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Preface

This report is one of the two reports published from the research project WTO negotiations and the changing framework conditions for Norwegian agriculture, fisheries and aquaculture. The study has been funded by the Research Council of Norway through the research programme Nature-based Industries (formerly Area and Nature-based Industrial Development).

Even though each of the three articles has a main author, all three collaborators, Senior Research Scientist Arild Aurvåg Farsund and Head of Research Hilmar Rommetvedt, IRIS, and Professor Oluf Langhelle, University of Stavanger, have participated in the collection of data and development of perspectives and draft versions of all the articles.

In connection with the collection of data, a number of interviews have been carried out in Brussels, Genève and Oslo. We thank the informants for making themselves available. The interpretations presented in the report are the sole responsibility of the authors.

For non-Norwegian readers: Please excuse us for presenting parts of the report in Norwegian.

Stavanger, 31 December 2009.

Arild Aurvåg Farsund

Project Manager

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1 Innledning

I denne rapporten presenteres tre utkast til artikler om WTO og norsk politikk. Artiklene vil i bearbeidet form bli sendt til vurdering i nasjonale og internasjonale tidsskrift. Utgangspunktet for artiklene er en fireårig studie (2006-2009) av Doha-runden i WTO. I prosjektet har vi både fulgt utviklingen i forhandlingene internasjonalt og studert i hvilken grad og hvordan internasjonal handelspolitikk har påvirket norsk politikk. Analysene her har særlig rettet seg mot fiskeri-, havbruks- og landbrukspolitikken. En mer utdypende presentasjon av denne delen av studien finnes i rapporten *Doha-runden i WTO: Effekter for norsk fiskeri-, havbruks- og landbrukspolitikk* (Farsund 2009).

Doha-runden i WTO har ved årsskiftet 2009-2010 vart i mer enn 8 år. Fortsatt er det betydelig usikkerhet forbundet med om det vil bli inngått en avtale, eventuelt når den kan inngås og hva avtalen vil inneholde av nye retningslinjer for verdenshandelen. De handelspolitiske stormaktene USA, EU, India, Brasil og Kina sitter med nøkkelen til de kompromissene som må inngås for at det skal bli en avtale. For at det skal bli en ny avtale må stormaktene og de andre medlemmene i WTO gjøre avveininger mellom innenrikspolitiske og utenrikspolitiske interesser, og det må gjøres kompromisser der alle gir litt. Etter en rekke nestengjennombrudd er optimismen knyttet til om det er mulig å få til en avtale synkende. I sluttkommunikeet fra ministerkonferanse i WTO, som ble avholdt i Genève fra 2. til 4. desember 2009, understreket imidlertid ministrene fra de 153 medlemslandene at det var nødvendig at forhandlingene ble sluttført i løpet av 2010. Det var også bred støtte til at en skulle ta utgangspunkt i den enighet som var etablert til nå. Det er mange grunner til at forhandlingsprosessen har vært vanskelig, og noen av disse blir berørt i de artiklene som inngår i denne rapporten.

Den norske forhandlingsposisjonen i Doha-runden er basert på det vi kan kalle et triangel av delvis motstridende og delvis sammenfallende interesser. For det første har Norge defensive interesser på landbruksområdet. Ut fra såkalte ikke-handelsmessige hensyn ønsker Norge å beskytte landbruket mot økt importkonkurranse. For det andre har Norge offensive interesser når det gjelder industrielle produkter, inkludert fisk og fiskeprodukt, kjent som NAMA-forhandlingene. Norge har også en rekke offensive interesser innen tjenesteområdet. På disse områdene søker Norge markedsadgang og handelsliberalisering. For det tredje ønsker norske myndigheter å arbeide for at de fattigste landene skal få styrket sine utviklingsmuligheter gjennom en handelsavtale som tar hensyn til de utfordringer som den tredje verden står overfor. Samtidig har tidligere studier av den norske WTO-strategien konkludert med at et av de viktigste målene til norske myndigheter i Doha-runden er å støtte opp om det multilaterale handelssystemet (Langhelle 2005).

De tre artikkelbidragene retter oppmerksomheten mot ulike sider ved WTO generelt og forhandlingene i Doha-runden spesielt. I det følgende presenterer et kort sammendrag av hovedlinjene i hver artikkel. Den enkelte artikkel presenteres deretter forløpende i kapittel 2, 3 og 4.

I artikkel 1, The Unholy Trinity: Agriculture, Fisheries and Developing Countries Concerns in the WTO negotiations, analyserers de norske strategiene i WTO-forhandlingene. Utgangspunkt for analysen er et teoretisk perspektiv som legger til grunn at internasjonale forhandlinger representerer et tonivåspill der koblingene mellom ulike interesser representerer både utfordringer og løsninger i forhandlingene. I norsk sammenheng er hovedutfordringen å balansere offensive interesser knyttet til økt markedsadgang for fisk og fiskeprodukter, de defensive interessene knyttet til å beskytte nasjonal landbruksproduksjon mot sterk importkonkurranse og ønsket om å støtte interessene til de fattige landene i forhandlingene. I artikkelen fremheves det at det er vanskelig for et lite land å balansere denne type motstridende interesser nasjonalt, og at en til slutt derfor vil være avhengig av beslutningsutfallet i de internasjonale forhandlingene. Forhandlingsstrategien kan derfor ses som en form for "politisk abdisering" der de nasjonale politiske kontroversene unngås ved hjelp av at det ikke fattes beslutninger om hva som er mest prioritert. Det endelige utkastet vil bli sendt til vurdering i Scandinavian Political Studies.

I artikkel 2, Doha-runden i WTO: Norske interesser, posisjoner og tilpasninger, analyserer Arild Aurvåg Farsund hvordan WTO-spørsmål har påvirket norsk politikk. Hovedvekten legges på perioden 2001 til 2010, men linjene trekkes også tilbake til Uruguay-runden (1986-1994). I artikkelen argumenteres det for at det er de landbrukspolitiske interessene som har hatt størst innflytelse på den norske WTOposisjonen de siste årene. Dette er dels en konsekvens av hvilke spørsmål som har dominert de internasjonale forhandlingene, men det er også sentralt at de partiene som tradisjonelt har støttet landbruksnæringen har hatt stor innflytelsen på hvilke strategier norske myndigheter velger når de avveier ulike innenriks- og utenrikspolitiske interesser i WTO-forhandlingene. Samtidig er det også klart at landbruket er den næringen som i størst grad har blitt påvirket av bestemmelser fastlagt i WTO. I den utforming institusjonelle den det sentralt at sammenheng er jordbruksforhandlingssystemet viktig for hvordan tilpasningene til WTO gjennomføres i praktisk politikk. Artikkelutkastet bygger på et paper som ble presentert på den nasjonale fagkonferansen i statsvitenskap i Kristiansand (6. til 8. januar 2010). Det endelige utkastet vil bli sendt til vurdering i Norsk statsvitenskapelig tidsskrift.

I artikkel 3, The Institutionalization of a Parliamentary Dimension of an Intergovernmental Organization: the WTO, analyserer Hilmar Rommetvedt firemveksten av den parlamentariske dimensjonen i WTO. Utgangspunktet er at både WTO og nasjonale parlamenter har understreket behovet for en parlamentarisk dimensjon koblet til en internasjonal institusjon primært opprettet for å ivareta handelsrelasjonene mellom nasjonale myndigheter. I den sammenheng er det etablert en Parlamentarisk konferanse med sin egen styringskomité. Artikkelen presenterer fremvekten av denne dimensjonen i WTO, og diskuterer teoretiske og styringsmessige implikasjoner av utviklingen. Artikkelutkastet ble lagt frem på den nasjonale fagkonferansen i statsvitenskap I Kristiansand (6.-8. januar 2010). Det endelige utkastet vil bli sendt til vurdering i World Trade Review.

Norway: The Unholy Trinity? Agriculture, fisheries and developing country concerns in the WTO Negotiations

By Oluf Langhelle, Arild Aurvåg Farsund and Hilmar Rommetvedt

"Nowhere is the interrelationship between domestic and international politics more evident than in trade policy-making" (Goldstein, 1998:138).

1. Introduction

This article takes a closer look at Norwegian trade interests in agriculture, fisheries and the concern for developing countries and the problems associated with reconciling these interests. The theoretical point of departure is two-level games and issue-linkages and the fusion of domestic and international politics, which arguably takes place within the framework of the Doha Development Agenda (DDA) round of negotiations within World Trade Organization (WTO). The focus is on the national political process and the political struggles to define national interest(s), and how to balance the offensive interests of market access for fish and fish products, the defensive interests of agriculture and the concerns of developing countries in the negotiations. We discuss the present negotiations in WTO from the failed attempt to launch a new negotiating round in Seattle in 1999 to the breakdown in 2008.

The aim of the article is to explain the positions taken by Norwegian Government in the negotiations by looking at the interplay between Government, Parliament and interest organisations and the role of issue-linkages in the WTO negotiations. Issue-linkages have played an important role in the WTO negotiations and linked issues that deliberately have been kept apart in the Norwegian domestic political processes and negotiating strategies. Issue-linkages at the international arena, however, has made it difficult to keep the different positions in agriculture and fisheries separate, and it has made Norwegian bargaining positions more prone to criticism both domestically and internationally.

The defensive and offensive interests and the concerns of developing countries seem hard to reconcile in the negotiations, and the question is if they can be said to represent an "unholy trinity" of irreconcilable interests, which ultimately will be balanced not by domestic political processes, but by the outcome of the Doha Development Round. With this point of departure, three arguments are made in this article. First, that the coordinated efforts among nation states in WTO to further develop a rule-based regime for international trade, effectively undermines the traditional division between national and international politics, and complicates the identification of national interest(s). The second argument made is that especially the coalition building among developing countries during the Doha Development Round and the trade interests these coalitions

has advocated, has made it harder for Norway to reconcile its different trade interests and to justify that developing country interests are taken into account. The third argument made is that Norway increasingly has resorted to defend its defensive interests in agriculture, for two reasons. First, because of the developments in the negotiations, that is, the strong focus on agricultural reform as the key to a new agreement and the strong developing country alliances targeted at market access. And second, for domestic reasons, most notably changes in Government.

The aim of the following analysis is substantiate these arguments and to better understand the political processes that shape the international behaviour of a small state with an open economy in what by many has been addressed under the heading of globalisation or internationalisation. The overall research questions this article tries two answer can be formulated as follows:

Which national interest(s) can be identified, what explains Norwegian bargaining positions and how are they balanced in the ongoing Doha Development Agenda (DDA)?

Given the issue-linkages¹ in the international negotiations, how has this affected the balancing of national interest(s) and the concern for developing countries?

Given the issue areas under consideration (agriculture, fisheries and developing countries concern); are these interest(s) reconcilable?

The rest of the article is structured the following way. In the next section, we give a brief description of the developments within the DDA negotiations. Thereafter, we outline the theoretical point of departure for the analysis; national interests, two-level games and issue-linkages. We then describe the domestic political process, the political parties and the different Government coalitions that have been in charge of the negotiations, the interplay with Parliament (the *Storting*) and identification of national interests. Subsequently, we focus on some major developments in the international negotiations and the consequences and impacts of these developments on Norwegian national politics and bargaining positions. Finally, we discuss the problems with reconciling national interests and what explains weighting of different trade interests in Norwegian politics.

The article is based on interview data (about 70 interviews including Norwegian members of Parliament (MPs), bureaucrats, NGOs and trade delegations in Geneva (14 countries and the EU)), participation in Seattle (1999) and Cancun (2003), Public Forums arranged by WTO, documents available on the WTO website, archives in the Ministry of Foreign Affairs, Norway, records of debates in Parliament (Storting) concerning the WTO, Norwegian MPs, and data on when and how many times WTO has been on the agenda in the Enlarged Committee on Foreign Affairs.

2. From the "Millennium Round" to the Doha Development Agenda

Norway has been an active player in the current WTO negotiations from the very beginning. The formal Governmental preparations for the then so called "Millennium round" started in April 1998 under the Bondevik I Government which initiated a broad mapping of national interests. The work was lead by a State Secretary Group and involved all affected Ministries. The work was further organised in 10 different working groups². In 1999, the State Secretary group published the report "The future WTO negotiations - the charting of Norwegian interests". The report stated that in the process of preparations, the 10 working groups had "consulted the business and labour organisations and other affected groups". The report concluded that Norway, for the most part have offensive interests in most areas of negotiations.³

The only area in which the report identified defensive interests was in agriculture. The State Secretary group, however, made it clear that its conclusions was based on isolated considerations within each subject area of negotiations, and that only "to a very limited extent" was the different areas seen in relation to each other. It was further argued that this would "have to be given a central place in the further development of Norwegian positions". As such, the initial mapping of national interests contained no priorities or issue linkages.

In the case of agriculture, Norway has defensive interests in relation to trade liberalisation. Harsh environments and poor conditions for agricultural production make Norwegian agriculture vulnerable for foreign competition and food import. Hence, Norwegian domestic support and tariffs are amongst the highest in the world. In the case of fish and fish products, which is part of the NAMA negotiations in the DDA negotiations, Norway is the second largest exporter of fish and fish products in terms of

value in the world (WTO, 2008). A long coastline, large fisheries stocks and a fast growing fish farming industry make Norway highly competitive in international markets. Thus, Norway has offensive interests in relation to trade liberalisation for fish and fish products.

At the outset, the socio-economic actors' preferences and behaviour within these two sectors seem to fit nicely with the view that they can be predicted from their economic interests (Frieden and Rogowski's, 1996). Agriculture is farthest away from the comparative advantages of Norway and stands to lose most from further liberalisation. Fisheries are one comparative advantage of Norway, and stand to gain most from trade liberalization. These interests have informed the Norwegian bargaining positions in the WTO and at the outset Norwegian bargaining positions seem to be explained by the comparative advantages and predictable effects of changes in relative prices by possible outcomes of the negotiations (Frieden and Rogowski's, 1996).

Yet, there is no straightforward line between preferences and policy outcomes as acknowledged also by Frieden and Rogowski (1996). They are mediated by existing political coalitions and institutions (Garrett and Lange 1996, Milner and Keohane, 1996), and in some cases even free trade "losers" can support free trade (Kingstone, 2001). Moreover, Katzenstein (1985) argue that economic change is a fact of life for the small European states, including Norway. Because of their small size they are dependent upon world markets, and "protectionism is therefore not a viable option for them" (Katzenstein, 1985:24). This is true in general, but as already argued agriculture represents the exemption. Agriculture in Norway is still among the highest protected in the world.

The concern for developing countries represents a complicating factor in this picture, and at the outset, it is not solely based on economic self interest. Although it is hardly conceivable as a "national" Norwegian interest in the traditional sense, the need to take the concerns of developing countries into account has figured high in the official positions of different Governments and in Parliamentary debates in Norway. Every political party has stated that these concerns should be taken into account, although the interpretations of what it implies in practise to take these concerns into account varies among the political parties (Langhelle, 2005). Even more important, the question of how to balance different interests is not answered purely by economic calculations, but is essentially a political task were other aspects arguably play an important role. As a

result of this, the need to balance the different interests and concerns in the negotiations has been raised several times in Parliament. The possibility of issue-linkages between the two sectors agriculture and fisheries, and the possible conflict of interests between Norwegian interests and developing countries interests, has been a common concern for Governments, Parliament and interest organisations.

The agreement on the "Doha Development Agenda" at the Ministerial Conference in Qatar 9 to 14 November 2001 initiated a comprehensive set of issues to be negotiated within 2005 in the World Trade Organisation (WTO). The still ongoing negotiations are, no doubt, complex and represent a tremendous challenge for international politics. It is further complicated by the fact that many countries have mixed interests and sometimes also conflicting interest across sectors and issues in the negotiations. Many countries follow the dual policies of protection and liberalisation in trade policies (Hveem, 1996). The negotiations have also been hampered by strong disagreement on a number of issues, but especially in agriculture (Langhelle 2001, 2005, Feindt and Müller 2007, Daugbjerg and Swinbank 2009).

The current round of negotiations has experienced a number of set-backs from its launch in Doha. At the Ministerial Conference in Cancún in 2003, the negotiations more or less broke down on the issue of agriculture with a common proposal from the EU and the US (Langhelle, 2005). Some progress was made during the Ministerial in Hong Kong in 2005, but in July 2006 the negotiations was suspended without a date set for its resumption. Again, agriculture was blamed, together with the lack of progress in the negotiations within non-agricultural market access (NAMA) (Daugbjerg and Swinbank, 2009). The negotiations resumed in February 2007, and in July 2008, several countries including Norway, for a short moment believed that an agreement had been reached, only to discover that India and the US could not agree on the issue of market access arrangements for agricultural products into developing countries markets (Daugbjerg and Swinbank, 2009).

The faith of the DDA is still uncertain. The "almost deal" in July 2008 contained some challenging results for Norway in agriculture. How challenging, however, is highly disputed within Norway.

