Global Friday and



Presents

Rights Redux: The Return of Human Rights at the World Trade Organization

September 23, 2022

The conventional wisdom is that human rights have long been off the agenda at the World Trade Organization (WTO). The failed attempt by Northern states to include a 'social clause' in WTO rules during the late 1990s and early 2000s is often cited as having foreclosed bringing human rights to bear in multilateral trade negotiations. I challenge this traditional view, by demonstrating that states are mobilizing human rights at the WTO to shape current global trade rulemaking. Moreover, in sharp contrast to the prevailing assumption that developed countries are the primary champions of human rights in the trade regime and developing countries the opponents, I show that developing countries have in fact become key protagonists in marshalling human rights at the WTO. To illustrate these claims, I examine how developing countries have been invoking human rights discourse and principles to strengthen their bargaining position in two of the most contentious issues in recent WTO negotiations: public food stockholding and a COVID-19 TRIPS waiver.



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