a Complex World an Introduction to International Negotiation*, page 43-44

# 5 Application of the Framework

## 5.1 NGO participation

Following the guidelines in the framework the first task is to look at the NGO participation in the negotiation. Participation will be looked upon in the aspects of: activities, access and resources. The participation is essential in recognizing NGO influence due to the principle of influence as described in the theoretical section.

### 5.1.1 Activities

The NGO were not idle as the Doha round progressed into the ministerial conference of Hong Kong. Prior to the negotiations the NGOs utilized the time to embark on a number of different activities such as lobbying, protests, sending out pamphlets, writing articles and conducting surveys. According to the organization's guidelines the WTO were to receive proposals from the NGOs and circulate them for interested members.<sup>61</sup>

The WTO meeting and Doha round was integrated in larger campaigns. Some of the large NGOs joined forces in collective efforts and launched campaigns far ahead of the conference. Here we see the “Make Poverty History”, launched in the beginning of 2005, as an example of a combined effort of large and well established NGOs such as Oxfarm, Christian Aid, CAFOD and others. Having an agenda to affect poverty both nationally and globally the Hong Kong conference was an important stepping stone in the campaign.<sup>62</sup> Many campaigns had more general goals such as reducing poverty to certain levels, making trade fair or promoting trade in agriculture.<sup>63</sup> Others went towards direct dialogue with MPs or representatives that were going to represent member states or organizations at the conference.<sup>64</sup>

---

<sup>61</sup> WTO WT/L/162, 1996

<sup>62</sup> <http://www.makepovertyhistory.org/> 2006-05-09

<sup>63</sup> <http://www.tjm.org.uk/about.shtml> 2006-05-09

<sup>64</sup> <http://www.christianaid.org.uk/news/features/051224mps.htm> 2006-05-09 can be one example of direct interaction with MPs and delegates where a representative of southern NGOs interacted with northern MPs. Other efforts directly launched as delegates can be found as well.

Some well established NGOs took the dialogue a step further and offered their services as advisors to the member states.<sup>65</sup> The preparatory work consisted of both insider and outsider activities. In the activities closer to the actual conference the NGO activities intensified and more directed efforts were done.<sup>66</sup> The NGOs were covering both general issues as well as preparatory draft texts. A score of 70 NGOs went together and put forth critique towards the drafting text done by a chairman of the WTO.<sup>67</sup> Some NGOs took on a dualist approach to the meeting where they got accredited as NGOs by the WTO administration and continued organizing demonstrations outside of the negotiations chambers.<sup>68</sup> During the actual conference the NGOs were active reporting of the proceedings and commenting on the drafts submitted by the chairmen as well as presenting their own suggestions and amendments to the drafts to the media. Some NGO representatives used the delegates press conferences to make their voice heard, by in the presence of media making statements, airing slogans or simply commandeering the microphones.<sup>69</sup> Between the dates 13-18 December about 110 official NGO meetings were scheduled to take place. In these meetings the organizers were composed of both NGOs as well as delegation members.<sup>70</sup> During these meetings both briefings and discussions took place.

### 5.1.2 Access

The access, in regards to speaking and participation in the negotiations, the NGOs were in many ways bound by the WTO regulations allowing only members access to the actual negotiations. Both the formal negotiations and the green room negotiations were exclusive to members and observers. Even if the negotiations were closed there were possibilities for NGOs to watch the plenary sessions. Apart from the 50 reserved NGO seats the NGOs were allowed to take open seats, the plenary sessions were broadcasted on a screen in the NGO centre as well.<sup>71</sup> But the NGOs were not allowed to take the speaking chair.

The Hong Kong negotiations had a physical setting that for the first time at a ministerial conference housed both delegates and NGOs under the same roof giving the NGOs good access to meet up with delegates. The NGOs had

---

<sup>65</sup> Here we see an example in the appointment of International Food & Agricultural Trade Policy Council members as advisors of the American Agricultural Policy Advisory Committee for Trade, IPC newsletter 2005-08-22

<sup>66</sup> Oxfam Briefing Paper, 2005, *Africa and the Doha Round – Fighting to Keep Development Alive*, Oxfarm International

<sup>67</sup> [http://www.wto.org/english/news\\_e/news05\\_e/dg\\_openletter\\_nov05\\_e.htm](http://www.wto.org/english/news_e/news05_e/dg_openletter_nov05_e.htm) 2006-05-09