Domestic support in amber and blue box is to be reduced with 52, 5 per cent. Norway has not yet notified its support to WTO, and there are some uncertainties whether or not the WTO will accept the move from blue box to green box. Norway would have to the

take a 70 per cent cut in the highest tariffs. Together with Switzerland, however, Norway got an additional 2 per cent increase in tariff lines for sensitive products, on the condition of a 0, 5 per cent quota increase for these products. This means that 6 per cent of the tariff lines will be defined as sensitive products, implying that between 70 and 80 per cent of Norwegian agricultural production still would be protected against direct foreign competition (Farsund, 2010). According to the Minister of Agriculture, Norway could "live with the deal in agriculture" (*Nationen*, 25 July 2008). The largest farmers association Bondelaget, however, estimated that between 40.000 and 60.000 man-labor years would disappear, and was against the "almost deal".

According to the Minister of Foreign Affairs, the number of sensitive products (4 + 2 per cent) was "in the lower end of our expectations". The solution on tariff capping was not the "preferred solution", and the Minister also raised concern about possible "additional quota increases related to other elements". More importantly, however, the acceptance was "conditional on elements outside the package", most notably the "question of being able to freely selecting sensitive products (paragraph 80)".⁴

For fish and fish products some positive results were achieved. Although it was not finalised, it seemed that Norway would get tariff reductions between 5 to 6 per cent in the EU and Japan. EU being the largest export market for Norwegian fish and fish products. The tariff reductions in developing countries would be substantially lower, but the package envisaged a coefficient of 8 for developed countries, which, according to the Minister, "would have been a satisfactory result", and thus in the national interest.

3. National interest(s) and two-level games

"National interest", according to Frankel (1970), can be seen as "a comprehensive description of the whole value complex of foreign policy", but it is also an "exceptionally unclear concept". Defining the national interest is, nonetheless, regarded as "an essentially political process" by Frankel (Frankel, 1970:97). Thus, the "national interest" is "politically contingent" and dependent upon the outcomes of domestic political processes. By approaching national interests this way, one leaves the view that there is one "national interest" and that it can be defined "objectively". In the same manner, Trubowitz (1998:12) argues that "there is no single national interest" as such. The very definition of the national interest is rather "a product of politics", and it is

defined by the societal interests who have the power to work within the political system to make winning coalitions and alliances (Trubowitz, 1998:4). In a democracy, "the national interests is simply what citizens, after proper deliberation say it is" (Nye, 2002:237).

Krasner (1978), on the other hand, argues that "national interest" can and should be identified by following an empirical-inductive route. "National interest" should be understood as the preferences of the central decision-makers of the state and can be induced from "the statements and behaviour of central-decision makers" (Krasner, 1978:13:35). These preferences or goals can be called the national interest if they meet two criteria. They must be concerned with the general interests of the society (they do not persistently benefit some groups or classes and harms others). Second, they must "maintain the same transitive ordering over time", which means that they there must be a "consistent ranking of importance" (Krasner, 1978:13:53). Krasner's approach is a statist or state-centric approach, were the state is seen as an autonomous actor and were the objectives sought by the state cannot be reduced to some summation of private interests (Krasner, 1978:5-6). Understood this way, the national interest "is defined as the goals that are sought by the state" (Krasner, 1978:12).

Krasner's approach, however, does not imply that the national interest is not a product of politics. Krasner's (1978:13) explicitly "recognises the need to examine the policymaking process within a country when dealing with questions of foreign policy". Krasner, however, looks at one sector or policy area. The ongoing WTO negotiations are organised as a "single undertaking". A "single undertaking" implies that "nothing is agreed until everything is agreed" (Norwegian State Secretary group on WTO 1999, WTO 2001, WT/MIN(01)/DEC/1:10), although agreements reached at an early stage may (WTO, 2001, basis definitive provisional or on a implemented WT/MIN(01)/DEC/1:10). Thus, it opens up for issue-linkages and thus bargaining, compromises and the balancing of interests between sectors and areas at the final stage of the negotiations. In the end, given the constraint of a "single undertaking", different national interests may eventually have to be seen together. The question, thus, is when it finally comes to issue-linkages, bargaining, compromises and the balancing of interests at the final stage of negotiations, is it then possible to speak of one or the national interest?

Krasner's (1978) approach, however, also contains a direct linkage to two-level games. As argued by Krasner (1978:13), a state "must deal with private actors in its own society as well as with other actors in the international arena". As such, the state is constrained by "domestic as well as international structures". In his seminal article "Diplomacy and domestic politics: the logic of two level games", Robert D. Putnam (1988) argues that foreign and domestic policies in international negotiations are connected in fundamental ways and interact in a number of ways. Putnam's (1988) main argument was that "the politics of international negotiations" should be seen as a two-level-game. Instead of explaining foreign policy purely from domestic causes ("Second Image"), or to explain foreign policy purely from international causes ("Second Image Reversed"), international negotiations can "usefully be conceived as a two-level game":

"At the national level, domestic groups pursue their interests by pressuring the government to adopt favourable policies, and politicians seek power by constructing coalitions among those groups. At the international level, national governments seek to maximize their own ability to satisfy domestic pressures, while minimizing the adverse consequences of foreign developments. Neither of the two games can be ignored by central decision-makers, so long as their countries remain interdependent, yet sovereign" (Putnam, 1988:434).

Putnam makes an analytical distinction between two phases in this process. The first process (Level-I), takes place at the international level and is between national delegations negotiating. The second process (Level-II), takes place at the national level and consists of discussions within each Parliament whether or not to ratify the outcome of the negotiations. Although this may not give a correct empirical description of the course of action, the important thing is the interplay created by these two processes: "In practice, expectational effects will be quite important. There are likely to be prior consultations and bargaining at level II to hammer out an initial position for the level I negotiations. Conversely, the need for level II ratification is certain to affect the level I bargaining. In fact, expectations of rejection at level II may abort negotiations at level I without any formal action at level II" (Putnam, 1988:436).

Another important aspect of the interplay between these processes are that if there is a large over-lap between possible outcomes of the negotiations at Level I and the possibility of ratification nationally (Level II), this will increase the likelihood of getting

an agreement at Level I. Putman calls this "win-sets", and for a given country "win-set" is defined as "the set of all possible Level I agreements that would 'win' – that is, gain the necessary majority among the constituents – when simply voted up or down" (Putnam, 1988:437). The greater the win-set, what Putnam calls "larger win-sets", the better chances of getting the needed ratification domestically. One way of expanding the "win-set" is through "synergistic linkage" at the international level. A synergistic linkage can create "a policy option [...] that was previously beyond domestic control" (Putnam, 1988:447), a policy option that in effect changes the national "win-set" (Putnam 1988, Moravcsik 1993, Evans 1993, Milner 1997, Caporaso 1997, Frieden and Martin 2002). In our case, a hypothetical example of a synergistic linkage would be an agreement where the Norwegian Government would give concessions in agriculture in exchange for increased market access for fish and fish products.

In the international literature, however, "synergistic linkage" has been seen primarily as a strategy for the "statesman" or "Chief of Government" (COG). In the following, I will argue that synergistic linkage is by no means a strategy which is exclusive for the statesman or "Chief of Government" (COG). Through the process of expectational effects, prior consultations and information of level I bargaining, also other actors try to use the possibility of synergistic linkage at the international level in the national political process. Thus, the knowledge of the possibility of synergistic linkage at the international level creates a fundamental linkage between the political processes at the national and international level.

"Synergistic linkage" is closely related to "issue-linkages" and also what Evans (1993) terms "synergistic strategies". According to Evans (1993:401), synergistic linkages are becoming increasingly important in international negotiations due to the "growing proliferation of transnational alliances and the increased dominance of economic ... concerns". Coercive bargaining is still important, "but even when threats are central to the negotiations there are increasing possibilities for synergistic issue linkage" (Evans, 1993:401). Synergistic strategies, therefore, are likely to continue becoming more common and important over time, and in the following, I will explore the role and importance of "synergistic linkage" for the political process of determining national interest(s).

4. Domestic politics in "two-level games"

To identify influence on national bargaining positions, however, one is in need of theories of *domestic* politics. In fact, Putnam argues that any "testable two-level theory of international negotiations must be rooted in a theory of domestic politics, that is a theory about the power and preferences of the major actors at Level II" (Putnam, 1988:442). Thus, the whole set of theories that describe division of power, group influence, corporate or pluralist arrangements come into play. Helen V. Milner's (1997) argues that not only are domestic and international politics strongly interconnected, but that domestic politics in many cases will explain a countries foreign policy better than characteristics of the international system. Milner's (1997) share the fundamental idea behind "to-level games" that political leaders are playing in the domestic and international arenas simultaneously: "They are trying to achieve their various goals using these two arenas, and they face different – and sometimes contradictory – pressures and constraints from each. Their behaviour can only be understood when both internal and external factors are considered" (Milner, 1997:4).

Central in Milner's (1997) approach is also the view that states are neither unitary nor anarchic actors⁵. Instead of seeing the state as a unitary or anarchic actor, Milner argues that the state should be seen as something in between, as a polyarchic actor (Milner, 1997:11). The key to understanding foreign policy shaping, therefore, lies in the analysis of how "the game between the domestic actors is played" (Milner, 1997:14). Three variables are seen as crucial for where to place the state on the continuum from unitary to anarchy: the differences among the national players' policy preferences, the distribution of information domestically, and the nature of domestic political institutions. According to Milner (1997:14), the "greater the divergences among their preferences, the more equally information is possessed, and the more institutions disperse power over policy, the more polyarchic is the domestic situation". The crucial argument is not only that these three variables determine the extent of polyarchy nationally, but that they also determine "the nature of the domestic game that shapes international cooperation" (Milner, 1997:14).

Given the fact that there are many national interests, the political struggle over national interests implies different things. It can be seen as a struggle over the ranking of different interests in terms of priorities and thus domination over other interests. It can be seen as a fight over trade-off between different interests, were some interests are curtailed to achieve possible benefits for other interests. In order to explore the political

struggle over national interests in Norway, therefore, it is necessary to describe the interests and preferences of the actors and the distance between them within agriculture and fisheries. Second, it is necessary to focus upon the way institutions divide power among the different actors and the information flows between the actors in relation to the WTO negotiations. Finally, one needs to explore possible inter-linkages between agriculture, fish and fish products and developing country concerns, nationally and internationally in the WTO negotiations.

4.1 National interests and actors in Norway

Taking Milner's (1997:12) perspective as the point of departure, the central actors in the case of Norway are the executive including Government and the various departments and ministries of Government, the legislature represented by the Norwegian Parliament (*Stortinget*), the different political parties represented in Parliament and finally the interest organisations. These are the actors in Norway which can be said to "inhabit domestic politics" in relation to the WTO-negotiations (Milner, 1997:12). In the following we shall take a look at how the game between the domestic actors is played in relation to the WTO negotiations.

According to traditional constitutional theory, foreign affairs are a prerogative of the executive, i.e. the President in presidential systems and the Government in parliamentary systems. In international negotiations, governments negotiate on behalf of the nation states. Governments are supposed to attend to and safeguard the 'national interest', so too in Norway. In order to do so, however, the Government has consulted interest organisations and created a comprehensive, systematic and broad spectre of Committees covering the issues and areas of the new round of negotiations, with participation including most affected interest organisations (Langhelle, 2005).

Already in the first negotiation round within GATT, interest organisations were represented in advisory committees and this practice has been upheld in all the different negotiating rounds within GATT (Tenold and Norvik, 1998:73). In 1979, the WTO-committee was established under the Ministry of Foreign Affairs. As more areas have become the subject of negotiations within GATT/WTO, there are today a number of formal advisory committees under the Ministry of Foreign Affairs linked to different subject areas within WTO and the actual negotiations.

Besides the inclusion of interest organisations in the above committees, both the Ministry of Agriculture and Ministry of Fisheries are in frequent and close contact with the interest organisations in their respective policy areas. Both ministries consult the interest organisations on a regular basis. These meetings are more informal, and both Ministries hesitate to call these meeting and their "members" committees, and insist on the informal character of these meetings. None the less, the Ministries are in close contact and to some degree also dependent upon the interest organisations to be able to define national interests on issues which concern them both. Interest organisations are providers of technical know-how, and they are affected by the outcomes of the negotiations. They contribute to the formulation and interpretation of "national" interests, and also on how to judge possible effects of different policy proposals in the negotiation process (Langhelle, 2001, Aasen 2004, Langhelle 2005).

Government, with its Ministries, and especially the Ministry of Foreign Affairs, is no doubt the most important national actor in the Doha Round negotiations.

4.2 The role of Parliament in the WTO negotiations

The role of Parliament, however, should not be neglected. One of the most important roles of parliaments in general is to prioritise and balance conflicting political interests. This task is of the utmost importance in relation to legislation and decision-making, but it is arguably also important in relation to international organisations and negotiations. Parliament (*Stortinget*) have 'always' been involved with international matters from time to time. There is also a long tradition for Governments to consult Parliament in international negotiations, and the prerogative of the Government is modified by the principle of parliamentarianism, constitutional practice and common law.

Normally, when the Government has negotiated and signed a convention or treaty there is little the Parliament can do about it. Rejection of ratification could lead to dramatic consequences, and the Storting would hesitate to take the responsibility for such consequences. But when it comes to important conventions and treaties, the Government will have consultations with the Parliament before, and sometimes during, negotiations in order to secure majority support and to make sure that there will be no serious problems during the process of ratification. In relation to the WTO negotiations, the interaction between Government and the Norwegian Parliament have included

governmental accounts and statements, private members' bills, questions from MPs to government ministers and government consultations with *the Enlarged Committee on Foreign Affairs* (Langhelle and Rommetvedt 2004, Rommetvedt, Zajc and Langhelle 2009).

The Enlarged Committee consists of the ordinary members of the Standing Committee on Foreign Affairs, the President and the Vice President of the Storting, the chairman of the Standing Committee on Defence, and up to eleven members appointed by the Election Committee. Section 13 of the Rules of Procedure states that the task of the Enlarged Committee "is to discuss with the Government important foreign policy, trade policy and national security policy issues". Consultations should "take place before important decisions are made" by the Government. The Enlarged Committee is convened when the chairman finds it necessary, or at the request of the Prime Minister, the Minister of Foreign Affairs, or one-third of the members of the committee. The WTO negotiations have been discussed regularly during the Doha round negotiations (Langhelle and Rommetvedt 2004, Rommetvedt, Zajc and Langhelle 2009).

Apart from consultations in the Enlarged Committee, the most consistent and comprehensive interaction between the Government and the Parliament on WTO negotiations has been the governmental accounts and statements to the Storting followed by a plenary debate in the Parliament. It is on these occasions that the overall framework, negotiating positions, judgements and goals of the Government have been presented to and discussed with the Parliament. Since 1999, governmental accounts and statements on WTO-related issues have been presented to the Storting on six occasions. In addition, The WTO has been discussed in the general statement on foreign policy given by the Foreign Minister every year, and in statements on their respective jurisdictions presented by the Minister of Fisheries, the Minister of Agriculture and the Minister of Development. WTO questions have been touched on in accounts and debates related to other issues as well.

In the debates in Parliament following these statement there have been several confrontations over Norwegian bargaining positions during the present WTO round negotiations which concern the interpretation of national interests and the possibility of synergistic linkages. In a way, these controversies reflect a comment made by Minister of Foreign Affairs Knut Vollebæk prior to the Ministerial Conference in Seattle in 1999. He expected that Norway would be confronted with "difficult weighting and challenges

in the negotiations". In the following, we take a closer look at what has been defined as national interests, and what the difficult weighting and challenges in the negotiations are seen to consist of in the interaction between Government and Parliament.

5. Political parties and domestic preferences

The ideological orientation of the different parties in Parliament regarding trade liberalization is, also in Norway, correlated with the left-right dimension that dominates politics in many countries (Milner and Judkins, 2004). As such, it should matter which parties are in Government. The Norwegian multiparty system is based on cross cutting cleavages (Rokkan and Valen 1964, Rokkan 1967). Traditionally, the parties were positioned on the left-right axis like this: Socialist Left, Labor, Liberals, Christian People's Party, Centre Party, Conservatives, Progress Party. The Centre Party, however, has moved to a position close to the Socialist Left and Labor. The Progress Party is difficult to position due to its populist profile. In some issues they place themselves to the left of the Conservatives, in others to the right.

Another important cleavage in Norwegian politics is related to conflicts between centre and periphery. The formerly Agrarian Party has been named the Centre Party since 1959. The name reflects its central position on the left-right dimension, but in fact the Centre Party is a periphery party. It is positioned on the rural periphery side of the centre-periphery cleavage, followed by Christian People's Party, Socialist Left and Liberals. The Conservatives, Progress Party and Labor are positioned on the urban centre side.

