STRATEGY MEETING ON CATALYZING REFORM OF TRADE NEGOTIATION PROCESSES
Outline

Meeting
  Agenda
  Methodology

Background
  The Problems
  Mapping Possible Solutions
  Ideas and Examples
  Preparatory meetings

Idea Rating Sheets
  Today’s Activity
Meeting

Background

Idea Rating Sheets
Outline

Meeting
  Agenda
  Methodology

Background
  The Problems
  Mapping Possible Solutions
  Ideas and Examples
  Preparatory meetings

Idea Rating Sheets
  Today's Activity
Agenda

Day 1

9:00  Registration
9:30  Welcome and Opening Remarks
9:45  Presentations on Institutions and Global Policy Making
12:30 Lunch
14:00 Summary of Preparatory Workshops
14:30 Idea Rating Activity
16:10 Review Sample of Popular Results
16:40 Next Steps & Closing Remarks
17:00 Close
19:00 Dinner
Outline

Meeting
   Agenda
   Methodology

Background
   The Problems
   Mapping Possible Solutions
   Ideas and Examples
   Preparatory meetings

Idea Rating Sheets
   Today’s Activity
Expert deliberation

- Background paper
  - Ensures we can commence from a common background understanding
- Briefing presentations
  - Internet governance, trade, the international system and development
- Idea Rating Sheets
  - A methodology for brainstorming and gaining peer feedback on ideas
Three ground rules

1. Some participants identify as pro-trade, others as opponents of neoliberal globalization
   - Try to find areas where we can all agree

2. Discussions are under Chatham House rule
   - Do not disclose the source of information received

3. Attendance list is to remain private for now
   - But participants may identify with the output document
Anticipated outputs

• Planned outputs:
  • Identifying where the necessary impetus for the reform or replacement of trade negotiation processes can be found
  • Development of a strategy and a resource plan for creating that impetus
  • Assembling a core group of stakeholders who could put this into action

• Additional (optional) output:
  • Public output document
Meeting

Background

Idea Rating Sheets
Outline

Meeting
  Agenda
  Methodology

Background
  The Problems
  Mapping Possible Solutions
  Ideas and Examples
  Preparatory meetings

Idea Rating Sheets
  Today's Activity
Three main problems

These are our essential problems with trade agreements:

1. Trade negotiations are engulfing more issues
2. Negotiations lack inclusiveness
3. Negotiations lack transparency
1. Trade negotiations are engulfing more issues

- Every policy issue now looks like a trade problem
- Since intellectual property became a trade issue in TRIPS, trade has also engulfed:
  - Data localisation (TPP, TISA, TTIP)
  - Encryption standards (TPP, TISA)
  - Software source code disclosure (TPP, TISA)
  - Spam control (TPP, TISA)
  - Cyber-espionage (TPP, TTIP)
  - Even Internet domain name management (TPP)
2. Negotiations lack inclusiveness

- Push towards free-standing “minilateral” agreements
  - Failure of WTO Single Undertaking platform
  - WIPO has also become dysfunctional
  - Plan for later multilateralization of smaller “docking” agreements like ACTA, TISA
  - Competition between regional agreements (RCEP versus TPP)
- No representation of non-governmental stakeholders
3. Negotiations lack transparency

- WTO is more transparent than lesser plurilateral agreements
- Negotiations and texts are withheld from the public
- Failed attempt to have new commitments included in the Open Government Partnership 2015 U.S. NAP
- EU taking some steps on transparency but US lagging behind
  - Disclosure of EU text proposals to the public
  - Disclosure of consolidated text to all MEPs
Outline

Meeting
- Agenda
- Methodology

Background
- The Problems
- Mapping Possible Solutions
- Ideas and Examples
- Preparatory meetings

Idea Rating Sheets
- Today's Activity
Global governance regimes can overlap

This creates tension at the edges where issue framing and procedural norms differ

The procedural norms from Internet governance regime are more favorable than those from the global trade regime

Internet governance norms can be a lever for change

- Pushing issues back out of trade negotiations and/or
- Reforming trade negotiations’ openness and transparency
NETmundial Multistakeholder Statement

The development of international Internet-related public policies and Internet governance arrangements should enable the full and balanced participation of all stakeholders from around the globe, and made by consensus, to the extent possible. ... Decisions made must be easy to understand, processes must be clearly documented and follow agreed procedures, and procedures must be developed and agreed upon through multistakeholder processes.
Outline

Meeting
  Agenda
  Methodology

Background
  The Problems
  Mapping Possible Solutions
  Ideas and Examples
  Preparatory meetings

Idea Rating Sheets
  Today’s Activity
Questions we will be addressing

• How can we reform existing global governance processes to make them more participatory and transparent?
• Can we suggest any innovations in global Internet governance that would empower users (and maybe take back issues now being negotiated in trade agreements)?