<sup>68</sup> Such as the HKPA that arranged three demonstrations between 11-18 December and still participated in both the conference as a accredited NGO and activities such as roundtable discussions with Pascal Lamy 2006

<sup>69</sup> Erin Thomas, Mercy Corps representative at the Hong Kong meeting

<http://www.globalenvision.org/library/3/916/13/> 2006-05-18

<sup>70</sup> Official meetings within the NGO organization and their organizers

[http://www.wto.org/English/thewto\\_e/minist\\_e/min05\\_e/ngo\\_meetings\\_e.pdf](http://www.wto.org/English/thewto_e/minist_e/min05_e/ngo_meetings_e.pdf) 2006-05-09

<sup>71</sup> <http://www.globalenvision.org/library/3/911/13/> 2006-05-17

possibility to get their proposals and ideas out to the delegates that were prepared to listen to them. The WTO, in line with their transparency idea, furthermore provided the NGO with drafts of agreements.<sup>72</sup> Certain member states had special sessions in the NGO centre primarily directed at NGOs from their home countries.<sup>73</sup> Here the NGOs were given the opportunity to meet delegates from their own countries. There were a number of occasions where open and official letters and mandates from NGOs were answered by both WTO officials and delegates of various levels.<sup>74</sup> This can be perceived as an access point since the NGO views were both received and read by the persons for whom they were intended. Key persons were before the meeting ready to appear and meet up with NGO representatives; this can be seen as an access point for producing results.<sup>75</sup>

The reception for the NGOs from the developing countries can be said to be good.<sup>76</sup> When looking at if the NGO views had access during the conference we can find examples of this as trade ministers of several countries were seen holding NGO campaign material which contained ideas and amendment to the negotiations.<sup>77</sup> Furthermore the G-110 coalition allowed Oxfam delegates to get up on their own press conference and make statements to the gathered international press.<sup>78</sup>

### 5.1.3 Resources

The NGOs utilized in many ways what is described by the insider - outsider strategies dictating in a way what resources they prioritized. Similar to the desertification negotiations covered by Corell the resources of the NGOs carried a range of varieties.<sup>79</sup> Some of the NGOs that relied on the insider strategy had a know-how that dealt with both technical issues and policy advice.<sup>80</sup> Several previous WTO ministerial conferences had been in the limelight for both their collection of top politicians as for the massed amount of protesters rallying outside the actual conference. Some NGOs took a dual faced role in Hong Kong, participating as accredited NGOs as well as maintaining a public pressure by

---

<sup>72</sup> [http://www.wto.org/english/thewto\\_e/minist\\_e/min05\\_e/min05\\_e.htm](http://www.wto.org/english/thewto_e/minist_e/min05_e/min05_e.htm) 2006-05-09

<sup>73</sup> [http://www.wto.org/English/thewto\\_e/minist\\_e/min05\\_e/ngo\\_meetings\\_e.pdf](http://www.wto.org/English/thewto_e/minist_e/min05_e/ngo_meetings_e.pdf) 2006-05-09

<sup>74</sup> The CPTech letter to the EU negotiator Mandelsson and Marios Kypriano 2005-10-19 or the NGO open letter to WTO Secretary General Pascal Lamy 2005-10-19

<sup>75</sup> Such as the Secretary General Pascal Lamy and Chinas secretary of trade, commerce and technology John Tsangs appearance and participation at a roundtable discussion with NGOs 2005-10-16 at Hong Kong University.

<sup>76</sup> Given a poll before the conference two third of the delegates of developing countries gave the time to participate and hand in the poll <http://www.christian-aid.org.uk/news/media/pressrel/051212p.htm> 2006-05-19

<sup>77</sup> <http://news.bbc.co.uk/1/hi/business/4533588.stm> the campaign material is the fair trade campaign

<sup>78</sup> <http://www.wtompc6.gov.hk/eng/webcasting/webcasting.html> 2006-05-21

<sup>79</sup> Corell E, 1999 "Non-State Actor Influence in the Negotiations of the Convention to Combat Desertification", *International Negotiation* 4, 1999, pages 197-223

<sup>80</sup> The CPTech letter to the EU negotiator Mandelsson and Marios Kypriano 2005-10-19 or the NGO open letter to Pascal Lamy 2005-10-19 or the American corn and IPC associates taking a seat in the US advisory board for the Hong Kong negotiations <http://www.agritrade.org/> 2006-05-18

organizing demonstration and public support outside of the conference.<sup>81</sup> The ability to organize public support can be seen as a resource. The relationship between the NGOs and the media can be said to strengthen this particular resource.