The Progress Party, Conservatives and Labor are the parties most positively oriented towards the WTO and trade liberalization. The Progress Party in particular, but also the Conservatives are in favour of trade liberalisation in agriculture. The Labour Party is also in favour as the Christian People's Party and the Liberal Party, although to a lesser extent. The Centre Party is in favour of trade liberalisation except for agriculture. The Socialist Left Party is the most sceptical party to trade liberalisation in general. In other words, the different parties have quite different positions as to the direction and development of future agricultural policies.

During the DDA negotiations, the Progress Party is the party who most consistently has argued for a change in agricultural policy in Norway and substantial reduction in

domestic support to agriculture, followed by the Conservative Party. These positions are partly independent of the WTO negotiations. Although it is possible to argue that most political parties have accepted "the multi-functionality of agriculture" to some extent, there are nonetheless substantial differences in the *interpretations* of what it actually implies for agricultural policy in terms of economic transfers and structural changes. During the DDA negotiations, however, agricultural reform has to some extent been set on hold.

5.1 Governments and negotiating positions

Since the preparations for the new round started, Norway has had 5 different Governments. Only the two last ones are majority Governments. The three previous was minority governments. They are shown in table 1:

Table 1. Governments, Foreign Minister, Party of Foreign Minister, Parties in Government and dates of office

Government, Foreign Minister, Party of Foreign Minister	Parties in Government	Dates of Office
Red-Green Government (Stoltenberg III), Foreign Minister Jonas Gahr Støre (Labour)	Labour, Centre Party, Socialist Left	20 October 2009 -
Red-Green Government (Stoltenberg II), Foreign Minister Jonas Gahr Støre (Labour)	Labour, Centre Party, Socialist Left	17 October 2005 – 20 October 2009
The Bondevik II government, Foreign Minister Jan Petersen (Conservative Party)	Christian People's Party, Conservatives, Liberals	19 October 2001 - 17 October 2005
The Stoltenberg government, Foreign Minister Thorbjørn Jagland (Labour)	Labour	17 March 2000 - 19 October 2001
The Bondevik I government, Foreign Minister Knut Vollebæk, (Christian People's Party)	Christian People's Party, Centre Party, Liberals	17 October 1997 – 17 March 2000

Two things are prominent if one looks at the declared goals for the negotiations from the different Governments. One the one hand, they seem surprisingly stable. If we take Krasner's approach to identifying "National interest" as the point of departure, understood as the preferences of the central decision-makers of the state which are concerned with the general interests of the society which also have been consistent

ranked high in importance (Krasner, 1978:13:53), the bargaining positions in agriculture, NAMA and the concern for developing countries have been part of all the Governments declared goals for the negotiations. Despite the fact that five different governments have been in charge of the negotiations, governments and opposition parties emphasise that there is continuity and broad consensus with regard to Norwegian negotiating positions. There seems to be general agreement in the Storting on what several MPs speak of as "the mandate" from the Parliament. During the debate in the Storting in 2001, Foreign Minister Petersen concluded, as did the two Foreign Ministers before him, that "there is broad support in Parliament for the Norwegian positions in WTO". The Christian People's Party argued that "there is a line of continuity which characterises the orientations given by Vollebæk, Jagland and today Petersen". Moreover, former Labour Prime Minister Stoltenberg argued that "although governments change, the attitudes towards WTO negotiations remain the same". Nothing seems to have changed this general consensus. Still, we will argue that this is not the case.

The other prominent thing is that the Bondevik I Government supported a "broad round" of negotiations (which implied a new round of negotiations in Non-Agricultural Market Access (NAMA), including fish and fish products), and also a "single undertaking", meaning that "nothing is agreed until everything is agreed". This was met with some opposition within the Government from the Minister of Agriculture (representing Christian People's Party) and the Centre Party. The fear expressed by the Minister of Agriculture was that the agricultural interests could loose out and be traded off against the offensive interests (Langhelle, 2001). Being a minority Government, however, it would not be possible to settle for something else.

Paarlberg (1997), however, argues that there were few linkages made between agriculture and other sectors in the Uruguay round, that they did little to strengthen the terms of the agricultural outcome⁸ and that for the most part agriculture delayed conclusive outcomes in other areas. This result was, according to Paarlberg (1997), not surprising for the following reason:

"The inability of cross sector linkage to produce a stronger agricultural agreement should not have been a surprise, since farmer interests had been alert from the start to the threat of being sacrificed for gains in other sectors. As a means to avoid what they called 'unwarranted cross sectoral demands' they had insisted that the 1986

Punta Declaration contain an affirmation that 'balanced concessions should be sought within broad trading areas.' When the final bargains were being struck, very little cross-sector deal making was in evidence" (Paarlberg, 1997:425).

Wolfe (1998:95) on the other hand, argues that the principle of a single undertaking still played a crucial role in the Uruguay-round. It contributed in keeping agriculture a part of the negotiations. According to Wolfe (1995), the principle of a single undertaking functions as a integrative mechanism which shows "the interdependencies among 'issues' that make them a negotiable 'issue-area'" (Wolfe, 1998:95).

Contrary to the 1986 Punta Declaration, however, the Doha Declaration does not contain the affirmation that "balanced concessions should be sought within broad trading areas". Instead, there is an affirmation that the negotiations should lead to "benefits to all participants and to achieving an overall balance in the outcome of the negotiations" (WTO, 2001, WT/MIN(01)/DEC/1:10). The DDA negotiations therefore, at least on paper, seemed to open for more cross-sector deals and synergistic linkages.

Given the decision to support a broad round and a single-undertaking, the basic strategy was set. The strategy sanctioned by Parliament was to bring all Norwegian interests — both defensive and offensive — into the negotiation process, with the intention of increasing the likelihood of an outcome that would favour and balance Norwegian interests. Concessions should be balanced not only across, but also within different negotiating sectors, especially within agriculture. This "mandate" evolved from the outset as a result of the interaction between the Government and Parliament, and anchored the national positions within the "median groups" or majority in Parliament. In effect, this process also partly identified the national "win-set".

The "mandate" itself, however, has all along been loose and open to different interpretations, and ultimately the Government has a freedom to act autonomously within the domestic win-set (cf. Moravcsik 1993:24). It also created a situation were anticipated issue-linkages at the international level created the possibility of synergistic strategies for Government. This became an underlying concern in the national debates almost from the start, thus, expressing the fundamentals of two-level games dynamics.

5.2 Bargaining positions, Parliamentary debates and domestic synergistic linkages

The overall goals in agriculture and fish and fish products have - with some corrections – remained more or less the same during the DDA negotiations. Non-Trade Concerns (NTCs), or "the multifunctional and multifaceted nature of agriculture as a supplier of public goods such as rural settlements, food security and a living cultural landscape", have been the key approach of Norway to the negotiations on agriculture. The main goal of all the five Governments has been to "safeguard a national room for manoeuvre in relation to the shaping of agricultural policy using the measures necessary to maintain viable agricultural production throughout the country". For the NAMA negotiations, market access and tariff reductions have been the key targets. When it comes to actual bargaining positions, however, there have been some larger changes. In short, during the negotiations, Norway put more efforts into defending agriculture and less effort into market access for fish and fish products. This turn is partly explained with the Centre Party being part of the Red-Green majority Government (Stoltenberg II and III) from 2005 and onwards, and partly because of the developments in the international negotiations.

Norway, under the Bondevik II Government, started out quite aggressively in the NAMA negotiations. The Doha Mandate for market access was seen as "more ambitious than the mandates of previous rounds", and it should "lead to an overall bound level of reductions well in excess of the reductions achieved in the Uruguay Round through reduction and elimination of tariff and non-tariff barriers". Furthermore, Norway argued for "comprehensive product coverage without *a priori* exclusions", "tariff reductions across-the-board for all non-agricultural products, without excluding any sector or group of products from the initial offers". This it was argued "would best be ensured through a formula approach, which works across all tariff lines". In addition, higher tariffs should be reduced more than lower ones, and there should be a "ceiling" for all tariffs (WTO, 2002, TN/MA/W/7, 4. September). All of which was intended to secure market access for fish and fish products. Norway also argued strongly against prolonged implementation periods in developing countries:

"... a prolonged staging with small yearly reductions is likely to entail more in terms of administrative and other costs to both traders and governments, than the limited short term benefit that domestic industries may derive from such staging. Trying to soften the consequences of tariff reductions through prolonged or uneven staging, would therefore generally not be a productive way to go. So as to reap the

benefits from the negotiations, a short implementation period and a simple linear staging within such a period would be preferable" (WTO, 2002, TN/MA/W/7, 4. september).

In agriculture, it was the complete opposite. Norway argued for "limited MFN [Most-Favoured-Nation-Treatment] tariff reductions on ... key agricultural products". Moreover, a ceiling on tariffs was unacceptable and only small increases in tariff quotas was possible for "key agricultural products" (WTO, 2001/G/AG/NG/W/101:2-3). In addition, Norway wanted to continue both the blue and green boxes for domestic support. For amber box, Norway suggested that the Aggregated Measurement of Support (AMS) should be split in two:

"Based on existing bound commitments, AMS should be divided into two categories. The first category would consist of domestic support to agricultural production destined for the domestic market. Such support should be subject to less stringent reduction commitments. The second category would consist of AMS support to export-oriented production. This support should be subject to further reductions" (WTO, 2001/G/AG/NG/W/101:3).

Norway also recognized the need for "stricter disciplines" on export subsidies, export credits and food aid.

The "schizophrenic" nature of the Norwegian bargaining positions became part of the debates in the Storting on several occasions between 1999 and 2005. In this period, the criticism against the Bondevik I Government (1997-2000) reflects concerns over a too strong focus on agriculture at the expense of fish and fish products. The Progress Party, the Party most sceptical to development aid in Parliament, stressed on several occasions what they saw as the destructive effects of Norwegian agricultural policies for developing countries. It was also the first party to argue that Norway would lose credibility in the negotiations by pushing for as much trade liberalisation as possible in fisheries and as little as possible in agriculture. The Christian People's Party, with strong ideological sentiments towards developing countries and development aid, however, pointed to the difficult dilemma between Norwegian agricultural protection and the expressed need for agricultural exports opportunities for developing countries. The Conservative Party argued that the Government was placing too much weight on the defensive agricultural interests, or what the representative called "defensive special interests".

The Centre Party stressed the importance of maintaining the opportunity for national solutions in agriculture, and argued that it should be possible to safeguard both defensive and offensive interests without sacrificing any of them. The Minister of Agriculture argued that it would be unreasonable for Norway to give up any of its interests that early in the negotiation process.

During the Labour Government (the Stoltenberg Government 2000-2001), the statements given by Foreign Minister Thorbjørn Jagland put more emphasis on the offensive interests, including fish and fish products. On a question from the Conservative Party whether "Government was flexible enough in the agricultural negotiations so that real and open market access for fish and fish products could be achieved", the Foreign Minister replied that "at least temporarily, we must regard agriculture to be in a special situation [...] I am aware of, as pointed out by both the Conservatives and the Progress Party that this depends, of course, on how far we can get with fish and fish products. It is not so that we can take a maximum restrictive attitude when it comes to agriculture, and then the maximum opposite opinion when it comes to fish" (Langhelle, 2001). Although the positions on agriculture remained more or less the same, the Labour Government signalled increased flexibility in agriculture negotiations, if necessary in order to obtain concessions for fish and fish products (Langhelle 2001).

During the Bondevik II Government (2001-2005), were the Centre Party was replaced by the Conservative Party, the Centre Party indirectly questioned the willingness of the Conservatives to defend Norwegian agricultural positions in the negotiations, positions which the Conservatives would not necessarily defend in a purely national setting. The Foreign Minister concluded, however, that the negotiating positions were supported by a broad majority of the Parliament including the coalition parties, Labour and (with the exception of agricultural positions) the Progress Party. The only reservations came from the Centre Party and the Socialist Left Party (Langhelle, 2005).

During the Red-Green Government (2005-2009), with both the Socialist Left Party and the Centre Party in Government, the debates in Parliament concerning WTO became less frequent, partly as a result of the Government being a majority Government. The new Government also signalled a clear shift in trade policies. Although the "main lines" in foreign policy was to be continued, the new Government had "put weight on clear priorities in trade policies", one of them being "greater emphasis on the concern for national food security and other non-trade concerns in the negotiations on agriculture"

(Foreign Minister Jonas Gahr Støre, Letter to Parliament, 02.11.2005). This emphasis, it was stated, would become "visible over time and in different ways in the WTO negotiations" (Foreign Minister Jonas Gahr Støre, Letter to Parliament, 02.11.2005). As such, the new Government indicated a shift in priorities in the negotiations. This was also reflected in the Soria Moria Declaration, ¹⁰ the negotiated political platform for the Government. In addition, developing countries concerns was to given greater emphasis in the negotiations.

As such, it would be easy to conclude that the shift in emphasis was a pure reflection of domestic politics. This, however, is not whole case.

5.3 New alliances and international issue linkages

Three developments in the international negotiations seem to have contributed to the new emphasis in national priorities; the strong focus on agriculture, the new developing country alliances which developed prior to - and during - Cancún, and the issue-linkage between agriculture and NAMA which was officially recognized in the Hong Kong Ministerial Conference in 2005.

The focus on agriculture came as no surprise. Agriculture was part of the built-in agenda, and everybody new agriculture would be on the table. The proposals made by the US and the Cairns countries in 2002, however, were more radical than many expected. The proposal put forward by the Chair of the agricultural negotiations Stuart Harbinson in 2003 (first proposal 12 February 2003 and a revised proposal 18 March 2003), were seen as devastating for Norwegian agriculture. The Minister of Agriculture, Lars Sponheim stated in Parliament that "the dramaticue is nearly total".

Moreover, the breakdown of the negotiations Cancún 2003 had a tremendous impact on the further negotiations. The reasons for the collapse are many (see Hussain 2004, Langhelle 2005, Baldwin 2006, Narlikar and Wilkinson 2004, Wilkinson 2004, 2006), but agriculture was surely one of them. The joint text proposed by the EU and the US was met with strong reactions. The text was more or less considered as a *fait accompli*, resembling the "Blair House Agreement" between the EU and US in 1993 which was the foundation for the existing agricultural agreement. As a result, two new alliances in agriculture were born in Cancún; G20 and G33.

G20, lead by Brazil, was established on 20 August 2003, in the final stages of the preparations for Cancún. It is an alliance focusing on agriculture, what the G20 on their home page refer to as "the central issue of the Doha Development Agenda". Contrary to the Cairns group, G20 is a developing country only alliance, "currently integrated by 23 member countries: 5 from Africa (Egypt, Nigeria, South Africa, Tanzania and Zimbabwe), 6 from Asia (China, India, Indonesia, Pakistan, Philippines and Thailand) and 12 from Latin America (Argentina, Bolivia, Brazil, Chile, Cuba, Ecuador, Guatemala, Mexico, Paraguay, Peru, Uruguay and Venezuela)". Since its establishment, the G-20 has become a central and key actor in the agricultural negotiations. The Group was "born to ... avoid a predetermined result at Cancun and to open up a space for negotiations in agriculture. In that occasion, the Group's main objective was to defend an outcome in the agricultural negotiations which would reflect the level of ambition of the Doha mandate and the interests of the developing countries." These interests are first and foremost market access and the reduction of domestic support in developed countries.

For Norway it implied that developing countries positions suddenly clashed more than ever before with its own interests in agriculture.

G33 represented a much easier alliance for Norway. It was established in the beginning of 2003 when the Philippines and Indonesia established an alliance on "Special Products" and "Special Safeguard Measures" (SSM) to protect national agricultural production, although as part of the Special and Differential treatment to *developing* and *least-developed countries*. G33 nonetheless focus on non-trade concerns which are central also to Norway; food security, livelihood security and rural development. The alliance is a "single-issue alliance", focusing only on aspects of the agricultural agreement, Special Products (SP) and Special Safeguard Mechanism (SSM). Thus, it has also been called the "SP/SSM-alliance" (Bernal, et al., 2004:19).¹²

For Norway, G33 did not represent a threat in the same manner as G20. In fact, members of Parliament from the Centre Party and Socialist Left argued that Norway should seek alliances with net-importing countries like the ones in G33. Other saw this as rather absurd, pointing to the fact that Norway is amongst the richest countries in the world (Langhelle, 2005).

