

**Background Paper for an exploratory dialogue on
*Promoting fair trade and labour standards in the post-MFA environment***

**9:30 am to 3:00 pm, Tuesday, 27 February 2007
Press Room, World Meteorological Organization, Geneva**

“Sustainability issues are inescapable in considering the ATC process, and pose challenges as important to Africa, for instance, as to Europe. Sustainable development requires us to think about a different future.”¹

This was the observation expressed at the conclusion of an international conference on the future of the textiles and clothing industry in 2003, as policymakers were being called upon to consider the future of a post-MFA environment in this sector. Four years later, and two years after the “end” of the MFA, the skewed nature of postponements for large parts of the apparel trade between China and the US and the EU has meant that we are still debating what the future will bring.

Some experts have argued that the ability of the textile and clothing industry to contribute to sustainable economic and social development around the world is dependent on the end of the quota system embodied in the MFA. Others have argued that there are too many adverse effects, especially in small and vulnerable economies that depend on the textile and clothing trade, for completely free trade to be the guarantor of sustainable economic and social development in each and every country. At that conference, however, it was agreed that private programmes to promote sustainable development should be encouraged and that efforts must continue to identify “how Governments and public action can ensure that trade liberalization benefits the greatest number... especially the most vulnerable”.² In that context, and with the recognition that sustainable development encompasses more than the environment but also includes social, political and cultural sustainability, the efforts at poverty reduction must take into account the kinds of labour practices in the textile and clothing industry that can promote sustainable growth and economic opportunity.

Meanwhile, uncertainties surrounding the process of bringing an end to the quota system of the MFA have made the business environment for producers and investors in the sector increasingly unstable. Relatively uncompetitive producer countries are facing potentially severe pressures on their balances of payments, output, and employment. Unskilled workers in the industry, overwhelmingly women, face destabilizing loss of employment and modest income. On the other hand, retailers and consumers are looking to significant savings through the freed up flow of apparel trade. This situation requires scrutiny and a search for balanced solutions. Instead of a focus on phasing out the inefficiencies of protectionist practices in industrial countries, there is today a need to direct attention to the ramifications of a broader trade and development strategy as it affects both developing and developed countries, albeit in different ways.

¹ See the WTO Deputy DG, Dr. K.A.A. Rana’s “Concluding remarks to the Conference on the Future of Textiles and Clothing after 2005”, Brussels, Belgium, 5-6 May 2003, available at: <http://trade-info.cec.eu.int/textiles/documents/103.doc>

² As summarized in P. Lamy’s “Concluding remarks to the Conference on the Future of Textiles and Clothing after 2005”, available at: http://trade-info.cec.eu.int/textiles/conf_conclu.cfm#en

The Objectives

The objectives of this exploratory dialogue are to:

1. Identify what policies and practices in the issues described below will benefit most from multi-stakeholder dialogue as well as to identify others
2. Enable the conveners and participants to sharpen their perspectives on these issues and stakeholder involvement
3. Prepare a GSO/FES report on the issues highlighting the diversity of perspectives and the possible range of policies and practices
4. Define specific issues for further dialogue on promoting fairer trade and employment in the post-MFA environment
5. Build collaborative working partnerships between stakeholders for on-going collaboration in a future programme

The Bigger Picture

The pending industry shake-out is not simply a product of the quota's termination. As described in a recent piece by Bruce Stokes, "the entire apparel industry is in the midst of a radical re-structuring as Wal-Mart and other powerful retailers are combining their immense buying power with modern IT to concentrate production in China".³ Other large developing countries stand to benefit from these changes, too, along with some smaller developing countries and perhaps even some least developed countries benefiting from various regional or marketing advantages.

More broadly, the developments in this sector - specifically trade liberalization, regional integration, and various preferential trade arrangements, combined with technological change and the evolution of global production networks - offer potential systemic insights for the future of the multilateral trading system. As Pascal Lamy, speaking to the previously described conference on the future of textiles and clothing after 2005 said, "The textile industry is a textbook example of the problem of globalisation: it highlights the clear advantages but also the concerns that people have. It is up to us to deal with the reality and we have only one option: to do it together."