The financial resources of the NGOs are as diverse as the number of NGOs. Some NGO enjoy large financial capabilities, getting funds from members, governments and corporations. Others are more strapped for funds and act on private initiative and non paid participation. The WTO organization had equipped the NGO area with technical facilities that enabled them to both correspond with the outside world as well as working on-site.<sup>82</sup>

The Doha agenda could, since it was agreed on earlier, in a way be seen as a resource for some more socially oriented NGOs since it would present a standpoint from which they could operate. The allegiance between different NGOs with same or similar goals into larger coalitions could be perceived as a network if one consider the expanded network and reach the NGOs could get by acting together.<sup>83</sup>

## 5.2 NGO goal attainment

When covering goal attainment the two major points are the outcome and how the NGOs got into the actual process. The main difference between looking at the process and looking at access is that in the latter we see what possibilities the NGOs had to get their information to the right place while in the process part we try to get out if the NGOs were affecting the actual negotiation process.

### 5.2.1 Outcome

Many of the more social oriented NGOs put their agendas either on more general goals like reducing poverty or goals far out on the scale of what can be accomplished such as end poverty. Some of the larger NGOs made more specific goals like an end for trade distorting subsidies, specific action on cotton and meaningful special treatment for developing countries.<sup>84</sup> The general idea was that the Doha development round would be proven to be a development round partially due to the Hong Kong agreement. Several NGOs joined in on the slogan that they would advise a walk-out from the developing countries if they were not

---

<sup>81</sup> <http://www.hkpa-wto.org/> 2006-05-18

<sup>82</sup> <http://www.wtowmc6.gov.hk/eng/ngo/ngo.html> 2006-05-18

<sup>83</sup> As we can see when the coalition of NGO got a response on their complaints from Pascal Lamy

<sup>84</sup> [http://www.oxfamamerica.org/whatwedo/campaigns/make\\_trade\\_fair/background/oacontent.2005-10-20.4210507277?unique=7268409086](http://www.oxfamamerica.org/whatwedo/campaigns/make_trade_fair/background/oacontent.2005-10-20.4210507277?unique=7268409086) 2006-05-20

to get a deal that followed the framework set out by the Doha agenda.<sup>85</sup> The outcome goals do not reflect the actual end document.

The concessions sought after by many of the NGOs are put on a vaguer or non-existent level than the NGO goals. Here we see an example of the LDC agreement on duty-free and quota-free access, were a level of 97% compliancy for member states were included instead of a full access.<sup>86</sup> This gives the member states means for dodging relevant imports from LDCs making the treaty less valuable for the LDCs. The LDC “phasing in” rule given in appendix F is, rather than the export subsidies, closer to the NGO line.<sup>87</sup> The end date on export subsidies, set on 2013 that were included in the treaty reflect in basic many NGOs goals. The idea of many NGOs was to push for a tighter timeframe of the export subsidies. Many of the NGOs though, point to the trade distorting domestic support subsidies as a greater trade disturbing issue than export subsidies. The only time domestic subsides is mentioned in the end document is in the special section on cotton, and there only with a reference to the cotton as a prioritized part of the trade negotiations.<sup>88</sup> The acceptance of the so called Swiss formula for calculating tariff rates had previous to the meeting been criticised by NGOs but were still included as a part of the end document.<sup>89</sup> The draft text is a highly debated, very hot issue and every word and phrase is scrutinized by the delegates. Getting the NGOs own formulations into the text would be a sign of great influence since its hard even for members of the WTO to get something included without a throughout debate or concessions. This problem is not solely to WTO but rather a problem emerging when important multilateral drafts are to be signed.<sup>90</sup>

### 5.2.2 Process

In both the pre-negotiation drafts and the drafts submitted during the negotiation no explicit NGO formulations can be found. Although it is hard to observe if such were the case due to the close examination of both the draft texts, proposals and the end document go though. Some work documents though, submitted in the sanctuary of the green room, are not available for examination. The drafts document from the Chair of the Council for Trade in Services criticised by some 70 NGOs can be seen as an attempt to influence the agenda setting by working alongside the preparatory work.<sup>91</sup> The formation of the NGOs to do collective

---

<sup>85</sup> Such as the ”Make Poverty history” supporting NGOs that announced that they would advise a walk out if the developing countries interests were not looked into