Before Cancún the issue-linkages between the agriculture and NAMA also became visible. In the meeting in the *Negotiating Group on Market Access* prior to Cancún,

market access and agriculture was explicitly linked by five countries; Thailand, Egypt, Argentina, Uruguay and Philippines (WTO, TN/MA/M8 2003). The Philippines argued that "the essential linkage of non-agricultural negotiations to agriculture negotiations should never be lost" (WTO, TN/MA/M8 2003:36). Uruguay evaluates the proposed formula in NAMA negotiations the following way: "...on the understanding that the same level of ambition would prevail in other areas of the negotiations, particularly in agriculture" (WTO, TN/MA/M8 2003:33). Argentina argued that they were especially interested in the agricultural negotiations and argued for "positive linkages" in the following sense: "... strong advances in agriculture would lead to equally strong advances in non-agricultural products" within the framework of a "single undertaking" (WTO, TN/MA/M8 2003:30). The statement from Thailand indicated that agriculture effectively could block progress in all other areas of the negotiations. It is "difficult if not impossible for Thailand to accept such elements [the proposed formula, sector elimination, including fish and fish products] without knowing the level of ambition in the agricultural negotiations" (WTO, TN/MA/M8 2003:13).

Between Cancún and the Ministerial Conference in Hong Kong 2005 the NAMA negotiations appeared in "perpetual deadlock". As described by Wilkinson (2006:294):

"members clashed on the structure of the discussions, the relative merits of pursing single-sector (rather than cross-sector) negotiations, the tariff-cutting formula to be deployed (with the majority of the industrial states favouring the simple 'Swiss' formula – a method of cutting tariff levels across all sectors – while most developing countries pushed for 'less than reciprocity'), and the July 2005 deadline for agreement on the basic structure of the NAMA negotiations was missed."

In Hong Kong, expectations were scaled back. And from the outset, it was clear that movement in NAMA, for the developing countries, "was contingent on movement in the agricultural negotiations" (Wilkinson, 2006:297). Thus, the Hong Kong text, § 24, explicitly linked the level of ambition in agriculture and NAMA:

24. We recognize that it is important to advance the development objectives of this Round through enhanced market access for developing countries in both Agriculture and NAMA. To that end, we instruct our negotiators to ensure that there is a comparably high level of ambition in market access for Agriculture

and NAMA. This ambition is to be achieved in a balanced and proportionate manner consistent with the principle of special and differential treatment.¹³

According to the Ministry of Foreign affairs summary from Hong Kong, it was the G20 who insisted on this linkage. Norway tried several times to get it removed, but "succeeded only partially". The motivation to get it removed, however, was not a concern for NAMA, but a concern for agriculture. As stated: "For Norway this linkage represents the weak part of the agricultural text, but it is positive that the conference has not focused on the tariff ceiling". ¹⁴ Thus, it also reflected the concerns of the new Government – agriculture had become more important than fisheries. But it also implied that the NAMA negotiations were effectively blocked by the agricultural negotiations. And the only key to unlock the deadlock was progress in agriculture, with the possibility of the losses outweighing the gains for Norway.

6. Explaining Norwegian bargaining positions and the balancing of interests

Issue-linkages represent constraints and opportunities in both the national and international negotiations. As we have argued, the Norwegian negotiating strategy in the negotiations have been to bring all Norwegian interests – both defensive and offensive – into the negotiation process, with the intention of increasing the likelihood of an outcome that in the end would be acceptable to Norwegian interests. As we have seen, there has been a general consensus on the overall goals, but differences between different Governments priorities. Governments that include the Centre Party seem more inclined to emphasise agriculture. Governments without them seem more inclined to emphasise fish and fish products. As such, domestic politics explains part of the changes in negotiating strategies and positions.

We have, however, identified elements in the international bargaining processes which contribute to push Norway in the direction of emphasising agriculture. The strong focus on agriculture, new alliances and the issue-linkages all place Norway in a position were it seems necessary to resort to defend the defensive interests in agriculture. Given the developments in the international negotiations, agriculture is the key issue. The difficult part is to say something substantially and analytically about the gains and losses of the "almost deal". How has different interest been balanced or traded off? How has

different interests been taken into account? From which criteria should one judge such a deal when the opinions are so diverse?

The majority in Parliament will judge it from what can be called the Norwegian national first-order trade interest. If one again takes Krasner's view of the national interest as the point of departure, there is one preference which can be seen as representing both the general interests of the society and which has consistently been ranked of the highest importance: the national interest in the multilateral trading system itself. The overall aim of strengthening the multilateral trade system played a key part in relation to the Uruguay round and the creation of WTO (St.prp. nr. 65, 1993-94:10). It points to the fact that a multilateral trading system is of great importance to Norway with a very open and outward-oriented economy. Common rules for world trade which ensures access for Norwegian goods and services to other countries' markets on non-discriminatory terms. Increased trade liberalisation and the WTO system as the main pillar for international trade are seen as vital for Norwegian national interests as a small country (St.prp. nr. 65, 1993-94:10).

The following from the statement by Foreign Minister Vollebæk in November 1999, given prior to the WTO Ministerial Conference in Seattle, can be taken as an example of this national interest:

"In view of our small and very open and outward-oriented economy, the multilateral trading system is of great importance to Norway. It provides common rules for world trade and ensures access for Norwegian goods and services to other countries' markets on non-discriminatory terms. Further development and strengthening of the WTO rules is in our interest. It is also in our interest that the WTO system functions as the main pillar for international trade. The forthcoming WTO negotiations are therefore of crucial importance to Norway".

The same arguments have been stressed in all accounts on WTO to Parliament. In *The Government's Trade and economic policy report* (Ministry of foreign Affairs, 2009), "a stable multilateral rules based trading environment based on the WTO" is described as the first fundamental element of Norwegian trade policy.

As such, when the balance eventually is to be struck, the gains and losses counted, this first order interest will play an important part in the equation. Thus, sectoral interest has

to be weighted against the multilateral trade system itself. This is also one reason for arguing that the coordinated efforts among nation states in WTO to further develop a rule-based regime for international trade, effectively undermines the traditional division between national and international politics, and complicates the identification of *the* national interest. On the one hand, domestic politics partly explain bargaining positions and national interests, or what can be called the internalisation of domestic politics. On the other hand, the sheer *anticipation* of issue-linkages at the international level, and the possibility that Government thus *may* actively follow a synergistic strategy play into domestic politics. This can be called the domestication of international politics (Langhelle and Rommetvedt, 2004). Both processes make it more difficult to identify the national interests.

At the same time, there is no doubt that the coalition building among developing countries during the Doha Development Round and the trade interests these coalitions has advocated, has made it harder for Norway to reconcile its trade interests with the concern for developing countries and to justify that developing country interests are taken into account. Norway has addressed developing country concerns in a number of areas. In May 2001, Norway announced that it would offer duty-free and quota-free treatment to all of Least Developed Countries' (LDCs) exports (except arms) with no transition arrangements for any product with effect from 1 July 2002. In 2008, Norway extended this to 14 low-income developing countries with a population less than 75 million people. Imports from these countries, however, constituted less than 1 per cent of total agricultural imports in 2008. Seen from the perspective of a developing country which *really can* export agricultural products, like Brazil, this hardly qualifies as taking developing countries concerns into account.

The question of taking developing countries concerns into account has not only played out across the left-right axis, and between agricultural interests and free-trade interests, but it has also split the Norwegian NGO community to such an extent that the umbrella NGO Norwegian Forum for Environment and Development (ForUM), a network of more than 50 non-government organizations that focus on environment, development and peace, has been unable to reach common conclusions on the issue.

It is also interesting to note that the development aspect of the Doha development round played an important role in Parliament in another context than the WTO negotiations. The context here was the more general context of globalisation. In its treatment of the

White Paper on globalisation (White Paper No. 19, 2002-2003) which analyses and discusses the effects and challenges of globalisation, all parties in the Standing Committee on Foreign Affairs - except the Centre Party - supported the view that all forms of export subsidies and dumping of food from developed countries should end, and that rich countries should commit themselves to reductions in trade distorting domestic support to agriculture.

This move can be seen as a reflection of the positions of G20 and was probably made possible because of the change of context – from Norwegian bargaining positions in WTO to the more general effects of globalisation. Immediately afterwards, however, the representatives from the different parties in Government started disagreeing on the implications for Norwegian bargaining positions of the decision made in Parliament. Then Foreign Minister Jan Petersen (Conservatives) argued that it made the mandate from Parliament more flexible in the negotiations on agriculture, an interpretation that was challenged by the Minister of Agriculture, Lars Sponheim (Liberals) and by Parliamentary Leader for the Christian Peoples Party, Jon Lilletun.

This conflict, bluntly put, were some argue in accordance with G33 and some in accordance with G20, seem to both persistent and increasing in tension.

In these political processes, the role and function of Parliament is also important. The involvement of the Norwegian Parliament in foreign affairs should be seen in light of the somewhat paradoxical relationship between *consensus* and *conflict*. Traditionally, Norway has been considered to be a "consensual" democracy (Elder et al 1982, Luebbert 1986). Consensus has been, and still is, a strong political norm in relation to foreign policy. National unity has been seen as crucial for the protection of the national interests of a small country (Løvold 2002). The combination of an increased level of conflict in the Storting and the need for, and norm of, consensus in foreign affairs has made it important for the Government to anchor WTO negotiating positions in the Parliament.

In a political system based on the principle of Parliamentarianism, Government needs to be accepted by Parliament. Besides accepting Government, Parliament plays an important role in relation to the international negotiations as an *interpretator of the* national interest(s). Moreover, it can be argued that Parliament has had decisive influence on the bargaining positions taken by Government even under majority Governments, not only on positions in agriculture and fisheries, but also on other issues.

Seen from an international perspective, however, and taking into account consensus and conflict in the Norwegian political system, the differences in policy preferences between the left and right in Norwegian politics, can arguably be said to be relatively small. The Progress Party and the Conservative Party, and sometimes also the Labour Party, have argued for changes in agricultural policies which are closer to the opposing countries in the WTO negotiations than what the national bargaining positions have been. It is evident, however, that the distance between the positions of G20 in agriculture and positions of the Norwegian political parties is much greater than the distance among the Norwegian political parties. Even the EU/US proposals in agricultural that are closer to the Norwegian positions are highly problematic for most political parties in Norway. Since both the Conservative Party and the majority in the Labour Party, however, argue for Norwegian membership in the EU, both of these parties would arguably be willing to move towards the EU positions in agriculture.

Moreover, the parties who are most critical towards the current agricultural policy, the Progress Party, the Conservative Party and the Labour Party, who in fact have a majority in Parliament, are unable to form an alliance on agriculture because of the traditional left-right cleavage in Norwegian politics. And last but not least, all parties in Parliament have an interest in avoiding tariffs cuts which evidently would put more pressure and demand for support over the national budget. This is also why the tariffs are seen as crucially important for the farmers associations. They fear that if the border protection falls, the politicians will most likely not fully compensate them.

7. Concluding remarks

As argued by Hveem (1994:261), in an open, small economy as the Norwegian, domestic politics is to a large extent foreign politics – and the other way around. The bargaining positions in agriculture, NAMA and concern for developing countries can therefore be conceived within the framework of two-level games, possible issue-linkages and synergistic linkages, real and unreal, both domestically and internationally, are important for what is conceived as the opportunity set within the WTO negotiations. It influences and in many ways serves as a framework for the political struggles over national bargaining positions in the WTO negotiations with the dynamics of two-level games. As such, issue-linkages and two-

level games are import explanatory factors for explaining the positions taken by Norway in the WTO negotiations.

As we have seen, Milner's (1997) approach provides a valuable point of departure for understanding national bargaining positions. The Norwegian bargaining positions also seem to fit nicely with Frieden and Rogowski's (1996) explanation based on the comparative advantages and predictable effects of changes in relative prices by possible outcomes of trade negotiations. It does not necessarily, however, explain the balancing of defensive and offensive interests which is found in the Norwegian bargaining positions. Neither Katzenstein's (1985) argument that protectionism is not a viable option for small countries, nor Milner's (1997) and Puntnam's (1988) argument that state can use international pressure and international bargaining processes to achieve goals which it otherwise would not be able to do, is necessarily supported in the Norwegian case. Agriculture is still highly protected, and the Government is doing what it can to keep it that way. There is little support for a claim that Government acts in order to create, support and strengthen international pressure on agriculture – that is, follows a synergistic strategy. The bottom-line is expressed the following way by Foreign Minister Jonas Gahr Støre:

"While our agricultural sector may be small in terms of its economic impact, agriculture is vital in many other respects beyond food production, employment, economics and environment, not least by constituting the backbone of our rural communities. This is why we need a result that is not tailored to somebody else's red lines, but a package that will enable us to maintain a viable agricultural sector throughout our long country. That is the bottom line" (TNC meeting Geneva, 21.07.2008).

Government and Parliament, however, cannot be blind to international pressure. It is no doubt that the effects of a further liberalisation of trade in agriculture would affect Norwegian farmers more than any other group. As such, even parties in Parliament who would, if they had the chance (the possibility of majority in Parliament), implement farm policies closer to the opponents in WTO in terms of reduced transfers to agriculture and increased liberalisation of trade, seem inclined to compromise, support and act on behalf of the affected *national* interests. But the possible gains from synergistic linkages and maintaining the higher order national interest of strengthening the multilateral trade system is what forces movement in the national bargaining

positions. Given the assumption that relative market size is the underlying source of bargaining power (Steinberg, 2002), the compromises and the balancing of interests at the final stage of the negotiations may be taken by the powerful states and not the Norwegian Government and Parliament. Within these constraints, Government is doing what it can to mediate between domestic and external pressures in search for the national interests.

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¹ Issue-linkages can be formally defined as a linking of transaction conditions in one sector to conditions in one or more other sectors. It implies that actors can exchange interests or control over interests across sectors (Hveem, 1994:228). As such, it is evident that issue-linkages represent both possibilities and constraints. Moreover, it is clear that issue-linkages can occur both domestically and internationally and that issue-linkages challenges national interest(s).

² The 10 working groups were on services, agriculture, TRIPS, trade and environment, trade and competition, trade and investments, public procurements, market access, electronic trade and working standards.

³ In some areas it was concluded that Norwegian interests were "considerable offensive". They included shipping, offshore services, telecom, IT-related services and environmental services within the General Agreement on Trade in Services (GATS). Moreover, it included further liberalisation of trade in industrial

products, including fish and fish products. We will, however, only discuss agriculture, NAMA and developing countries concerns.

http://www.regjeringen.no/nb/dep/ud/aktuelt/taler_artikler/utenriksministeren/2008/wtoutvalg.html?id=52 6057. Accessed 8 February 2010.

- ⁵ Milner (1997) distinguishes between states as unitary actors at the one end of a continuum, where domestic politics is organised hierarchically, with a single actor at the top making the final decisions. At the other end, is anarchy, an absence of hierarchy or a situation where each actor has veto and makes it own policy choices.
- ⁶ The businesses of the Enlarged Committee on Foreign Affairs are kept secret. The Enlarged Committee may put recommendations before the Storting, but that is not normally the case. At the request of at least six members, matters on the agenda of a meeting of the Enlarged Committee are put before a meeting of the Storting. The Storting decides (in camera) whether such a meeting shall be held in public or in camera (Langhelle and Rommetvedt, 2004).
- ⁷ The statements and minutes of the debates can be found on www.stortinget.no.
- ⁸ There is little doubt that Paarlberg (1997) would prefer a more liberalisation in agriculture. Thus, the claim that the Uruguay round did little to "strengthen the terms of the agricultural outcome" must be understood in terms of further liberalisation.
- ⁹ A review of the anti-dumping rules as part of the new round was considered as especially important for the fisheries sector.
- ¹⁰ See: http://www.regjeringen.no/upload/SMK/Vedlegg/2005/regjeringsplatform_SoriaMoria.pdf.

 Accessed 8 February 2010.
- ¹¹ See: http://www.g-20.mre.gov.br/history.asp Accessed 8 February 2010.
- Members of the G-33 are Antigua and Barbuda, Barbados, Belize, Benin, Botswana, Bolivia, China, Cote d'Ivoire, Congo, Cuba, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, India, Indonesia, Jamaica, Kenya, Korea, Madagascar, Mauritius, Mongolia, Mozambique, Nicaragua, Nigeria, Pakistan, Panama, The Philippines, Peru, Saint Kitts & Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sri Lanka, Suriname, Tanzania, Trinidad and Tobago, Turkey, Uganda, Venezuela, Zambia and Zimbabwe.
- ¹³ See: http://www.wto.org/english/theWTO e/minist e/min05 e/final text e.htm. Accessed 8 February 2010.
- See: http://www.regjeringen.no/nb/dep/ud/aktuelt/nyheter/2005/wto-motet-i-hong-kong-avsluttende-oppsum.html?id=444605. Accessed 8 February 2010.
- 15 See:

http://www.regjeringen.no/nb/dep/ud/aktuelt/taler_artikler/utenriksministeren/2008/tnc.html?id=522190. Accessed 8 February 2008.

