

“EQUAL AT THE TABLE, UNEQUAL IN INFLUENCE: WHY CONSENSUS IS SO DIFFICULT AT THE WTO”

Research Opinion

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“Abstract”

The World Trade Organization places consensus at the heart of decision-making, giving Members formally equal standing regardless of economic weight. Yet equal participation rights do not necessarily create equal influence. Negotiating effectively requires expertise, information, personnel, institutional memory, diplomatic networks and the capacity to follow complex negotiations simultaneously. Drawing on the 2003 Cancún Ministerial Conference, the Cotton Four initiative, Uganda’s participation experience and smaller negotiating configurations, this Research Opinion explores the gap between formal equality and practical influence. It argues that power within the WTO cannot be reduced to a simple divide between large and small economies: less-resourced Members can exercise significant agency, particularly through coalitions. The deeper question is what enables a formal voice to become meaningful influence.

Keywords: World Trade Organization; consensus; power asymmetry; trade negotiations; diplomatic capacity; developing countries

1 Introduction: Equal Voice?

If every WTO Member has an equal voice, why do all Members not have equal influence?

It is a deceptively simple question. The World Trade Organization (WTO) is built around a powerful institutional principle: decision-making by consensus. Under Article IX of the Marrakesh Agreement, the WTO continues the consensus practice inherited from GATT 1947; where voting applies in the Ministerial Conference and General Council, each Member has one vote (WTO, 1994). Formal economic weight therefore does not translate into additional votes.

On paper, this is equality. Then the negotiation begins.

Consider two delegations entering the same negotiating process. Both may speak, object and join coalitions. Yet one may have specialists covering agriculture, services, subsidies, intellectual property and dispute settlement, while another may have only a small number of diplomats following a broad Geneva agenda.

The legal right to participate has not changed. The capacity to exercise that right effectively has.

WTO scholarship has long examined market power, negotiating resources, coalitions and informal processes (Michalopoulos, 2001; Steinberg, 2002; Narlikar, 2003; Odell, 2006). The tension becomes especially visible when attention shifts from institutional rules to what those rules demand of diplomats.

Consensus protects Members from being routinely outvoted. But meaningful participation in consensus-building is not costless. It requires information, expertise, time, institutional memory, coordination with capitals, relationships and the capacity to remain engaged as negotiations move between formal meetings, coalitions and smaller consultations. The result is a paradox: Members may be formally equal while arriving at the negotiating table with very different capacities to shape what eventually appears on it.

2 One Seat, Different Resources

The problem is not theoretical. A WTO case study on Uganda describes a small Geneva mission confronting several WTO meetings taking place simultaneously. It was impossible for the mission to attend them all. The study notes that the problem affected many African countries and was even more severe for countries without a Geneva mission, whose WTO affairs might have to be covered from elsewhere in Europe (Rudaheranwa and Atingi-Ego, 2005).

Nothing in that situation removed Uganda's formal rights. No rule prohibited its participation. No larger Member acquired an additional vote. Yet the practical difference was unmistakable.

The response was equally revealing. African representatives divided responsibilities, attended different meetings, briefed one another afterwards and coordinated the way forward with their capitals (Rudaheranwa and Atingi-Ego, 2005). In other words, cooperation became negotiating infrastructure.

This is what power asymmetry can look like in practice. It need not involve one country openly silencing another. Sometimes it appears through something as ordinary as a diary: one delegation can cover several rooms while another must decide which meetings it cannot attend.

That choice can matter. A missed meeting can mean missed information. Missed information can reduce the time available to analyse an emerging proposal. Less time can make it harder to consult the capital, formulate alternative language or identify Members with similar concerns.

Formal equality remains intact throughout. Practical influence may not.

This helps explain why differences in staffing, technical expertise and institutional support have featured so prominently in research on developing-country participation in the WTO (Michalopoulos, 2001; Narlikar, 2003). A seat is a right. Influence is a capacity. The two should not be confused.

3 Cancún: Coalition Power

The 2003 Cancún Ministerial Conference shows why the story cannot stop at resource inequality.

Agriculture was one of the most politically difficult parts of the Doha negotiations. In August 2003, the United States and European Union circulated a joint framework intended to move the negotiations forward. Within days, several alternatives appeared. The proposal that attracted the most attention came from a new coalition of about 20 developing countries, the G20 (WTO, 2003a).

This mattered because developing countries were not merely reacting to a framework produced by larger economies. They were producing an alternative around which others had to negotiate. Research on the G20 has emphasized the role of coalition-building, technical preparation and political coordination in creating bargaining influence (Narlikar and Tussie, 2004; Odell, 2006).