<sup>86</sup> WT/MIN(05)/DEC page 43

<sup>87</sup> Ibid

<sup>88</sup> WT/MIN(05)/DEC page 3

<sup>89</sup> Ibid page 4

<sup>90</sup> This is recognized by others as well, such as in Humphreys D, 2004 “*Redefining the Issues: NGO Influence on International Forest Negotiations*”, Global Environmental Politics 4:2, page 60

<sup>91</sup> [http://www.wto.org/english/news\\_e/news05\\_e/dg\\_openletter\\_nov05\\_e.htm](http://www.wto.org/english/news_e/news05_e/dg_openletter_nov05_e.htm) 2006-05-20

efforts to get the attention of the organization can be seen as a way of boosting the ability to influence according to the massed number principle. NGOs have been attributed of establishing concepts that have been adopted by key delegates such as the Director-General of WTO Pascal Lamy.<sup>92</sup> And although the NGOs had a hard time introducing any new formulations on the drafts the constant refocus on the development were noticeable on the press conferences and on the plenary floor.<sup>93</sup> The walk-out proposed and nurtured by many of the NGOs as an alternative for the developing countries were aired as an alternative by delegates.<sup>94</sup> The act of coalition-building of the developing countries could be said to be a partial goal of the NGOs. Before the negotiations some of the larger NGOs expressed their ambition to help create a unity of the developing countries to overcome their differences and act together in such instances as for example a walk out or a joint proposal.<sup>95</sup>

Many describe the Hong Kong as an hour of calling for the WTO as an organization. If the non-agreement from Cancun should be repeated the WTO itself could be criticized for being nothing but an expensive, but non achieving club. Indeed many in the media raised the question on both press conferences and in articles if the need for an agreement made the delegates act with one hand tied behind their backs.<sup>96</sup> The NGO dual track strategies could in a way be said to affect the process as well. The WTO has been described as a secluded negotiating ground, where the delegates meet and negotiate outside of the grasp of the civil society. The many NGOs representatives present at the conference combined with the demands for a more transparent organization could have put the vital discussions inside of the green room. The exclusive part of delegates getting invited to green room negotiations testify about a shift in behaviour when the scene shifted from the plenary hall to the secluded green room. The delegate expressed “a change of the aspect of the negotiations in the short walk from the plenary hall to the green room”.<sup>97</sup> The movement of important negotiations to the green room was observed by others as well.<sup>98</sup> The blame cast on the EU and USA to push their own agendas in the green room instead of following a more development friendly, according to the Doha declaration, were aired by some delegates from developing countries.<sup>99</sup>

---

<sup>92</sup> Oxfam was attributed with the concept of the trade-engine concept Lamy quoted Oxfam on a panel discussion 2005-09-22

<sup>93</sup> Video recordings 13-18 Dec 2005 <http://www.wtomp6.gov.hk/eng/webcasting/webcasting.html> 2006-05-20

<sup>94</sup> Both on the combined G20 G90 press conference 2005-12-16 and APC made threats of a non-agreement or walk-outs <http://www.wtomp6.gov.hk/eng/webcasting/webcasting.html> 2006-05-20

<sup>95</sup> <http://www.christian-aid.org.uk/news/media/pressrel/051212p.htm> 2006-05-20

<sup>96</sup> Press conferences with EC representatives <http://www.wtomp6.gov.hk/eng/webcasting/webcasting.html> 2006-05-21

<sup>97</sup> Announcement by G-110 representative 2005-12-16

<sup>98</sup> <http://www.globalenvision.org/library/3/911/13/> 2006-05-20

<sup>99</sup> Video interview Irene Ovonji-Odida & Sheila Kawamara 2005-12-16

<http://www.christianaid.org.uk/video/512wto/index.htm> 2006-05-18

## 5.3 Analyzing

### 5.3.1 Process Tracing

The NGOs lack of formal status in the WTO did not stop them from getting involved in the negotiation. The Doha process has been under the scrutinizing eye of the NGOs, especially given the baptizing of the round as a development round. One can see the comments regarding NGO importance offered by important actors such as the Pascal Lamy and delegates as lip-service for the masses. The comments contributes important influence to the NGOs in the face of international press, but do the comment hold true when the door close to the green room? But when viewing the doubts of the importance in the light of the attendance to numerous meetings as well as incorporation of NGO members into working groups it is hard to consider that this time should be spent for the sake of public relations.