⁴ See:

3 Doha-runden i WTO: Norske interesser, posisjoner og tilpasninger

Av Arild Aurvåg Farsund

1. Innledning¹⁶

Medlemslandene i verdens handelsorganisasjon, eller WTO, har siden november 2001 forhandlet om en omfattende utvidelse av den handelsavtalen som ble inngått i 1994. Når, eller hvis partene blir enig om en avtaletekst, vil den nye avtalen bl.a. påvirke handelen med tjenester, industrivarer (inkludert fisk) og landbruksprodukter. For Norge vil en avtale i den såkalte Doha-runden (etter stedet hvor forhandlingsmandatet ble fastlagt) særlig utfordre handlingsrommet til landbruks-, fiskeri- og havbruksnæringene. Næringene vil imidlertid bli påvirket på ulikt vis, og det er de politiske implikasjonene av dette som er tema for artikkelen.

I artikkelen vil vi argumentere for at det er de landbrukspolitiske interessene som har hatt størst innflytelse på den norske WTO-posisjonen de siste årene. Dette er dels en konsekvens av hvilke spørsmål som har dominert de internasjonale forhandlingene, men det er også sentralt at de partiene som tradisjonelt har støttet landbruksnæringen har hatt stor innflytelsen på hvilke strategier norske myndigheter velger når de avveier ulike innenriks- og utenrikspolitiske interesser i WTO-forhandlingene. Samtidig er det også klart at landbruket er den næringen som i størst grad har blitt påvirket av bestemmelser fastlagt i WTO. I den sammenheng er det sentralt at den institusjonelle utforming av jordbruksforhandlingssystemet viktig for hvordan tilpasningene til WTO gjennomføres i praktisk politikk.

I Norge har landbrukspolitikken tradisjonelt blitt utformet innen rammene av etablerte korporative institusjoner. Dette har gitt næringsorganisasjonene stor innflytelse på utformingen av politikken, og sikret at næringen har kunnet produsere matvarer for et beskyttet hjemmemarked (Farsund 2004). Utformingen av norsk landbrukspolitikk utfordres i økende grad av internasjonale rammebetingelser (Veggeland 2002, 2004, Langhelle 2005). Næringen er imidlertid fortsatt avhengig av den nasjonale politikkutformingen, og det har de siste årene vært betydelig politisk uenighet om tempoet og retningen på tilpasningene. Det meste av de korporative ordningene for fiskerinæringene ble derimot bygd ned på 1990-tallet (Hernes 1999). Fiskeri- og havbruksnæringen opererer på et konkurranseutsatt marked internasjonalt og det viktigste politiske spørsmålet er økt markedsadgang i andre land. I Norge er det bred politisk konsensus om at dette er et prioritert område i handelspolitikken.

Den norske forhandlingsposisjonen i Doha-runden er basert på det vi kan kalle et triangel av delvis motstridende og delvis sammenfallende interesser. For det første har Norge defensive interesser på landbruksområdet. Ut fra såkalte ikke-handelsmessige hensyn ønsker Norge å beskytte landbruket mot økt importkonkurranse. For det andre har Norge offensive interesser når det gjelder industrielle produkter, inkludert fisk og fiskeprodukt, kjent som NAMA-forhandlingene. Norge har også en rekke offensive interesser innen tjenesteområdet. På disse områdene søker Norge markedsadgang og handelsliberalisering. For det tredje ønsker norske myndigheter å arbeide for at de fattigste landene skal få styrket sine utviklingsmuligheter gjennom en handelsavtale som tar hensyn til de utfordringer som den tredje verden står overfor. Samtidig har tidligere studier av den norske WTO-strategien konkludert med at et av de viktigste målene til norske myndigheter i Doha-runden er å støtte opp om det multilaterale handelssystemet (Langhelle 2005).

Artikkelen har følgende oppbygging. I del to presenteres teori, forskningsspørsmål og datagrunnlag. Del tre er en kort analyse av hvordan den første WTO-avtalen fra 1994 påvirket innholdet i norsk politikk og særlig hvordan avtalen la føringer på handlingsrommet i landbrukspolitikken. I del fire analyserer vi utviklingen i Doharunden fra den vanskelige starten, gjennom forhandlingenes ulike stadier til dagens situasjon hvor det er motsetninger mellom handelsstormaktene internasjonalt som blokkerer for en ny avtale. I den sammenheng trekker vi også inn hvordan utviklingen i forhandlingene og i norsk politikk har påvirket de norske posisjonene. I del fem analyseres hvordan WTO-spørsmål har påvirket landbruksoppgjørene i perioden 2001 til 2009. Til slutt i del seks oppsummeres analysene og konklusjoner trekkes i forhold til forskningsspørsmålene.

2. Teori, forskningsspørsmål og datagrunnlag

WTO utfordrer norsk politikk på flere områder. I landbrukspolitikken er utfordringen at avtalen legger begrensninger på bruken av ulike økonomiske virkemidler overfor næringen. For fiskeri- og havbrukspolitikken utgjør WTO først og fremst en mulighet for å skaffe økt markedsadgang gjennom tollreduksjoner på viktige eksportmarkeder. I handelspolitikken er utfordringen at norske myndigheter både skal forsvare konkrete økonomiske interesser, og samtidig støtte opp om arbeidet for å videreutvikle det internasjonale rammeverket for handel. For å analysere og forstå hvordan norsk politikk påvirkes av denne type internasjonale rammebetingelser trenger vi teoretiske perspektiver som kan bidra til å forklare den observerte utviklingen. I den sammenheng vil vi ta utgangspunkt i det rasjonelle og det normbaserte institusjonsperspektivet fra nyinstitusjonell teori (Peters 1999).

I det rasjonelle perspektivet, som også omtales som det interessepolitiske perspektivet, representerer de politiske institusjonene formelle repertoarer av spilleregler og insentiver for strategisk kalkulerende aktører (Scharpf 1997). Aktørene, som i Scharpfs perspektiv kan være kollektive aktører som organisasjoner og partier, handler ut fra en konsekvenslogikk der målet er å få størst mulig gjennomslag for egne interesser. Aktørenes preferanser er eksogene og gitt uavhengig av institusjonene, men valgmulighetene deres er påvirket av de institusjonelle rammebetingelsene som eksisterer innfor det aktuelle politikkområdet, og nasjonal politikk mer generelt. I dette perspektivet er politiske forhandlinger aggregative, og aktørenes makt i form av ressurser og posisjoner er avgjørende for om, eller eventuelt i hvilken grad de får gjennomslag for sine krav og interesser.

I lys av dette perspektivet dreier norsk WTO-politikk seg om interessehevding. Det er det politiske flertallet i Stortinget som avgjør hvordan forhandlingsposisjonene skal utformes, hvilke tilpasninger som skal gjøres underveis i forhandlingene, hvilken avtale Norge kan slutte seg til og hvordan avtalens bestemmelser skal iverksettes i nasjonal politikk. I den sammenheng er de ulike konfliktlinjene i norsk politikk sentral (Rokkan 1987). Vi vil særlig rette oppmerksomheten mot i hvilken grad de tradisjonelt landbruksvennlige sentrumspartiene, og da særlig Senterpartiet og Kristelig folkeparti, har hatt innflytelse på utformingen av norsk WTO-politikk. Videre vil vi drøfte i hvilken grad eksportinteressene til fiskeri- og havbruksnæringen har fått innflytelse på

de norske posisjonene i Doha-runden. Vi vil også undersøke hvordan disse innenrikspolitiske interessene blir avveid i forhold til de utenrikspolitiske spørsmålene, som støtte til utviklingslandene og de internasjonale handelspolitiske institusjonene.

I det normbaserte perspektivet er institusjoner formelle og uformelle normer, regler og rutiner som setter rammer for samhandling mellom aktører. Hvis det eksisterer klare normsett legger disse føringer på aktørene når det gjelder hvilke vedtak som er passende og dermed mulig å gjennomføre (March og Olsen 1989). Aktørenes preferanser er i stor grad endogent preget av de institusjonene de er tilknyttet. Utviklingen følger bestemte "stier" der tidligere beslutninger og valg av løsninger innskrenker valgmulighetene som aktørene har i nye beslutningsprosesser. Historien kan oppfattes å være "inneffektiv" i den forstand at politiske institusjoner ikke raskt og uten kostnader blir tilpasset styrte reformer eller endrede omgivelser og rammebetingelser (March og Olsen 1989). Politiske forhandlinger innen etablerte institusjonelle rammer er ofte integrative og preget av at aktørene har et felles ønske om å komme frem til løsninger som alle kan slutte seg til. Det betyr ikke at interesser og strategier er uviktige, men at de formes av de institusjonelle forutsetningene forhandlingene foregår innenfor.

Ut fra dette perspektivet dreier norsk WTO-politikk seg bl.a. om å finne frem til tilpasninger som er i overensstemmelse med det som er akseptabelt innen det landbrukspolitiske segmentet. Ideen om at norsk politikk kjennetegnes av ulike segmenter eller politikkområder ble utviklet av den første maktutredningen (Egeberg et al. 1978). Selv om mye er endret i norsk politikk generelt og landbrukspolitikken spesielt, kan det hevdes at den overordnede forståelsen av dette politikkområdets viktighet lever videre mellom organisasjonene, forvaltningen og landbrukspolitikere fra ulike partier (Farsund 2004). Vi vil særlig rette oppmerksomhet mot i hvilken grad WTO-spørsmålene har påvirket innholdet i de jordbruksoppgjørene som har blitt gjennomført parallelt med forhandlingene i Doha-runden. Vi vil se etter direkte tilpasninger i virkemidler og målsetninger, men også se etter eventuelle indirekte tilpasninger gjennom endringer i de økonomiske rammene for næringen.

De to teoretiske perspektivene vil i det følgende danne utgangspunkt for en drøfting av i hvilken grad og hvordan WTO påvirker norsk politikk. Diskusjonene vil først og fremst bli strukturert rundt de interessebaserte sidene ved WTO-tilpasningen, men vi vil også diskutere den betydning de institusjonaliserte normene i landbruksforhandlingssystem kan ha for norsk WTO-tilpasning. Analysene vil rette oppmerksomheten mot hvordan WTO har påvirket nasjonal politikk fra iverksettingen av avtalen fra Uruguay-runden i 1994 til situasjonen rundt Doha-runden ved årsskiftet 2009-2010. I den sammenheng vil vi analysere hvordan ulike parti-, nærings- og handelspolitiske interesser har blitt håndtert på viktige tidspunkt i denne perioden.

Studiens datagrunnlag er tredelt. For det første er det offentlige dokumenter fra Storting og regjering, som meldinger, proposisjoner og referatet fra debatter i Stortinget. For det andre er det data fra intervjuer med nøkkelinformanter nasjonalt og internasjonalt. I 2008 ble det er gjennomført i alt 21 intervjuer med representanter fra EU Kommisjonen i Brussel, utvalgte delegasjoner i Genève og fra forvaltningen, politiske partier og interesseorganisasjoner i Oslo. For det tredje er det sekundærkilder som bøker,

rapporter, notater og artikler som tar opp WTO, Doha-runden og den internasjonale handelspolitikkens betydning for Norge.

3. Uruguay-runden i norsk politikk

Da den åttende forhandlingsrunden i GATT¹⁸ startet i Uruguay i 1986, var det enighet om at denne gangen skulle også handel med landbruksvarer trekkes inn i avtalen. Et viktig utgangspunkt var at OECD-landene var enige om at den nye avtalen skulle inneholde retningslinjer som kunne redusere overproduksjonen, og få ned overføringene som tynget statsregnskaper med store underskudd (Farsund 2004). Uruguay-runden tok lengre tid enn det som var planlagt, og det var særlig innretningen på landbruksområdet som var vanskelig. Den 15. april 1994 undertegnet 111 land sluttakten. Avtalen innebar opprettelsen av WTO, med et eget sekretariat i Genève, Sveits.

Avtalen var på mange måter et kompromiss mellom de to dominerende handelsmaktene USA og EU. Den gjenspeilte dermed den internasjonale økonomiske maktbalanse midt på 1990-tallet (Daugbjerg 2008). En langsiktig målsetning med avtalen var å skape mer markedsorienterte handelsordninger for jordbruksvarer. Gjennom avtalen forpliktet medlemslandene seg til å innføre et tollbasert importvern i løpet av en seksårig gjennomføringsperiode fra 1.1. 1995. Med utgangspunkt i nivået fra perioden 1986-88 skulle tollsatsene reduseres med 36 prosent i løpet av iverksettingsperioden. Avtalen innebar at industrilandene måtte gi (små) importkvoter for de fleste matvarer. Det ble også innført restriksjoner på mulighetene til å gi subsidier til eksport av overproduksjon (dumping).

Det ble videre utformet et system for reguleringer av overføringene til landbruket, og for noen typer av disse var det klare reduksjonsforpliktelser. Støtten ble delt inn i tre kategorier eller "bokser". *Gul boks* er skjermingsstøtte og annen produksjonsavhengig støtte som ble regnet som særlig handelsvridende. Denne støtten skulle reduseres med 20 prosent i gjennomføringsperioden, og dette nye "taket" ville begrense overføringene når avtalen var iverksatt. *Blå boks* er områder som egentlig skulle ligget i den gule "boksen", men som ble unntatt fra reduksjonsforpliktelsene fordi det særlig dreier seg om direkte utbetalinger under produksjonsbegrensende programmer. *Grønn boks* er støtte som ikke har effekt på produksjon og handel, og det dreier seg hovedsakelig om ulike velferdsordninger og miljøstøtte som det ikke ble krevd reduksjoner for. Et siste punkt var at avtalen innholdt en forpliktelse om at landene skulle starte en ny forhandlingsrunde om tollreduksjoner på landbruksvarer ved innføringsperiodens utløp, dvs. fra 2001 (Sivertsen 1998: 201).

Norske myndigheter startet tidlig med å forberede landbruket på nye nasjonale og internasjonale rammebetingelser. I 1987 ble det nedsatt et offentlig utvalg som skulle utrede mulige reformer. I desember 1990 la det såkalte Alstadheim-utvalget frem sin utredning. Landbruksdepartementet utarbeidet en egen stortingsproposisjon²⁰ som både skulle følge opp utredningen og internasjonale rammebetingelser i rask endring. Under stortingsbehandlingen stilte et klart flertall fra Arbeiderpartiet, FrP og Høyre seg bak et ønske om reformer som kunne tilpasse norske ordninger til forventede

internasjonale krav. KrF, Sp og SV stemte mot mange av de foreslåtte endringene, og støtte på den måten bondeorganisasjonenes kritikk av reformene (Farsund 2004).

WTO-avtalen ble ratifisert gjennom Stortingets behandling av St.prp. nr. 65 (1993-94): Om resultatet av Uruguay-runden. Avtalen medførte at norsk landbrukspolitikk ble regulert av et internasjonalt handelsregime. Det politiske konfliktnivået var imidlertid lavt denne gangen, og det var kun tre enkeltrepresentanter som stemte mot da avtalen ble vedtatt i Stortinget. Forklaringen er dels at WTO ble oppfattet å være noe Norge var tvunget til å akseptere, og dels at avtalen på kort sikt ikke ville medføre store endringer for norsk landbrukspolitikk (Veggeland 2001: 421).

Arbeiderpartiregjeringen valgte å iverksette avtalen uten overgangsordninger fra 1. juli 1995. Det var flere grunner til dette. For det første ønsket regjeringen reell konkurranse i det norske markedet. Dette ble imidlertid ikke realisert, for kravene i Uruguay-avtalen innebar ikke noen stor trussel mot norsk matproduksjon. Det var mye "luft" i de nye tollsatsene, dvs. forskjellen mellom norsk pris og prisen på verdensmarkedet pluss toll var fortsatt stor. Importkonkurransen økte kun marginalt som følge av avtalen og det kostet derfor lite å gjennomføre endringene i praksis. For det andre innebar også iversksettingen av WTO-avtalen at tollen på import fra de 48 minst utviklede landene i verden ble fjernet for de fleste landbruksvarer. På dette området ble hensynet til bistand prioritert høyere enn landbrukets interesser (Veggeland 2001: 422).

Omleggingen av landbrukspolitikken på første halvdel av 1990-tallet ble preget av konflikter både mellom partiene på Stortinget og i forhandlingene mellom Staten og bondeorganisasjonene. I begge tilfeller drev et reformvillig Arbeiderparti gjennom endringene med støtte fra Høyre og Fremskrittspartiet. Til tross for et høyt konfliktnivå ble de faktiske konsekvensene relativt små i årene som fulgte. I det følgende skal vi se nærmere på hvordan den politiske situasjonen utviklet seg da WTO-spørsmålet kom på dagsorden igjen.

4. Doha-runden

4.1 Forhandlingsmandatet

Formelt sett var ministerkonferansen i Genève i 1998 startpunktet for den nye forhandlingsrunden i WTO. Da besluttet medlemslandene å starte arbeidet med runden. Ministerkonferansen i Seattle i desember 1999 skulle fastlegge forhandlingsmandatet, men møtet endte med sammenbrudd. Demonstrasjoner, opptøyer og intern strid blant medlemslandene dominerte gatebildet og nyhetsbildet fra Seattle. Den viktigste forklaringen på sammenbruddet var at en stor gruppe utviklingsland med India, Egypt og Pakistan i spissen, var mer eller mindre samlet i sin motstand mot å inkludere de såkalte Singapore-områdene²¹ i forhandlingene (Langhelle 2005: 11-12).