Cancún ultimately ended without consensus. That outcome is often remembered as failure, but analytically it reveals something important: lack of agreement can also demonstrate that consent matters. In a system based on consensus, economic power does not guarantee the ability to impose a negotiated outcome.

Coalitions change the equation. A Member with limited individual resources may share information, pool expertise, coordinate positions and act through a negotiating constituency that is more difficult to disregard. This does not erase differences in economic or diplomatic capacity. It shows that those differences do not mechanically determine influence.

The G20 therefore complicates the easy narrative of "large countries powerful, small countries powerless." Power at the WTO is also constructed through organization, expertise, alliances and the ability to place a credible alternative on the table.

4 Four Countries and One Commodity

The Cotton Four offer an even sharper illustration.

In 2003, Benin, Burkina Faso, Chad and Mali brought a Sectoral Initiative in Favour of Cotton into the WTO. They argued that subsidies in richer economies were damaging their cotton sectors and called for subsidy elimination together with compensation while those subsidies remained (WTO, 2003b).

On conventional measures of international economic power, the coalition was modest. Yet the issue became impossible to ignore. The initiative moved through the Trade Negotiations Committee and agriculture negotiations and became a formal document for Cancún. In 2004, WTO Members created a Cotton Sub-Committee specifically to address cotton within the agriculture talks (WTO, 2004). Cotton has remained a distinct issue on the WTO agenda, with subsequent ministerial decisions addressing trade and development dimensions (WTO, n.d.-a).

The Cotton Four did not obtain everything they demanded, and progress has often been difficult. That is precisely why the example is useful. Influence should not be confused with total victory.

Their experience demonstrates that comparatively small economies can frame an issue, mobilize support, persist institutionally and force a concern into the negotiating architecture. Limited resources did not eliminate agency.

Formal equality therefore does not eliminate power asymmetry. But power asymmetry does not eliminate influence either.

5 Power Before the Decision

The final moment of consensus can be misleading. By the time Members confront a proposed compromise, much of the negotiation has already happened.

Drafts have circulated. Coalitions have coordinated. Chairs have consulted Members. Technical details have been tested. Some ideas have gained momentum while others have disappeared.

This is why informal negotiation is both useful and controversial.

During the July 2008 Doha negotiations, for example, ministerial “Green Room” consultations brought a smaller number of participants together to explore politically sensitive compromises. WTO accounts explain that coordinators reported back to their groups, whose Members could accept or reject proposals or instruct coordinators to seek further changes (WTO, 2008).

Later agriculture negotiations used a “Room E” configuration involving 38 delegations representing the principal coalitions. Participants included coordinators or representatives associated with the G20, G33, African Group, least-developed countries, Cotton Four, African-Caribbean-Pacific Group and small and vulnerable economies. The WTO described the approach as “concentric circles”: smaller consultations intended to permit freer discussion before feeding back into the multilateral process (WTO, 2011).

This is not simply a story of exclusion. With a large and diverse membership, constructing every difficult compromise in a full plenary is cumbersome. Smaller configurations can make negotiation possible.

But representation then becomes critical.

Who enters the smaller conversation? Whose position do they carry? How quickly does information return to Members outside the room? Can those delegations analyse a changing proposal quickly enough to respond?

Coalitions can help answer these problems by allowing Members to share information and obtain representation through coordinators. Yet the process also shows why influence is exercised before the formal decision. Consensus determines whether the final outcome is accepted; negotiating capacity helps shape the options from which that outcome emerges.

6 The Hidden Cost of Equality

Here lies the deeper paradox.

The more inclusive a decision-making system is formally, the more demanding meaningful participation can become in practice. Consensus gives every Member institutional protection, but using that protection effectively requires sustained engagement.

The dispute over the “Singapore issues” at Cancún illustrates the protective side. The Doha mandate contemplated negotiations on investment, competition policy, transparency in government procurement and trade facilitation only on the basis of an explicit consensus on negotiating modalities. At Cancún, that consensus was not reached. In August 2004, Members agreed to proceed with negotiations on trade facilitation alone; the other three issues were removed from the Doha Work Programme (WTO, 2004b). For smaller Members, this is an important safeguard. They cannot simply be outvoted whenever larger economies prefer a different agenda.

Yet the right to withhold consensus is only one moment in a much longer process. Before a Member can decide whether to support, oppose or reshape a proposal, officials must understand the proposal, assess national interests, communicate with capitals, coordinate with allies and follow negotiations as positions evolve.