National experiences in managing the social and economic costs of adjustment in this sector are undoubtedly going to influence the appetite for further trade liberalization in countries affected by the phase-out of the ATC. The challenge is to find ways to combine the clear advantages to globalization in this sector with the concerns that people have about its adverse effects. The key is to work together on the kinds of supportive industrial and trade policies that can facilitate the phasing out of dependence on continued trade policy protection. What could characterize such a "supportive environment"? The GSO, with FES support, is proposing a wide-ranging exploratory dialogue to examine this question, structured according to the needs and institutional mandates of the parties involved in the policy deliberations over this issue.

³ "Material World" by Bruce Stokes in *National Journal*, 2 October 2004 available at: www.eviangroup.org/p/770.pdf

What can be said definitively about the implications of the phase out of the ATC? The problem, like so much associated with the phenomenon of globalization is immensely complex. Although there is a vast literature on the subject (as reflected in the Bibliography at the end of this paper), it needs to be brought to bear on the political dimensions of the dilemma. In particular, focused studies have been commissioned by the WTO, UNCTAD, ITC, the ILO and multi-stakeholder NGOs. The exploratory dialogue includes structured discussions on a number of these studies. There is a need for a targeted overview of the work that has been done and identification of the further research that needs to be completed.

Three Issue Areas for Discussion

In order to promote fairer trade and employment in the post-MFA environment, trade measures, technical assistance, labour standards and adjustment need to be considered. The following description of these main issues is a work in progress. During the Exploratory Dialogue, each issue area will be featured in one-hour sessions, with resource persons to stimulate the dialogue. The programme will then shift to a more general brainstorming opportunity over lunch to sharpen the perspectives among the participants and explore the diversity of views for future policies and practices. Defining specific issues for further dialogue and opportunities for collaborative relationships will also be explored.

A. Trade measures to improve market access for vulnerable countries:

The argument for benefits of multilateral trade liberalization as a way to narrow gaps between country growth differentials has been called into question by some who argue that other factors favoring some countries over others are so much more significant in determining who wins and who loses in an open trading environment that this sector requires different rules. An important issue that needs to be considered is how multilateral liberalization benefits are likely to impact the textile and clothing sectors in the post-MFA environment and what are the implications for employment in vulnerable country textile and clothing industries. Are special safeguards needed for this sector, as some countries have proposed?

For vulnerable countries preferences are now a major component of market access. Many trade practitioners argue that ways need to be found and promoted to diminish their erosion, while others argue that they are no less disruptive of sustainable economic and social development than the MFA regime and should be minimized. Preferences themselves can be mutually erosive in providing lower tariffs to some and even lower or no tariffs to others. For preferences to be successful, they must provide sufficient comparative advantages to countries that can effectively benefit from these.

Many preferential agreements have restrictive or inhibiting conditions. Rules of origin are often rigid and require that significant fabric inputs are confined to the US or EU that offers the preferences. Such fabrics only increase the cost of the final article of clothing. To make preferences more effective, many have urged that there is an urgent need to minimize the costs rules of origin have on vulnerable country export competitiveness. Canada's recent 'Market Access Initiative for LDCs', however, requires only 25 percent of value to be added in a garment's country of export without

specifying that it be fabric imported from Canada. These more flexible rules of origin have contributed to the doubling of LDC exports to Canada over the past year

Also, the US and EU rules require a number of cumbersome customs requirements, such as export certificates of origin, factory inspections and specific production levels. Often these requirements are not identical and exporters have to produce two different sets of custom documents, increasing administrative costs. Harmonization is an issue that needs to be addressed to ease these burdens.

Finally, there are questions as to who ultimately benefit from the preference: the exporter who gains market access or the importer who gets cheaper products. Reductions of tariffs in non-agricultural goods are being negotiated in the WTO Market Access for non-Agricultural Goods (NAMA) negotiating group. These aim to reduce or eliminate tariffs, including tariff peaks, high tariffs, tariff escalation and non-tariff barriers for non-agricultural goods of export interest to developing countries. As tariffs on goods are reduced, preferences for vulnerable countries will be eroded further, while exports from countries like China that did not benefit from preferences will become more competitive. A number of the most adversely effected countries, including Turkey, Tunisia, Jordan, and Mauritius, have proposed to NAMA that their competitors' tariffs on product lines of particular interest not be reduced in exchange for further cuts in tariff peaks and escalation – i.e. “harmonized.” This proposal has strong support from EU and US textile associations, not surprisingly, and strong objections from China.