Terroraksjonene mot USA 11. september 2001 påvirket også dagsorden i den internasjonale handelspolitikken. En ny WTO-runde ble av sentrale aktører ansett som et virkemiddel for å stimulere handel og økonomisk vekst, og det ble derfor innkalt til et nytt ministermøte i Doha, Qatar i november 2001. På dette møtet ble det enighet om et formelt grunnlag for de videre forhandlingene. For det første skulle det være en

helhetlig runde der alle WTO sine ansvarsområder ble tatt opp. Forhandlingene var i den sammenheng en "single undertaking", noe som betydde at alle saksforhold måtte være avklart før det kunne inngås en avtale. For det andre, og dette er kanskje det viktigste poenget, var det enighet om at dette skulle være en utviklingsrunde hvor interessene til de fattigste landene skulle tillegges særlig betydning. Også "Singaporeområdene" ble inkludert, men med forbehold om videre avklaring i forhandlingene.

Norske myndigheter la en viktig ramme for forhandlingsposisjonen allerede da Norge sluttet seg til WTO-avtalen i 1994. Det ble understreket at Norge i et langsiktig perspektiv ville vektlegge ikke-handelsmessige faktorer som matvaresikkerhet, miljø, distriktspolitikk og sosiale hensyn i landbrukspolitikken (Almås 2002: 362). Dette ble fulgt opp i sammenheng med utarbeidelsen av St.meld. nr. 19 (1999-2000) *Om norsk landbruk og matproduksjon*. Her ble interesser og handlingsrom avklart gjennom dialog med berørte interesseorganisasjoner. Meldingen og behandlingen av denne i Stortinget la grunnlaget for landbrukspolitikk som satte det som nå ble kalt et *multifunksjonelt* landbruk i sentrum (Farsund 2004).

Det var Bondevik I-regjeringen som utarbeidet den første norske posisjonen til den nye forhandlingsrunden i 1999, men disse ble forankret i et bredt flertall i Stortinget. Den norske utgangsposisjon hadde to hovedmålsettinger. For det første ville regjeringen arbeide for både offensive og defensive handelsinteresser. Åtte konkrete forslagene tok opp både økt markedsadgang for fisk og krav om at landbruket skulle kunne videreføres innen rammene av WTO. For det andre ønsket norske myndigheter å bidra til at det internasjonale handelssystemet ble videreutviklet slik at det tok bedre hensyn til utviklingslandenes situasjon (Langhelle 2001: 20-22).

Stoltenberg I-regjeringen la frem det første konkrete forhandlingsforslag til den nye WTO-runden i januar 2001. De offensive og defensive interessene lå fast og det var få forslag til endringer i den innenlandske støttenivået til landbruket. Samtidig ble markedsadgang for fattige land anerkjent som et viktig mål for prosessen (St.prp. nr. 65 (2001-02): 32). I november 2002 ble en norsk prinsippskisse til lagt frem, og denne ble supplert med konkrete tallfestede forslag til reduksjonsforpliktelser i februar 2003. Det norske tilbudet innebar økt markedsadgang gjennom en gjennomsnittlig tollreduksjon på 36 prosent. Når det gjaldt internstøtte, ble det foreslått å videreføre blå og grønn boks, mens for gul støtte innebar forslaget en todelt løsning. Støtten til eksport av varer skulle reduseres med 60 prosent, mens støtten til varer omsatt på hjemmemarkedet ble foreslått redusert med 20 prosent (St.prp. nr. 70 (2002-03): 26).

4.2 Fra sammenbrudd i Cancún til fremgang i Hong Kong

Det var lite fremgang i WTO-forhandlingene i årene som fulgte etter Doha-møtet. Den neste ministerkonferansen, som ble avholdt i Cancún, Mexico i september 2003, ble preget av uenighet og det hele endte med et nytt sammenbrudd. Årsakene til bruddet i forhandlingene var sammensatte. De utløsende faktoren var at de rike landene forsøkte på å tvinge gjennom forhandlinger på alle fire "Singapore-områdene", samtidig som det var stor avstand mellom partene i landbruksforhandlingene. Dette ble møtt med aktiv motstand fra utviklingslandene. Det ga resultater, for et viktig utviklingstrekk forut for

og under konferansen i Cancún var at det hadde blitt dannet en rekke nye grupperinger og allianser mellom medlemsland som tradisjonelt hadde hatt lite innflytelse på innholdet i forhandlingene (Langhelle 2005: 101).

Det var særlig to grupper som var viktig. Den første blir omtalt som G-20. Dette er en allianse av utviklingsland på tvers av tradisjonelle skillelinjer. Noen av medlemmene har offensive landbruksinteresser, og her er Brasil det viktigste landet. Andre land har mer defensive interesser, og her er India og etter hvert Kina viktigst. Alliansen er primært bygget over en felles ulandsinteresse for å få mer innflytelse på forhandlingene. Den andre blir omtalt som G-33. Dette er en allianse av land som ønsket å få lov til å definere et antall "Special Products" og et system med såkalte "Special Safeguard Measures" (SSM) for å beskytte nasjonalt landbruk og ivareta matvaresikkerhet til utviklingslandene. Det er betydelig overlapp i medlemmer mellom disse to gruppene, og samlet bidro organiseringen til større forhandlingsstyrke. Norge befant seg i utkanten av diskusjonene, og hoveddelen av arbeidet ble koblet til andre land som arbeidet for det multifunksjonelle landbruket gjennom den såkalte G-10 gruppen, som bl.a. omfattet rike land som Japan, Island, Israel og Sveits.

Perioden etter Cancún var preget av stor avstand mellom partene i forhandlingene, men i første halvdel av 2004 kom det utspill fra både USA og EU som bidro til at det ble mulig å ta opp forhandlingene igjen. Særlig ble den såkalte "julipakken" fra 2004 viktig. Da ble det enighet om at det kun var diskusjonen om forenkling av handelsprosedyrer som skulle videreføres i den pågående forhandlingsrunden. Utviklingslandene fikk med dette i all hovedsak gjennomslag for sitt syn om ikke å inkludere "Singapore-områdene" (Langhelle 2005: 124-27). Dette gjennombruddet førte imidlertid ikke til enighet om en avtale, og forhandlingene fortsatte utover i 2004 og 2005.

Det ble avholdt en ny ministerkonferanse i Hong Kong i desember 2005. Denne ga fremgang på noen nøkkelområder innenfor landbruksforhandlingene. Det var enighet om at avtalen skulle inneholde bestemmelser om at alle eksportsubsidier på mat skulle fjernes innen utgangen av 2013, og om at de rike landene skulle få notifisere et antall sensitive produkter og de fattige landene et antall spesielle produkter som kunne gis ekstra tollbeskyttelse mot at det ble gitt større tollfrie kvoter for disse produktene. Ideen var å sikre et visst nivå av matproduksjon i alle land. Antall produkter var det imidlertid ikke enighet om. Det var heller ikke enighet om størrelsen på importkvotene. Alle land var derimot enige om at innenlandske støtteprogrammer har handelsforstyrrende elementer, og støtteordningene skulle derfor kuttes. Samtidig skulle det ikke være mulig å flytte virkemidler mellom støtteformer (bokser). Det var imidlertid ikke enighet om hvor store kutt som skulle gjennomføres.

Regjeringsskiftet høsten 2005 medførte justeringer i de norske posisjonene på enkelt områder. I Soria Moria-erklæringen ble det fremhevet at norske krav til utviklingsland skulle reduseres innenfor tjenesteforhandlingene. Videre het det at Norge ville arbeide for en avtale som tjente disse landenes økonomiske interesser. Dette punktet ble raskt fulgt opp av den norske forhandlingsdelegasjonen. I forkant av Hong Kong-møtet trakk Norge tidligere krav om økt markedsadgang innen utdanning, vann og energi overfor en del utviklingsland. Endringen var først og fremst innenrikspolitisk begrunnet, men noen av våre informanter mener at det var med på å styrke den norske forhandlingsposisjonen

på andre områder. Norge sluttet seg til enigheten i Hong Kong om at alle eksportsubsidier skulle fjernes fra 2013. Dermed viste en også vilje til å redusere egne krav for å få fremgang internasjonalt.

Forhandlingene i Doha-runden var etter Hong Kong møtet på ny preget av lite fremdrift. De hadde nå pågått langt over den tiden som opprinnelig var satt av til forhandlinger. Høsten 2006 var forhandlingene suspendert i en lengre periode. De ble imidlertid tatt opp igjen tidlig i 2007, men fortsatt uten omfattende fremgang. Våren 2008 ble preget av tiltagende problemer i verdensøkonomien, med stigende priser på råvarer, inkludert olje og mat, og store utfordringer for bank og finanssektoren i USA og Europa. I Genève ble det løpende arbeidet med å finne tekniske løsninger innen landbruks- og NAMA-forhandlingene, og det ble lagt frem flere skisser til tekster. Et hovedproblem var å finne løsninger på de mer prinsipielle spørsmålene om hva avtalen skulle innebære, og her ble kompromisser på tvers av sektorene landbruk, NAMA og tjenester sett som en sentral løsning.

4.3 "Nesten" avtale i Genève 2008

I juli 2008 ble utenriksministrene i 35 land inviterte til Genève for å forhandle frem en hovedramme for en avtale som kunne ferdigstilles i løpet av høsten 2008. Forhandlingene ble preget av konfliktene mellom USA og EU på den ene siden og særlig India, Brasil og Kina på den andre siden. Hovedkonflikten gikk på hvor mye de rike landene skulle kutte i støtteordninger på landbruksområdet og hvor mye særlig de nyindustrialiserte landene skulle gi av økt markedsadgang. Underveis i forhandlingene ble det etter hvert rapportert om betydelig fremgang innen mange av områdene i både landbruks- og NAMA-forhandlingene. For å effektivisere forhandlingene ble den såkalte G-7 gruppen etablert. Australia, Brasil, EU, India, Japan, Kina og USA fikk gjennom dette ansvar for å finne løsninger på forhandlingsutfordringene.

Etter nesten ti dager med forhandlinger ble den såkalte julipakken lagt frem for G-7 landene. Denne inneholdt forslag til løsninger innen de fleste viktige områder innen både landbruk og NAMA. Forslaget skal i følge flere av våre informanter først ha blitt godkjent av seks av landene, mens India sa nei ut fra at landet ikke var fornøyd med forslaget til "Special Safeguard Mechanism" (SSM) for utviklingslandene. Dette førte igjen til at også Kina trakk sin støtte til julipakken, og forhandlingene brøt derfor igjen sammen. Uenigheten sto formelt mellom USA på den ene siden og India og Kina på den andre, men mange av våre informanter fremhevet muligheten for at verken India eller USA ønsket en ferdig avtale på dette tidspunktet. Innenrikspolitiske forhold i de to landene, bl.a. forestående valg, ble fremhevet som sentrale for utfallet.

Det var imidlertid oppnådd enighet om viktige prinsipper. Innenfor landbruk skulle rike land som EU og USA redusere sin handelsvridende støtte med hhv. 80 og 70 prosent. Landene skulle få definere 4 prosent av alle tollinjer som sensitive produkter med lavere tollkutt. Samtidig skulle importkvotene økes til et nivå tilsvarende 4 prosent av innenlandsk forbruk. Utviklingslandene skulle få definere 12 prosent av tollinjene som spesielle produkter med lave tollkutt, hvorav 5 prosent kunne unntas helt fra tollkutt. Innenfor NAMA skulle både industrilandene og de 30 mest utviklede utviklingslandene

gjennomføre betydelige tollreduksjoner for industrivarer, men her var en ikke enige om de endelige tallene.

Norge var en aktiv deltaker i forhandlingene i Genève i juli 2008. Våre informanter i Oslo og Genève ga uttrykk for et relativt samstemt syn på hva som preget den norske forhandlingsposisjonen forut for og under julimøtet. Norges viktigste preferanse var opprettholdelse og videreutvikling av det internasjonale handelsregimet. Dernest prioriterte norske myndigheter å få gjennomslag for flest mulig særordninger som kan sikre nasjonalt handlingsrom i landbrukspolitikken. Det å få inn norske unntak gjennom fotnoter i hovedteksten var i den sammenheng det viktigste virkemiddelet for å sikre norske interesser. I tillegg har Norge, i den grad det har vært mulig, arbeidet for å støtte opp om noen krav fra de fattigste utviklingslandene og arbeidet for norske interesser innen tjenester og NAMA, hvor særlig fiskeriområdet har vært prioritert. På disse siste områdene var Norge mer forsiktig, bl.a. for å unngå at posisjonen på landbruksområdet skulle bli svekket.

Den norske posisjonen kan sies å ha gitt visse resultater på landbruksområdet. Sammenliknet med julipakkens hovedløsning innen landbruk, fikk Norge (og Sveits) gjennomslag for å definere ytterligere 2 prosent av tollinjene som sensitive produkter (totalt 6 prosent), mot en kvoteutvidelse for det enkelte produkt på 0,5 prosent av nasjonalt forbruk. Norge skulle også få beholde en toll på over 100 prosent for 1 prosent av tollinjene. En tredje særordning som norske myndigheter hadde fått gjennomslag for var at den generelle reduksjonsforpliktelsen kun var på 52,5 prosent den samlede handelsvridende innenlandske støtten, dvs. støtte i gul og blå boks.

Forslaget innebar reduksjoner som er langt høyere enn utgangsposisjonen, men lavere enn det USA og EU hadde forpliktet seg til (se over). Landbruksminister Lars Peder Brekk (Sp) har i ettertid karakterisert forhandlingsutfallet som noe Norge kan leve med (Nationen 25. juli 2008). Dette ble først og fremst knyttet til at med 6 prosent av tollinjene definert som sensitive produkter, ville mellom 70 og 80 prosent av norsk produksjon bli beskyttet mot direkte utenlandsk konkurranse. Norges Bondelag varslet derimot en alvorlig krise for landbruksnæringen hvis dette ble sluttresultatet. Beregninger fra Bondelaget viste at 40.000 av 60.000 årsverk ville forsvinne fra norsk landbruk hvis en slik avtale ble iverksatt (Nationen 24. juli 2008). Spriket i fortolkningen av mulige konsekvenser av en slik avtale kan ses som en konsekvens av at myndighetene og organisasjonene har ulike forventninger til hvordan virkemidlene i praksis vil bli implementert i landbrukspolitikken. For landbruksministeren er dette et budsjettspørsmål som kan løses, mens for Bondelaget utgjør økte overføringer over statsbudsjettet en politisk usikkerhet som må avklares med fremtidige regjeringer og stortingsflertall.

Innenfor fiskeriområdet var gjennomslaget for norske interesser mindre. Selv om detaljene her ikke var på plass i julipakken, ville Norge først og fremst fått nedsatt toll for eksport av fiskeprodukter til markedene i EU og Japan. For utviklingslandene var detaljene ikke avklart men tollen her ville bli vesentlig høyere. Våre informanter har litt ulike synspunkt på forskjellene i gjennomslag for norske interesser. Det ble understreket at Norge har vært svært aktiv innenfor landbruksområdet og mindre offensiv innenfor NAMA, bl.a. for unngå for sterk kritikk for å forfølge svært motstridende interesser.

Flere av de utenlandske informantene har imidlertid også understreket at det er vanskelig for et lite land å påvirke forhandlingene på flere områder samtidig. Norge har prioritert landbruk, og har dermed blitt avhengig av hva andre land har blitt enige om innen andre forhandlingsområder, som f.eks. NAMA-området.

4.4 Mot avvikling eller avtale?

2009 ble preget av lite fremdrift i forhandlingene i Genève. Den nye amerikanske administrasjonen brukte tid på å få på plass de personene som skal ha ansvaret innen handelsområdet, og lenge var signalene om ønsket fremgang innen Doha-runden svake. Den 2. april møttes ledere fra 19 land og EU (G-20) i London for å diskutere finanskrisen, og i slutterklæringen sluttet alle statslederne seg til en målformulering som fremhevet behovet for en avtale i Doha-runden. Dette målet ble også nedfelt i sluttkommunikeet fra G-20 møter i Pittsburgh i september (Bridges Weekly nr. 33, 30.09-09). Den praktiske oppfølgingen i Genève har imidlertid uteblitt.