Why to do this

• Trade is swallowing IP, free flow, intermediary liability
• Facially incompatible with best practices of open government and multi-stakeholderism
Possible partner institutions

- Open Government Partnership
- UNCITRAL
- UNECE
- UNCTAD
- WTO
- ITC
- NETmundial Initiative
- Freedom Online Coalition
- WIPO
Outline

Meeting
Agenda
Methodology

Background
The Problems
Mapping Possible Solutions
Ideas and Examples
Preparatory meetings

Idea Rating Sheets
Today’s Activity
Preparatory meetings

Two small-scale pilots of this meeting were held in November and December 2015

1 Best Bits meeting ahead of IGF 2015 in João Pessoa, Brazil, November 8
   • Civil society only, mostly Internet governance experts and activists

2 Workshop at Global Congress on IP and the Public Interest in New Delhi, December 15
   • Civil society and academia, mostly intellectual property experts and activists

Between the two sessions 50 ideas were generated and rated
Some of the popular ideas

- Independent human rights impact report assessing trade agreements
- IGF proposal on Internet-related trade agreement best practices
- Texts to be released and analyzed by a balanced stakeholder body
- WIPO treaty on the inclusion of IP in multilateral trade agreements
Some of the unpopular ideas

• Trade deals should be negotiated by trade unions not by businesses
• WTO develops a standard on trade transparency and participation
• Corporate partnerships for reform of trade negotiation processes
• NETmundial Initiative mapping issues that are inappropriate for trade agreements
Meeting

Background

Idea Rating Sheets
Outline

Meeting
  Agenda
  Methodology

Background
  The Problems
  Mapping Possible Solutions
  Ideas and Examples
  Preparatory meetings

Idea Rating Sheets
  Today’s Activity
What are Idea Rating Sheets?

- Equal opportunity meeting tool
- Gather everyone’s ideas
- Recognize collective opinions
How Idea Rating Sheets Work

- Presentations on the session topic
- Write statements individually as they occur to you
- Sheets will be organized on tables after the session
- Record feedback
- Results to be discussed
New reality TV series: “Big Brother: Trade Negotiation”

Do you agree?

<table>
<thead>
<tr>
<th>Strong Agreement</th>
<th>Agreement</th>
<th>Neutral</th>
<th>Disagreement</th>
<th>Strong Disagreement</th>
<th>Confusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ ☐ ☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
</tr>
<tr>
<td>☐ ☐ ☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
</tr>
<tr>
<td>☐ ☐ ☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
<td>☐ ☐ ☐ ☐</td>
</tr>
</tbody>
</table>

Fill in **one** dot per a sheet to record your opinion

...then **sign** on the right
New reality TV series: "Big Brother: Trade Negotiation"

<table>
<thead>
<tr>
<th>Strong Agreement</th>
<th>Agreement</th>
<th>Neutral</th>
<th>Disagreement</th>
<th>Strong Disagreement</th>
<th>Confusion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Do you agree?**

Fill your one dot below & sign on the right:

**Strengths & Opportunities**
- Nice idea long overdue.

**Concerns & Weaknesses**
- Bikes hurt the economy.
- Cars destroy the economy.

Optionally write a brief comment below:

- The intersection is dangerous.
- Cars would help a lot.
- Sure, ask Scan (Chapek) to lollipop.
New reality TV series: “Big Brother: Trade Negotiation”

Do not change what is written in the idea box

<table>
<thead>
<tr>
<th>Strengths &amp; Opportunities</th>
<th>Concerns &amp; Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nice idea long overdue</td>
<td>Bikes, hunting, fake economy</td>
</tr>
<tr>
<td>The 7th intersection is dangerous</td>
<td>Cars, destroy the economy</td>
</tr>
<tr>
<td>For cyclists traveling, N/S would help a lot</td>
<td></td>
</tr>
<tr>
<td>SURE, this signal/changes to existing</td>
<td></td>
</tr>
<tr>
<td>DESIGN should be attempted, PART.</td>
<td></td>
</tr>
<tr>
<td>GREAT IDEA!</td>
<td></td>
</tr>
<tr>
<td>And continuous route for</td>
<td></td>
</tr>
<tr>
<td>Beverly</td>
<td></td>
</tr>
<tr>
<td>Southbound: contra-flow lane on Provincial</td>
<td></td>
</tr>
</tbody>
</table>