B. Technical assistance to improve competitiveness and for adjustment purposes

There are numerous trade related technical assistance programmes that address issues effecting the competitiveness of certain vulnerable countries – from building human and institutional capacities in trade policy, reforming trade policies themselves to improving trade facilitation and such basic infrastructures as communications and transportation. A salient objective common to all trade related technical assistance is to assist developing and least developed countries to integrate further their economies into the multilateral trading system and attain benefits from MFN liberalization. Much technical assistance is coordinated by The Integrated Framework for Trade-Related Technical Assistance to Least Developed Countries and envisaged in the proposed WTO Aid for Trade programme, while the WTO Technical Cooperation and Training programme aims to assist developing and LDC members to adjust to WTO rules and disciplines and implement obligations of membership.

1. The relevance of technical assistance and integration into the global economy deserves further investigation in the case of textiles and clothing. These are basic industries vital in early stages of development and could have significant implications for alleviating poverty. To the extent that post-MFA era changes do not improve the market access of these industries and countries cannot or do not adjust, workers will fall back into poverty if there are no concomitant broadening bases of employment and social protection. An important issue that needs to be addressed, for example, is to what extent workers and their circumstances weigh in policy responses to trade liberalization and to what extent they “own” these policies. The scope for expanded

multilateral trade policies and practices should be carefully evaluated in the case of textile and clothing industries and workforces in vulnerable countries.

2. The International Trade Centre provides critical technical assistance to textile and clothing industries to develop management strategies to meet increasing requirements by retailers and brand manufacturers for “full package” production. Textile and clothing industries can no longer compete merely as “contract assemblies.” They need to be able to produce a design for products, procure fabrics, provide intellectual property protection for designs and arrange export financing and manage trade formalities. These represent major challenges for developing country textile industries. It might be asked, however, to what extent labour standards are part of this kind of technical assistance. As discussed below, international buyers are increasingly sensitive to such standards when sourcing. How much collaboration exists, for example, between ITC and ILO?

3. A third area of technical assistance that has been both effective and controversial in recent years has been capacity building for developing country negotiators in the DDA in general. Important experiences have been in TRIPS in particular. NGOs have played important roles in both Geneva and capitals and bi-lateral donors have often funded “trade related technical assistance” activities that are in effect capacity building. While the DDA is currently suspended and textiles as a negotiating issue is only found in NAMA, there could be useful exploration of how and where capacity building can assist developing country negotiators in bilateral and regional trade agreements. Of particular importance could be assessments of where conflicts exist between bilateral donors and commercial interests or, conversely, where they can be complementary.

4. When all else fails to make industries in vulnerable exporting countries more competitive, trade adjustment assistance is important to improve skills and create employment opportunities in other sectors that need to be created for dislocated textile and clothing workers. Such assistance may be critical for vulnerable countries. It is also relevant in developed countries as part of national industrial policies and measures to increase market employment. WTO and regional and bilateral agreements on safeguards, anti-dumping and subsidies and countervailing duties are intended to provide scope for adjustment in developed countries but have important implications for vulnerable countries. The Agreement on Safeguards can be important for the latter if safeguards are used as intended to move resources out of uncompetitive industries into new industries. But is this always the case and where it is not what has been the effect on developing country exports? It appears, however, that the Agreements on Anti-dumping and Subsidies and Countervailing Measures are used primarily to restrict imports without any concomitant obligations or efforts to adjustment.

There is a need to examine these agreements with a view to assessing their actual use and WTO responsibility to promote their use in ways that are more responsive to the particular needs of industries in vulnerable countries. Attention also needs to be given to ways of assuring that they will not become more prevalent with increased imports and the end of quotas.