I stedet ble oppmerksomheten rettet mot den løpende virksomheten i WTO, og det ble avhold en ministerkonferanse i Genève fra 2. til 4. desember. I sluttkommunikeet fra konferansens møteleder, Chiles finansminister Andrès Velasco, understreket ministrene at det var nødvendig at forhandlingene ble sluttført i løpet av 2010. Det var bred støtte til at en skulle ta utgangspunkt i den enighet som var etablert til nå. Det ble også trukket frem at det skulle gis prioritet til landbruks- og NAMA-forhandlingene, men at det også var viktig å gjøre fremskritt på områder som tjenester, regler og handelsfasilitering (Chairmann's Summary). ²²

Den internasjonale situasjonen er derfor fortsatt uavklart. Julipakken fra 2008, og etterfølgende presiseringer i Genève, gir imidlertid en klar retning på hva en avtale vil innebære for Norge. Den åpne politiske diskusjonen om WTO har vært begrenset etter at den rød-grønne flertallsregjeringen tiltrådte i 2005. I det følgende skal vi imidlertid se nærmere på hvordan WTO-spørsmålet har blitt behandlet i jordbruksoppgjørene.

5. WTO i jordbruksoppgjørene 2001-2009

Norsk landbrukspolitikk er forankret i et sett av relativt stabile og robuste institusjoner med stor innflytelse på både politikkutforming og iverksetting. Gjennom ordninger som Jordbruksavtalen²³ og Omsetningsrådet²⁴ har organisasjonene i landbruket sikret seg innflytelse på både politikkutformingen, inntektsutviklingen og markedsreguleringene i næringen. Staten har hatt kontroll på utviklingen i matprisene, og den har disiplinert organisasjonene i landbruket til å følge opp en politikk med et visst fokus på strukturrasjonalisering og effektivisering. Stortinget har vedtatt de avtalene som blir fremforhandlet innen for rammene av jordbruksavtalesystemet. Dette bidrar til at både bondeorganisasjonene og staten ønsker å oppnå enighet om avtale før den sluttbehandles i Stortinget. Forhandlingene om inntektsutvikling har klare strategiske elementer, men utformingen av mål og virkemidler blir påvirlet av sterke normer om hva som er "god landbrukspolitikk" (Farsund 2004).

I det følgende skal vi se nærmere på hvordan WTO-avtalen og Doha-forhandlingene har påvirket den løpende utformingen av norsk landbrukspolitikk i tiårsperioden 2001 til 2010. I den sammenheng er det sentralt at verken nasjonale myndigheter eller bondeorganisasjonene har ønsket en aktiv forhåndstilpasning til en forventet WTO-avtale. I følge våre informanter har dette vært et viktig premiss i jordbruksforhandlingene i denne perioden. Argumentet er at en avtale vil gi store utfordringer, og at en derfor trenger både de konkrete retningslinjene og en overgangsperiode for å iverksette avtalen (Farsund 2009: 44)

Jordbruksoppgjørene i perioden 2001 til 2010 ble preget av aktuelle problemstillinger, politiske prioriteringer og en vilje blant forhandlingspartene til å finne akseptable løsninger (se vedlegg 1 og 2). Rammene fastlagt i gjeldende WTO-avtale og den langsomme fremgangen i Doha-runden ga også nasjonale myndigheter betydelig handlingsrom i landbrukspolitikken i første halvdel av perioden. Etter hvert ble imidlertid begrensningene i den gjeldende WTO-avtalen en utfordring. I oppgjørene fra 2001 til 2005 var det liten direkte oppmerksomhet rundt WTO-spørsmålene i forhandlingene. Bondevik II-regjeringen kuttet næringsoverføringene med 600 millioner kroner i denne perioden. Dette var hovedsakelig begrunnet ut fra den generelle økonomiske politikken, men hensynet til rammebetingelsene i WTO ble også trukket frem som begrunnelse for å stabilisere eller redusere støttenivået noe. Det ble imidlertid oppnådd enighet i alle oppgjørene. Prisøkninger, økt skattefradrag i jordbruket, avgiftskutt og "grønnvasking" av virkemidler i form av å gjøre dem uavhengig av produksjon, var elementer som inngikk i disse jordbruksavtalene. De tre siste er elementer som kan ses som en forsiktig tilpasning av virkemidlene til WTO.

Stoltenberg II-regjeringen valgte å øke både næringsoverføringene og målprisene i oppgjørene fra 2006 til 2009. Totalt har disse fire oppgjørene gitt 1500 millioner kroner i økt støtte til norsk landbruk. Det oppsto imidlertid et problem da den delen av støtten som inngår i gul boks nærmet seg "taket" i gjeldende WTO-avtale. Løsningene som ble valgt er en bekreftelse på den sentrale rolle jordbruksforhandlingene spiller i utformingen av landbrukspolitikken, for det var partene som fremforhandlet hvordan de nye virkemidlene skulle utformes. I første omgang ble det gjort enkeltjusteringer i målprissystemet, men i forbindelse med jordbruksoppgjøret for 2009 kom det på plass et helt nytt reguleringssystem basert på volum. Denne tilpasningen ble utformet i tett dialog mellom partene i jordbruksavtalen, og illustrerer hvordan forhandlingsinstituttet ble brukt til å gjøre den norske landbrukspolitikken mer WTO-robust.

Betydningen av den de institusjonaliserte normene i jordbruksforhandlingssystemet illustres av at de to regjeringene har gjort flere likeartede grep for å sikre det nasjonale handlingsrommet i forhold til den gjeldende WTO-avtalen. Hver av regjeringene sluttforhandlet jordbruksoppgjør ved å øke jordbrukets skattefradrag som en del av rammen (hhv. 2004 og 2006). I seinere oppgjør har det også blitt fremhevet at sluttresultatet fra oppgjøret ville gi økt effekt for dette fradraget. Denne type virkemiddel er svært robust overfor WTO. Begge regjeringer har også gjennomført det som har blitt kalt "grønnvasking" av virkemidler i blå boks (også i 2004 og 2006). Ulike støtteordninger har blitt gjort produksjonsnøytrale og overført i grønn boks, men disse endringene er til nå ikke notifisert til WTO og derfor enda ikke formelt godkjent.

I perioden 2001 til 2009 har partene i jordbruksforhandlingene fremforhandlet årlige jordbruksavtaler som har gjort landbrukspolitikken mer robust i forhold til de krav som stilles i den gjeldende WTO-avtalen. Det er også mye som tyder på at disse endringene vil bidra til å skape nasjonalt handlingsrom i forhold til en sluttavtale i Doha-runden. Dette viser at sittende regjeringer, uavhengig av partifarge, har lagt vekt på å bruke jordbruksforhandlingene til å få næringsinteressene til å akseptere en gradvis dreining av virkemidlene i retning av de krav som WTO stiller. "Prisen" staten har betalt har vært økte næringsoverføringer, høyere matpriser og særordninger i skattesystemet. Bruk av forhandlingssystemet fremstår derfor som et sentralt element i den norske tilpasningen til WTO i perioden 2001 til 2009.

6. Oppsummering og konklusjon

De nasjonale politiske konfliktlinjene er viktig for utformingen av norsk WTO-politikk, og betydningen illustreres når vi sammenlikner Uruguay-runden i GATT med Doharunden i WTO. Diskusjonene tidlig på 1990-tallet var preget av konflikter mellom en mindretallsregiering utgått fra Arbeiderpartiet. som ønsket reformer landbrukspolitikken, og en "landbruksvennlig" opposisjon bestående av Senterpartiet, Kristelig folkeparti og SV. De støtte landbruksorganisasjonenes krav om at tilpasningene til internasjonale rammebetingelser skulle være minst mulig. Regjeringen fikk støtte fra Høyre og Fremskrittspartiet i Stortinget, og denne alliansen ga et klart flertall for reformlinjen der. Flertallets hovedargument var at det var i Norges utenrikspolitiske interesser å få på plass et internasjonalt regime som kunne sikre en åpnere verdenshandel og at det måtte gjøres endringer i nasjonal politikk for å få dette til.

Den politiske situasjonen var endret i forkant av Doha-runden, for da var det en mindretallsregjering fra Kristelig folkeparti, Senterpartiet og Venstre som la premissene gjennom St.meld. nr. 19 (1999-2000). Her ble målet om et multifunksjonelt landbruk formulert, og det ble fremhevet at Norge skulle ha handlingsrom for å føre en nasjonal landbrukspolitikk også etter at en ny WTO-avtale var iverksatt. Regjeringen fikk i stor grad støtte for sin linje fra Ap, SV og Høyre i Stortinget. Dette bilde har ikke endret seg vesentlig, for i hele Doha-perioden har minst ett av "opposisjonspartiene" fra tidlig på 1990-tallet vært i regjering. Kristelig folkeparti hadde statsministeren i Bondevik II-regjeringen, mens Senterpartiet hadde landbruksministeren i Stoltenberg II-regjeringen. Det er derfor mye som taler for at dette har bidratt til at eventuelle konflikter rundt WTO spørsmålene har blitt løst internt i Regjeringen og ikke i Stortinget i denne perioden. Senterpartiets og Kristelig folkepartis deltakelse i koalisjonsregjeringene har vært avgjørende for landbruksinteressenes gjennomslag i denne sammenheng.

De politiske konfliktlinjene har vært latente, men ikke aktiverte i forbindelse med Doharunden. Blant partiene på Stortinget er det fortsatt et klart flertall som i perioder fremhever behovet for reformer i landbrukspolitikken. Til nå har direkte konflikter blitt unngått, bl.a. fordi skiftende regjeringer har utsatt de mest omfattende endringene i påventet av en endelig avtale i Doha-runden. Konsekvensen er at rammen for WTO-tilpasning er flyttet ut av Stortinget og over i de multilaterale forhandlingene. Eventuelle

store endringer og derav mulig politiske konflikter vil komme utenfra når avtalen foreligger, og ikke innenfra før den er ferdigforhandlet.

Det ser derfor ut som at de defensive landbruksinteressene står sterkere enn de offensive fiskeriinteressene i norsk politikk. Norge har i Doha-runden ønsket en avtale som kan sikre størst mulig markedsadgang for fisk og fiskeprodukter. Denne linjen har hatt tverrpolitisk tilslutning i Stortinget, og utad har skiftende regjeringer arbeidet for denne offensive interessen. Det er imidlertid mye som tyder på at fiskeriinteressene har blitt underordnet landbruksinteressene i mange sammenhenger. Slik signalet fra de internasjonale forhandlingene er ved årsskiftet 2009-2010 har Norge både måtte gjøre betydelige innrømmelser men samtidig fått særordninger på landbruksområdet. Gjennomslaget på fiskeriområdet vil samtidig bli mindre enn det en ønsket i utgangspunktet.

En forklaring på at landbruksinteressene har sterkere politisk gjennomslag nasjonalt enn fiskeriinteressene, kan være at negative konsekvenser får mer politisk oppmerksomhet enn positive konsekvenser. Dette henger sammen med at de interessene som kan påvise omfattende og raske negative konsekvenser, som en nedbygging av distriktslandbruket, har større påvirkningskraft enn de som kan fremheve mindre og mer uavklarte positive virkninger, som eksportinteressene til fiskeri- og havbruksnæringen. I dette bilde spiller det antakelig en rolle at de nasjonaløkonomiske gevinstene blir antatt å være relativt små på fiskeriområdet (Melchior 2006). Det at det meste av gevinsten vil være økt eksportpris for de store selskapene innen fiskeri- og havbruksnæringen kan også være en del av forklaringen på at norske myndigheter ikke har prioritert denne sektorens interesser høyere.

Et velfungerende internasjonalt handelssystem regulert gjennom avtaleverket i WTO fremstår fortsatt som den viktigste norske posisjonen. Dette har kommet til uttrykk på flere tidspunkt i Doha-runden. Norge har gradvis redusert sitt nasjonale ambisjonsnivå innen landbruksforhandlingene, og gjennom tilslutning til julipakken fra 2008 har en antydet vilje til å gjøre omfattende innrømmelser på dette området. Tilsvarende har norske myndigheter vært tilbakeholdne når det gjelder i hvor stor grad de offensive fiskeriinteressene har blitt fremmet. På tjenesteområdet har en kuttet i kravene til utviklingslandene. Alt dette har skjedd uten at det har vært åpne partipolitiske konflikter i Storting og regjering.

Stoltenberg II-regjeringen har i enda sterkere grad enn Bondevik II-regjeringen fremhevet Norges ambisjoner om å arbeide for de fattige landene. Dette er nedfelt i Soria Moria erklæringen, og retorisk følges det opp i mange sammenhenger. Det er derimot usikkert om det følges opp i handelsforhandlinger der landets offensive og defensive interesser berøres. Det må også understrekes at Norge er en aktiv medlem av G-10 gruppen, som hovedsakelig er en "rikmannsklubb" med sterke nasjonale interesser å forsvare innen landbruksområdet. I landbruksforhandlingene søker Norge og de andre landene i denne gruppen gjennomslag for særordninger som få andre land kan og vil få.

Jordbruksforhandlingene har utgjort en viktig ramme for norsk tilpasning til WTO i perioden 2001 til 2009. Dette har vært mindre og gradvise endringer, men også enkelte større grep. Både Bondevik II- og Stoltenberg II-regjeringene har fremforhandlet løsninger som har gjort systemet for landbruksoverføringene mer tilpasset

retningslinjene fra WTO. De to regjeringene har hatt "grønnvasking" av virkemidler og økning i jordbrukets skattefradrag som elementer i en WTO-tilpasning. Til tross for at det har vært et uttalt mål å utsette tilpasningene til etter Doha-avtalen er på plass, har det skjedd omfattende endringer i denne perioden. Reformene i målprissystemet i perioden 2007 til 2009 ble formelt gjennomført ut fra krav i den gjeldende WTO-avtalen, men den har også bidratt til å legge til rette virkemiddelsystemet for en ny avtale i Doharunden. I den sammenheng er det de landbrukspolitiske institusjonene som har utgjort rammene for utformingen av tilpasningstiltakene. Dette har bidratt til at det politiske konfliktnivået har vært lavere enn ved en iverksetting gjennom den parlamentariske beslutningskanalen.

WTO er en viktig rammebetingelse for norsk politikk. I denne artikkelen har vi sett at landbruksinteressene har stått i sentrum for de politiske diskusjonene nasjonalt både i Uruguay-runden og Doha-runden. Den store forskjellen mellom de to rundene er konfliktlinjene i partipolitikken. Det er særlig Senterpartiets og Kristelig folkepartis regjeringsdeltakelse som har bidratt til at det politiske konfliktnivået har vært lavt til nå i Doha-runden. Jordbruksforhandlingene har i perioden 2001 til 2010 representert en annen måte å gjennomføre tilpasninger på, for her er partene opptatt å finne løsninger innen rammene av de etablerte institusjonaliserte normene. Spørsmålet vi kan reise til slutt er om en Doha-avtale vil kunne skape konflikter lik de som kom til uttrykk tidlig på 1990-tallet. Svaret er foreløpig åpent, men iverksettingen av en avtale med betydelig innstramming av handlingsrommet i nasjonal landbrukspolitikk vil kunne åpne opp tradisjonelle konfliktlinjer i norsk politikk.

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Vedlegg 1

Tabell 1: WTO i stortingsproposisjonene fra jordbruksoppgjørene (2001-2009)

År	Kapittel 5 - Generelt om WTO	Kapittel 6 – Avtalen	
2001	Gjeldende avtale ble presentert. Innspillet til de forestående forhandlingene ble lagt frem.	Avtalen er innenfor norske forpliktelser i WTO	
2002	Gjeldende avtale, de nye forhandlingene, Doha vedtaket og nasjonal posisjon presenteres. Avtalen medfører økning i gul boks på 300 millione men fortsatt "luft"*		
2003	Som 2002, litt ny tekst om forhandlingene. Avtalen er innen forpliktelsene, noen plusser og minuser i gul boks (utligner hverandre)		
2004	Som 2003, litt ny tekst om forhandlingene. Utkatet til ministererklæring fra Cancun presenteres	"Regjeringen mener gradvise tilpasninger i tide vil være viktig bidrag til at det norske landbruket kan oppfylle sine samfunnsoppgaver"	
		Areal- og kulturlandskapstilskuddet fra blå til grønn boks gjennom nasjonalt miljøprogram – "grønnvasking"	
2005	Som 2004, men mindre omfang. Litt ny tekst om forhandlingene. Noe økning i målpris (gul boks), men avvikling av målpris og markedsregulering for kylling redusere Norges AMS med om lag 800 millioner kroner.**		
2006	Som 2005, samt gjengivelse av de mål partene ble enige om i Hongkong	Gul støtte som før. "Grønnvasking" av beitetilskudd på 240 millioner (post 7.9)*	
	cingo om savaga a	Markedsreguleringen av fjørfekjøtt avvikles (dette frigjorde 900 millioner kroner i gul støtte for 2007).	
2007	Som 2006, opplyser at en arbeider med notifisering for 2002-2004, oppdaterer innholdet i forhandlingene frem til status ved utgangen av april 2007.	Partene har lagt til grunn at rammen og fordelingen av den er innen for Norges forpliktelser i gjeldende WTO-avtale. Gul støtte økes med 450 millioner kroner.*	
2008	Gjeldende avtale med notifiserte tall fra 2004. Det presenteres foreløpige resultater fra forhandlingene.	Viser til at partene skal arbeide med pris- og markedsordninger, slik at Norges forpliktelser iht. gjeldende WTO-avtale overholdes.*	
		Justeringsforhandlingene innebar at støtte i gul boks lå en milliard over taket.	
2009	Omtale av gjeldende avtale. Det vises til utviklingen i 2008, og det presiseres at det ikke er avklart om de modalitetsforslagene som lå på bordet i desember 2008 vil danne utgangspunkt for videre forhandlinger.	Viste til "Volummodellen" for storfekjøtt innebar at Norge igjen lå innenfor rammen i gul boks. Det ble presisert at modellen kan bli utvidet til nye produkter hvis en trenger mer handlingsrom i forhold til gjeldende WTO-avtale.*	

^{*} Ved disse oppgjørene ble det varslet økte jordbruksfradrag med en samlet inntektsverdi før skatt på hhv. 300 og 425 millioner kroner. I jordbruksoppgjørene for 2007, 2008 og 2009 oppgis også økt nytte av fradraget som en del av effekten av oppgjøret. Dette er et WTO legalt virkemiddel (grønn boks), men i jordbruksavtalen begrunnes ikke dette direkte ut fra WTO. Det er heller ikke notifisert til WTO som grønn støtte (Mittenzwei og Nersten 2004). Prinsippet om et særegent jordbruksfradrag ble innført i 2000.