The NGOs got into the process early and in many ways anticipating the result of the negotiation. In attempts to offset a result that would be against the development initiative set out by the Doha agenda many NGOs targeted the decision-makers in their own countries. By working together many NGOs got response from actors, planting ideas and high lighted potential problems. Lamy expressed the value of NGOs in their effort to pushing forward the cotton issue to a high prioritized part of the agenda.<sup>100</sup> The influence of ministerial conference was not only done at the conference but also in workgroups where NGOs had “a workshop-oriented relationship” with the delegates.<sup>101</sup> Even if the workings of NGOs are hard to locate in the draft text, partially because the text are as previous discussed hard to modify, one can still find clear links of NGO influence looming over the Hong Kong conference. One of these are the representation of NGOs as advisors in the various camps, giving the position of helping their respective host delegate with technical data, policy making and public support. The impact of the NGOs work towards the developing members became apparent when trade ministers of the G-110 members, presenting their coalition, expressed that they wanted to “place on record the appreciation for the support from various NGOs including Oxfam as highlighted”.<sup>102</sup> The NGOs could be said, with their petitions of the senior delegates of the various countries as well as other campaigns, that both the civil society and the eyes of voters at home were watching the negotiations. Using the influence indicators proposed in the framework we can summarize our findings in table 2.

---

<sup>100</sup> Video recording at [http://www.wtomp6.gov.hk/eng/news/ngos\\_roundtable\\_forum.html](http://www.wtomp6.gov.hk/eng/news/ngos_roundtable_forum.html) 2006-05-20

<sup>101</sup> Speech given at Hong Kong university by Pascal Lamy

<sup>102</sup> Trade ministers representing the G-20 and the G 90 on video recording from 2005-12-15

<http://www.wtomp6.gov.hk/eng/webcasting/webcasting.html>

Influence indicator	NGO influence at WTO MC6
Presence at negotiations	Yes, but not as delegates
Provisions of written information	Yes, both before and during MC6
Provisions of verbal information	Yes
Provision of advice through direct interaction	Yes, to some delegates
Opportunity to define the issues	No
Opportunity to shape the agenda	No
Ability to incorporate text in the agreement	No

Table 2: NGO influence indicators in the WTO ministerial conference

### 5.3.2 Counterfactual Analysis

Without the NGO working on the Hong Kong negotiation the developing nations would be on their own working for the development round. As many reported the development focus was tuned down once the actual negotiations started, this might have been even worse without NGOs. The dual strategy working NGOs attracted a lot of medial attention for the WTO meeting, something that for certain would not have been as large as it was without the NGOs. The medial coverage made delegates closer to their own voters and home opinion, making it hard to be presented as the one who personally pushed the developing countries into poverty. Whether or not the though stance offered by the G-110 was a rouse or not is hard to tell. But when combining the stance with two other aspects namely the NGOs walk-out campaign and the credit given to the NGOs by the G-110 it is possible that the absence of NGOs at the conference would have weakened the G-110 resolve. The question we need to ask then using the counterfactual analysis at this point is if the negotiation would have looked different without the influence of the NGOs? If we take the process as a whole the NGOs efforts yielded some results. The cotton process, put forth by the cotton four - Benin, Burkina Faso, Chad and Mali, have been recognized by key players for coming at a close because of the workings of NGOs. If not the NGO workings pushed the cotton forward in the agenda the work might have dragged on even longer.

# 6 Conclusions

## 6.1.1 General conclusions

This paper was set out to study the level of influence the NGOs had at the WTO negotiation in Hong Kong. Using the framework set out by Betsill and Corell I have followed the proposed data types and sources. The conclusions I can draw about the Hong Kong negotiation are that the type of trade negotiations makes it hard to penetrate the fog of seclusion and find actual data to use in my analysis. The hours I have spent interpreting press conferences, articles and interviews would maybe have been less if I was present at the actual negotiation. This is not the fault of the framework; it suggests attendance at the negotiation which is to be studied. But are negotiations only something that can be studied in live attendance or could the close examination of a negotiation afterward produces results as well? I claim that the possibilities of examine a negotiation afterwards exist but require more work effort due to the lack of own impressions.