This is the hidden cost of equality.

Consensus creates equality at the point of decision. It cannot, by itself, create equality in everything that happens before that point.

That does not make consensus inherently unfair. It means that the quality of formal equality depends partly on the practical conditions under which Members exercise it.

7 Power Is Not a Headcount

Resources matter, but resources do not operate mechanically.

A large delegation can possess considerable expertise and still fail to obtain its preferred outcome. A smaller Member can possess fewer resources and nevertheless exercise influence through specialization, coalition leadership, credibility, institutional knowledge or strategic positioning.

The experiences already discussed make the point. Uganda’s resource constraints encouraged coordination with other African representatives. The G20 converted collective organization into bargaining weight. The Cotton Four transformed a sectoral concern of four West African economies into a sustained WTO negotiating issue. Room E showed how coalition representation could bring the positions of broader constituencies into smaller consultations.

Influence therefore cannot be measured simply by counting diplomats or comparing GDP.

This does not mean economic weight is irrelevant. Steinberg (2002) famously argued that consensus bargaining in the GATT/WTO can operate “in the shadow” of market power. Other scholarship, however, demonstrates that developing-country coalitions and negotiating strategies can alter bargaining dynamics and expand agency (Narlikar, 2003; Odell, 2006).

Both observations can be true.

Economic and diplomatic asymmetries structure the environment in which negotiations occur. Strategy determines, in part, what Members are able to do within that environment.

That is why the distinction between voice and influence matters. Every Member may possess a formal voice. Influence emerges from the interaction between institutional rights and the practical ability to use them.

8 So What Does This Mean in Geneva?

For practitioners, the distinction becomes concrete very quickly.

A revised negotiating text arrives. Who can determine what changed, contact the relevant ministry, identify allies, prepare alternative language and still follow another negotiation happening elsewhere?

This is where power asymmetry becomes less abstract.

It is not always a dramatic confrontation between a major economy and a small state. Sometimes it is the cumulative advantage created by time, people, expertise, information and access.

Yet the WTO also contains mechanisms that complicate that advantage: coalitions, coordinators, institutional rules and consensus itself. These can allow Members with limited individual capacity to aggregate knowledge and bargaining power.

The result is a system in which power is real but rarely absolute.

Perhaps that is one reason consensus is so difficult. The WTO attempts to reconcile economies that differ enormously in size, development, trading structure and diplomatic capacity without formally allocating greater decision-making authority to the economically powerful.

Consensus does not remove politics. It forces politics to operate through negotiation.

9 Conclusion: Equality, Then What?

There is an attractive simplicity to equality among states. Every WTO Member possesses formal participation rights, and consensus remains the institution's central decision-making practice.

But multilateral negotiation begins where that simplicity ends.

A Member can possess a voice without possessing the same resources as the Member sitting beside it. Influence can depend on expertise, preparation, information, institutional memory, diplomatic presence, relationships and the ability to remain engaged as negotiations move between formal meetings, coalition discussions and smaller consultations.

The examples in this opinion show why neither extreme interpretation is convincing. It would be wrong to assume that formal equality produces equal influence. It would be equally wrong to assume that less-resourced Members are powerless.

Cancún demonstrated the bargaining relevance of developing-country coalitions. The Cotton Four demonstrated that relatively small economies can make an issue institutionally consequential. Uganda's experience showed how resource constraints affect the ordinary mechanics of participation and how coordination can mitigate them. Smaller negotiating configurations showed both the practical necessity of representation and the importance of information flows between representatives and the wider membership.

These examples illuminate the problem; they do not establish that resource asymmetry determines every WTO negotiation. Members differ across issues, developing countries do not constitute a single interest, and coalitions themselves shift according to the subject under negotiation. The evidence considered here is also selective and cannot substitute for systematic empirical research into diplomats' experiences.

That limitation is where the next question begins.

If consensus is to remain at the heart of multilateral trade governance, it is not enough to ask whether every Member has a voice. We must eventually ask what allows that voice to become influence.

The Cotton Four suggest that economic weight is not the only answer. The G20 suggests that collective action can change negotiating dynamics. African coordination in Geneva demonstrates how diplomats can respond pragmatically to limited capacity. Understanding when such strategies succeed - and when they do not - requires deeper investigation.

For now, the paradox remains.

At the WTO, Members can be formally equal and practically unequal at exactly the same time.

Perhaps the real test of equality in multilateral trade governance is not whether everyone receives a seat at the table.

It is what happens after they sit down.

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