C. Labour standards to improve productivity and consumer demand:

Increased competition and more concentrated global sourcing negatively impact pricing. Nonetheless, buyers increasingly see labour standards as a competitive and value added factor in garment production. Many European and North American consumers look beyond prices to how a good is produced. With core labour standards a fundamental underpinning of “fairly” produced products, a growing number of stakeholders are now engaged in initiatives to promote and implement higher labour standards.

1. The ILO is at the center of most of these with its standard setting and promotion activities. Its most prominent recent initiatives are the Better Factories Cambodia project and the Sectoral Activities Programme on “Promoting fair globalization in textiles and clothing in a post-MFA environment”. Other efforts to promote labour standards are found in a number of its programmes and projects through-out the world. Beyond a major compilation of data and country experiences, the ILO has a wide range of actions and shared responsibilities among all of these – governments, employers, buyers, trade unions, other international institutions and NGOs. An important issue could be how to strengthen the relationships between ILO’s promotion of labour standards in clothing and textile industries with other initiatives for trade liberalization, preferences, technical assistance and policy advice. Another important issue could be how to facilitate collaboration and inclusiveness among stakeholders with different perspectives, experiences and engagements with post-MFA issues and with each other.

2. Many retailers and brand manufacturers have established corporate social responsibility standards and practices. Useful collaboration exists between these and NGOs engaged in monitoring and arranging fair trade projects. The MFA Forum is one example. But some appraisals of the post-MFA environment and perspectives on possible work programmes also call for greater awareness of and interaction with multilateral, regional and bilateral trade policies and practices, donor-led technical assistance and vulnerable country governments. Moreover, even within these appraisals and work programmes, there may be a need for further detailed dialogue and examination of the relative merits of different trade policies and practices, the social responsibilities of companies and their loyalties to established suppliers in vulnerable countries.

3. The linkage between labour standards and trade competitiveness and value added to products is increasingly apparent. At the international level, however, this linkage remains frozen in contentious debate between developed and developing countries and workers and employers. It may now be timely to support further re-examination of some of their arguments and to identify more clearly the benefits that are gained by developing countries in trade agreements that include core labour standards. The EU has experience with positive incentives through increased market access for improved labour standards. Moreover, not only are goods produced under good labour standards more competitive in some markets, recognition of their success should encourage more positive views of positive linkages by legislators and business. How the WTO might address these positive trade benefits is a long-standing important issue that may now deserve increased attention.

Safeguards have also been used in a few developing countries, notably South Africa and Brazil against Chinese imports. These need to be assessed in terms of their effectiveness and whether they are in conformity with WTO rules on safeguards.

Conclusion

Pascal Lamy raises fundamental issue for this dialogue. At the beginning of this paper, we quote him as asking "how governments and public action can ensure that trade liberalization benefits the greatest number ... especially the most vulnerable." The more concrete issue areas identified above regarding policies and practices in clothing and textile production and trade can allow us to address this question through dialogue. Sustainable development is a critical objective of trade liberalization. But can this be achieved if labour resources, like natural and environmental resources, are not recognized and promoted? Persistent and extensive poverty limits the capacity of governments to generate sustainable economic and social development.

As noted at the beginning of this paper, there are five objectives for this exploratory dialogue. First, the participants are encouraged to reflect on the policies and practices relating to the three discussion areas - trade measures to improve market access for vulnerable countries, technical assistance to improve competitiveness and for adjustment purposes, and the role of labour standards in improving productivity and consumer demand. Second, as these issue areas are addressed, it is hoped that the participants will sharpen their perspectives and the nature of stakeholder involvement in each issue area. Third, while the entire exploratory dialogue is off-the-record, a general overview of the discussion will be prepared to highlight the diversity of perspectives and the possible range of policies and practices. Fourth, through the brainstorming at the conclusion of the programme, specific issues will be defined, if and where appropriate, for further dialogue on promoting fairer trade and employment in the post-MFA environment. And finally, the dialogue seeks to promote the building of collaborative working partnerships between stakeholders for on-going collaboration. Thus, this exploratory dialogue may serve, and we hope that it will serve as a prelude for a longer-term programme of dialogue on constructive solutions for sustainable economic and social development in a post-MFA environment.

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