The NGOs at Hong Kong were numerous making it hard or close to impossible to follow them all. I have found that my study again and again got caught on the bigger, more well-known NGOs. This of cause is a problem, but revising my question I set out to see the level of influence, which in regards to the larger NGOs I could state that is indeed more apparent then of the smaller ones. It is the large NGOs who get the attention of the key- actors, it is the well-known NGOs who get quoted in the media and lastly it is the well-known NGOs who get invitation to act as advisors to delegates. I am not saying that the smaller NGOs don't have influence but in the same way as Sweden does not get into the green room as much as USA the peasant league of Iceland don't get called up on as much as Oxfam. Thus when looking for signs of influence the large in many ways outshine the smaller ones.

So did the NGOs have influence at the WTO conference? I would say that when using distinction of the framework they had a moderate influence. I would not go so far to say that they had a lot to say but I would definitely not rule them out totally. The NGOs have carved out their own turf to stand on in the international community and depending on the legroom this turf can be bigger or smaller.

### 6.1.2 Framework outside of ENGOs

The framework was by its creators named to deal with environmental NGOs. In this paper I have set aside the ENGO criteria dealing with NGOs over the entire spectrum. In my view the problem with dividing NGOs is not about the categorization as much as the number of NGOs present. I think that with a divide of NGOs comes a greater precision in the analysis in the same ways as one would look at states as groups or individuals. The problem comes that NGOs are hard to categorize and can be fluctuant in both goals and agendas. Thus a social NGO could very much fit into the frame of an ENGO. When regarding the framework designed by Betsill and Corell and its usefulness for non ENGOs, I say that it is fully applicable. I have not noticed anything different in the ENGOs from the workings of other NGOs. One could always state that certain strategies, methods etc are more frequent in a certain group, but considering the heterogenous appearance of the different NGOs in any constellation I would say that almost all groups use all strategies.

### 6.1.3 Further Research

There have been others using the framework by Betsill and Corell in one form or another. There is really not a revolutionary idea behind it as much as sound logic, by utilizing many sources and data forms you counters the complexity of the study subject. This study could be redone by trying to use a more directed approach to what type of NGOs that had most influence. I think that there will be a need for a more precise way of looking at different NGOs. Being a relative new player in the international game the NGOs are still fresh clay to mold for the political scientist.

The WTO as an organization is very complex. While serving as a good example for the multilateral setting it is at the same time a difficult case to study. The sensitivity of the issues discussed makes many delegates reluctant to talk about their true intentions and goals. The formation of the G-110 could be perceived from many angles. A world system theoretic could perhaps go so far as prophesize the death of the WTO as an organization now when it no longer serve the core states. A more realistic approach could allow studies about the group coalition buildings and their power constellations.

# 7 References

## Written references:

Alger C, “The Emerging Roles of NGOs in the UN System: From Article 71 to a People’s Millennium Assembly”, *Global Governance* 8:1, January-March 2002, pages 93-117,

Baylis J, Smith S, et al, 2001, *The Globalization of World politics – An Introduction to International Relations*, Oxford University Press, Oxford

Betsill M, Corell E, “NGO influence in International Environmental Negotiations: A Framework for Analysis”, *Global Environmental Politics* 1:4, November 2001, pages 65-85, Massachusetts Institute of Technology

Betsill M, Corell E, “A Comparative Look at NGO influence in International Environmental Negotiations: Desertification and Climate Change”, *Global Environmental Politics* 1:4, November 2001, pages 86-107 Massachusetts Institute of Technology

Corell E, “Non-State Actor Influence in the Negotiations of the Convention to Combat Desertification”, *International Negotiation* 4, 1999, pages 197-223, Kluwer Law International

Drahos P, “When the Weak Bargain with the Strong: Negotiations in the World Trade Organization”, *International Negotiation* 8, 2003, pages 79-109, Kluwer Law International

Gulbrandsen L, Andresen S, ”NGO Influence in the Implementation of the Kyoto Protocol: Compliance, Flexibility Mechanisms, and Sinks”, *Global Environmental Politics* 4:4, 2004, pages 54-75, Massachusetts Institute of Technology

Hendry J, Environmental NGOs and Business: A Grounded Theory of Assessment, Targeting, and Influencing, *Business & Society* 42:2, 2003, pages 267-276, Sage Publications

Humphreys D, 2004 “Redefining the Issues: NGO Influence on International Forest Negotiations”, *Global Environmental Politics* 4:2, May 2004, pages 52-74 Massachusetts Institute of Technology

Knocke D, 1990, *Political Networks: The structural Perspective*, Cambridge University Press, Cambridge

McCormic R, “A Qualitative Analysis of the WTO’s Role on Trade and Environment Issues”, *Global Environmental Politics* 6:1, 2006, pages 102-124, Massachusetts Institute of Technology

Sjö F, 2005, *The Loophole, the Power and the Sea - Small States in Asymmetrical Negotiations*, Lund University

Söderholm P, 1997, *Global Governance of AIDS: Partnerships with Civil Society*, Lund University Press, Lund

Starkey B, Boyer M, Wilkenfeld J, 1999, *Negotiating a Complex World – An Introduction to International Negotiation*, Lanham

Van Rooy A, “The Frontiers of Influence: NGO Lobbying at the 1974 World Food Conference, The 1992 Earth Summit and Beyond”, *World development* 25:1, 1997, page 93-114, Elsevier Science Ltd

Willets P, “From Consultative Arrangements to Partnership; the Changing Status of NGOs in the Diplomacy at the UN”, *Global Governance* 6:2, 2000, page 191-212

Zartman et al, 1994, International Multilateral Negotiation- Approaches to the Management of Complexity, Jossey-Bass, San Francisco

Zartman W, Rubin J, 2000, Power & Negotiation, the University of Michigan Press, USA

### **WTO references:**

WTO Homepage, <http://www.wto.org/>, 2006-04-01

WTO ministerial declaration WT/MIN(01)/DEC/1 2001-11-20

WTO ministerial declaration WTO Marrakech article V: 2

WTO drafts 26 Nov, 1 Dec, 7 Dec and 17 Dec

WTO end document Hong Kong ministerial meeting WT/MIN(05)/DEC

WTO Guideline WTO WT/L/162, 1996, *Guidelines for arrangements on relations with Non-Governmental Organizations*, The world trade Organization

WTO, 2005, *Understanding the WTO*, World Trade Organization

WTO, 2005, Public meetings in NGO centre

[http://www.wto.org/English/the WTO\\_e/minist\\_e/min05\\_e/ngo\\_meetings\\_e.pdf](http://www.wto.org/English/the WTO_e/minist_e/min05_e/ngo_meetings_e.pdf)  
2006-05-09

WTO, 2005, NGO eligible to attend Hong Kong meeting

[http://www.wto.org/English/the WTO\\_e/minist\\_e/min05\\_e/list\\_ngo\\_hk05\\_e.pdf](http://www.wto.org/English/the WTO_e/minist_e/min05_e/list_ngo_hk05_e.pdf)  
2006-05-09

WTO ministerial meeting host government website

<http://www.wtomic6.gov.hk> 2006-05-15

WTO attending NGOs MIN(05)/DEC

### **Broadcasted references:**

WTO Video Archive

<http://www.wtomic6.gov.hk/eng/webcasting/webcasting.html> 2006-05-10

Host Government Video Archive

<http://www.wtomic6.gov.hk/eng/media/media.html> 2006-05-18

Christian Aid Video Archive

<http://www.christianaid.org.uk/video/512wto/index.htm> 2006-05-21

### **Other references:**

American Corn Growers Association

<http://www.acga.org/> 2006-05-15

BBC news

<http://news.bbc.co.uk/1/hi/business/4533588.stm> 2005-12-15

Christian Aid Homepage

<http://www.christian-aid.org> 2006-05-09

Christian Aid, 2005 *Servicing the rich – How the EU will wreck the WTO talks*, Christian Aid

Consumer Project of Technology Homepage

<http://www.cp.tech.org>

International Food and Agricultural Trade Policy Council Homepage

<http://www.agritrade.org/> 2006-05-09

OxFarm Homepage

<http://www.oxfam.org>

Oxfam Briefing Paper, 2005, *Africa and the Doha Round – Fighting to Keep Development Alive*, Oxfarm International

Make Poverty History Homepage

<http://www.makepovertyhistory.org/> 2006-05-09

Mercy Corps representative

<http://www.globalenvision.org/library/3/911/13/> 2006-05-15

Trade Justice Movement Homepage

<http://www.tjm.org.uk>

United States Government Homepage

<http://www.state.gov/g/oes/rls/fs/2002/12953.htm> 2006-05-02

ECOSOC resolution 1996/31

Wikipedia

[www.wikipedia.org](http://www.wikipedia.org) 2006-05-10

Princeton lexicon

<http://wordnet.princeton.edu/> 2006-20-04