^{**} Dette omtales ikke som WTO-tilpasning i dokumentene fra oppgjøret.

Vedlegg 2:

Tabell 2: Nøkkeltall fra jordbruksoppgjørene (2001-2009)

År	Økt ramme årsbasis	Kommentar til rammen
2001	425 millioner	Økt målpris, Ekstra BSE-bevilgning
2002	750 millioner	Økt målpris, økt jordbruksfradrag og reduserte overføringer
2003	100 millioner	Økt målpris, redusert el-avgift og reduserte overføringer
2004*	- 170 millioner	Økt målpris, reduserte overføringer
2005	450 millioner	Økt målpris, økt budsjettstøtte
2006	850 millioner	Økt målpris, økt budsjettstøtte og økt jordbruksfradrag
2007	975 millioner	Økt målpris, økt budsjettstøtte, tidlig utbetaling av ubrukte
	(173 millioner)	midler
2008	1 900 millioner	Økt målpris, økt budsjettstøtte, ubrukte midler
	(500 millioner i justeringsoppgjør)	Økte priser
2009	1200 millioner	Økt budsjettstøtte, økt målpris, ubrukte midler, ekstraordinær investeringspakke
	(200 millioner i en krisepakke)	

^{*}Betegnelsen bruk ble fra 2004 endret til jordbruksbedrift.

¹⁶ Artikkelen bygger på rapporten *Doha-runden i WTO: Effekter for norsk fiskeri-, havbruks- og landbrukspolitikk* (Farsund 2009). Prosjektet har vært finansiert av Norges forskningsråds program Natur og næring. Takk til Oluf Langhelle og Hilmar Rommetvedt for kommentarer.

¹⁷ NAMA – Non-Agricultural Marked Access – omfater forhandlinger om tollreduksjoner for alle industrivarer, inkludert fisk og fiskeprodukter.

¹⁸ GATT - the General Agreement on Trade and Tariffs - ble inngått av 23 hovedsakelig rike vestlige land i 1947.

¹⁹ NOU 1991: 1b: Norsk landbrukspolitikk: Utfordringer, mål og virkemidler. Hovedinnstilling.

²⁰ St.prp. nr. 8 (1992-93): Landbruk i utvikling.

²¹ Singapore-områdene omfatter handel og konkurransepolitikk, handel og investeringer, åpenhet om offentlige innkjøp og forenkling av handelsprosedyrer,

²² www.wto.org

²³ Jordbruksavtalen setter rammene for de årlige jordbruksforhandlingene mellom staten på den ene siden og Norges Bondelag og Norsk Bonde og Småbrukarlag på den andre side.

²⁴ Omsetningsrådet er et partssammensatt utvalg som har ansvar for markedsreguleringen i norsk matproduksjon.

The Institutionalization of a *Parliamentary*Dimension of an Intergovernmental Organization: the WTO

By Hilmar Rommetvedt

1. Introduction

Since its establishment in 1995, the World Trade Organization (WTO) has become one of the most important transnational organisations in the world. The increasing impact of the WTO is related to the importance of international trade and the powers that member states have entrust to the organisation. First and foremost the WTO is an intergovernmental organization. The WTO negotiators represent the governments of the respective member states and after ratification by national legislatures the rules settled in the negotiated agreements are to be implemented by the national governments. So far the WTO follows the 'standard' model of an international organization. However, unlike most international organizations the WTO has an additional court-like institution, the dispute settlement system. Consequently, in the WTO there is a role to be played by national executives and by a supranational 'court', but what about parliaments and parliamentarians? Is there a role to be played beyond ratification of agreements?

For a number of reasons the WTO has encroached on the traditional domain of national legislatures and as we will see, parliamentarians have emphasised the need for a 'parliamentary dimension' of the WTO. A 'Parliamentary Conference on the WTO' has been established with its own Steering Committee. In this paper we will analyse the development of the parliamentary dimension of the WTO.

The following section presents theoretical perspectives that may contribute to (a) the explanation of why parliamentarians engage in an intergovernmental organization such as the WTO, and (b) the interpretation of what kind of institution a parliamentary dimension of the WTO might be. In the subsequent section we will have a closer look at the development and institutionalization of the parliamentary dimension of the WTO. Finally, with the theoretical perspectives and the development of the parliamentary dimension of the WTO as points of departure I will discuss questions for further research and reflection among parliamentarians as well as in the WTO itself.

2. A parliamentary dimension of an intergovernmental organization: theoretical perspectives

The development of a parliamentary dimension of a intergovernmental organization such as the WTO may seem paradoxical. However, there are several reasons why parliamentarians should engage in such an organization. In this section we will take a look at some theoretical contributions that may offer explanations of this engagement and perspectives on the organization of parliamentary involvement at the transnational level.

2.1 International and domestic affairs intertwined

According to constitutional theory, foreign affairs belong to the prerogatives of the executive, i.e. the Monarch or President, or the government in political systems based on the principle of parliamentarianism. To put it simply, according to this theory the role of parliament is to ratify treaties negotiated by the government. However, in reality the situation may be somewhat different.

Traditionally foreign affairs were matters of security and defence and after the cold war these concerns seemed to fade away. However, the 9/11 attack and the wars in Iraq and Afghanistan show that such concerns are still highly relevant, but the character of the security problems have changed. Furthermore, a broad range of what used to be domestic policies are now involved in the ongoing process of internationalization and globalization — a process of which the WTO itself is an important element. Internationalization implies that political institutions, most notably the state, by law and international negotiations, open up the national economy for investments, co-production and international trade (Hveem 1998). Nowhere is the interrelationship between domestic and international politics and policies more evident than in trade politics (Goldstein 1988). The borderline between domestic and international policies is blurred and the WTO itself represents an important contribution to the intertwinement of domestic and international affairs.

According to Putnam (1988:434) international negotiations can 'usefully be conceived as a two-level game'. He makes an analytical distinction between two processes: a level I process taking place at the international level between the negotiating national delegations, and a level II process at the national level where each parliament discuss whether or not to ratify the outcome of the level I negotiations. At the national level, 'domestic groups pursue their interests by pressuring the government to adopt favourable policies, and politicians seek power by constructing coalitions among those groups'. At the international level, 'national governments seek to maximize their own ability to satisfy domestic pressures, while minimizing the adverse consequences of foreign developments'. Central decision-makers need to take the games at both levels into consideration. Most likely there will be 'prior consultations and bargaining at level II to hammer out an initial position for the level I negotiations', and 'the need for level II ratification is certain to affect the level I bargaining' (Putnam (1988:436). Milner (1997:4) agrees that domestic and international politics are strongly interconnected and that political leaders are playing on the domestic and international arenas simultaneously: 'They are trying to achieve their various goals using these two arenas, and they face different - and sometimes contradictory - pressures and constraints from each'. Consequently, the behaviour of political leaders 'can only be understood when both internal and external factors are considered'.

In international negotiations the national governments are supposed to attend to and safeguard the national interest. In relation to security and defence, the definition of the national interest is fairly straightforward: to protect the territory and sovereignty of the state. However, in modern internationalized societies the definition of the national interest is not at all straightforward. Not only the national interest but a variety of national interests is involved when domestic policies turn out to be more strongly affected by international negotiations and agreements. Milner (1997:254) argues that 'there is no single set of national policy preferences, no single national preference ranking on any issue, and no single national "interest". Trubowitz (1998:12, 4) agrees that there is no single national interest as such and maintains that the definition of the national interest is 'a product of politics' and thus defined by the societal interests which have the power to work within the political system and to make winning

coalitions and alliances. In Frankel's (1970:97) wording the definition of the national interest is an 'essentially political process'.

The involvement of various more or less conflicting interests creates a need for intermediation and trade-offs. To prioritize and balance different domestic interests are among the most important roles to be played by parliaments. Consequently, the internationalization of domestic policies makes the question of defining the role to be played by parliaments and parliamentarians in international relations become topical.

The points mentioned here have been illustrated in the case of Norway (Langhelle and Rommetvedt 2004). Two issues in the trade negotiations in the WTO have been at the centre of Norwegian political disputes: agriculture and fisheries In relation to these industries, Norwegian 'national interests' are almost the opposite of each other in terms of trade liberalisation. In the case of agriculture, Norway has defensive interests with regard to trade liberalisation. Harsh environments and poor conditions for agricultural production make Norwegian agriculture vulnerable to foreign competition and food import. In the case of fisheries, Norway is one of the largest exporters of fish and fish products in the world. A long coastline, large fisheries stocks and a fast growing fish farming industry make Norway highly competitive in international markets. Thus, Norway has offensive interests in relation to trade liberalisation for fish and fish products. In the process of prioritising and making trade-offs between the two national interests in the WTO negotiations — agriculture and fisheries — the Norwegian Parliament has been frequently consulted by the government.

2.2 Executive-legislative relations

In general the intertwinement between international and domestic policies implies that the role of domestic actors and institutions becomes more important in relation to international affairs. However, the role of parliament in particular depends on executive-legislative relations. A strong government may withstand the pressure to involve parliament and uphold the control over international relations. Strong parliaments on the other hand are more likely to penetrate into international affairs. In other words, the role of parliaments may vary across time and space.

Over the years numerous political scientist and observers have subscribed to the 'decline of legislature-thesis', dating back to Lord Bryce in 1921 (Norton 1990). More recently, several researchers have questioned this thesis and suggested an ebb-and-flow perspective on the role of parliament or talked about a revival or resurgence of parliaments (e.g. Olsen 1983; Damgaard et al. 1992, Damgaard 1994, Rommetvedt 2003, 2005). Puig (2008: 19) maintains that 'parliaments, in the western world at least (and probably elsewhere too, always bearing in mind that we are talking about democratic systems), have never had such an important role in policy formulation and development as they have had in the last forty years'. According to the World Bank Institute, '[w]e are living in an "age of parliaments" with a revitalization of legislatures that make them stronger and more relevant today than ever before' (WBI 2001:32).

The combined effect of an amalgamation of international and domestic policies and (re)vitalisation of parliaments should pave the way for a more significant role to be

played by parliamentarians in international organisations and in relation to negotiations such as the ones going on in the WTO. Certainly, there are variations across country with regard to parliamentary strength and this should be expected to affect the interest and ability to deal with WTO matters among the parliamentarians in different countries. This connection is not straightforward, however. It may depend on the strategies chosen by different parliaments.

In short, two different strategies could be chosen for parliamentarians who seek to exert influence on international negotiations: a 'go-through-government' strategy or a 'bypass-government' strategy (Pedersen 2002). One could say that the go-throughgovernment strategy is the 'correct' course of action. The WTO is an intergovernmental organisation and governments negotiate on behalf of their respective countries. If the negotiators reach an agreement, then the parliaments are supposed to ratify the treaty. If parliaments are to have real influence on the content of the treaty, then they will have to exert influence on the negotiating positions taken by the governments at earlier stages of the process. The go-through-government option depends, however, on the strength of the parliaments vis-à-vis the governments. If the government is too strong, then the parliament will have little to say. The threat of denying ratification will have little credibility. In sum, this means that other things being equal we would expect relatively weak parliaments to be more inclined than strong parliaments to choose the bypassgovernment strategy, and consequently to be active at the international level, including the WTO. However, a certain minimum of resources and capacity is necessary for parliaments to be able to engage at the international level.

So far we have treated parliaments as unitary entities. However, an important distinction should be made between the parliamentary parties that support the government on the one hand and opposition parties on the other. We may assume that government parties more than opposition parties have views in line with and easy access to the government. Consequently we may expect that government parties will rely on the go-through-government strategy. Opposition parties, which have lost the game on the national playground, may on the other hand use the bypass-government strategy in order to rerun the game on the international arena. In this case we may speak of a go-through-the-WTO strategy in order to influence national governments, or a national parliamentary dimension regarding the WTO in addition to the international parliamentary dimension of the WTO itself.

2.3 Organizing a transnational parliamentary dimension

The organization of a role to be played by parliamentarians in a transnational organization such as the WTO is not straightforward. Parliament as an organization and political institution developed within the context of the state. A transnational parliamentary dimension represents a challenge to the traditional assumption that democratic representation is based on one single *demos* and a single representative institution, namely the national parliament. National parliamentarians participate in parliamentary assemblies, committees and delegations in a number of international organizations (Rommetvedt et al. 2009), but there is no obvious or given model for the organization of a parliamentary dimension in an intergovernmental organization.

A fruitful contribution to the understanding of a transnational parliamentary dimension is the concept of a *multilevel parliamentary field* which has been introduced by Crum and Fossum (2009) in relation to the development in the European Union. In the EU, two channels of democratic representation have developed: direct representation through the European Parliament, and indirect representation through national parliaments and governments. The concept of a multilevel parliamentary field represents an alternative to hierarchically ordered and highly institutionalized *federal* systems on the one hand and horizontally ordered and less institutionalized parliamentary *networks* on the other.

No doubt, the parliamentary dimension of the WTO is far from a federal system. The WTO has a long way to go to before the creation of a WTO-Parliament directly elected by the citizens of the member states, which was suggested in one of the scenarios for the WTO in 2016 presented by Nogales (2006). The present parliamentary dimension of the WTO has more features of resemblance with a loosely coupled network. However, the concept of a network based on horizontal relationships between equal partners does not fully capture the character of the parliamentary dimension of the WTO. In the process of developing the parliamentary dimension of the WTO, parliamentary actors are involved at three levels: the national, regional and (almost) global levels. In addition to the more or less equal partners at the national level (national parliaments), there are different types of international parliamentary bodies involved in the parliamentary dimension of the WTO. The Parliamentary Conference on the WTO is organized by the Inter-Parlamentary Union (IPU) and the European Parliament (EP), and the conference includes delegations designated by the Parliamentary Assembly of the Council of the Commonwealth Parliamentary Association and the Assemblée parlamentaire de la Francophonie together with members of the national parliaments of the member states of the WTO. Consequently, it seems appropriate to conceptualize the parliamentary dimension of the WTO in terms of a multilevel parliamentary field.

3. The development of the parliamentary dimension of the WTO

In this section, we will see how the parliamentary dimension of the WTO has been developed and institutionalized. As we will see, the first parliamentary meetings on the WTO concentrated on the role of parliaments and parliamentarians as such. However, gradually the parliamentarians became more concerned with various substantive matters in the WTO negotiations.

3.1 From Singapore 1996 to Geneva 2002

The origin of the parliamentary dimension of the WTO may be traced back to the first WTO Ministerial Conference in Singapore in December 1996. 1 At the conference there

¹ The presentation of the development, and quotations, from 1995 to 2002 are based on Chutikul (2003), later developments on documents on the websites of the WTO (www.wto.org), the Inter-Parliamentary Union (www.ipu.org) and the European Parliament (www.europarl.eu.int).

was an informal and spontaneous meeting of MPs attending the conference. However, no documents were adopted by the MPs. Three years later US Senator William V. Roth initiated a meeting of MPs attending the third Ministerial Conference in Seattle, USA in November-December 1999. The MPs adopted an appeal for the establishment of a 'Standing Body of Parliamentarians' whereby members of parliaments could exchange views, be informed and monitor the WTO.

On the occasion of UNCTAD X in Bangkok, Thailand in February 2000, the Inter-Parliamentary Union (IPU) organised a two-day meeting attended by members of 53 parliaments who adopted a declaration calling for a 'parliamentary dimension' enabling members of parliament 'to convey the concerns of peoples' in 'the field of trade, finance and development, in particular with WTO, UNCTAD and the Bretton Woods institutions'. A few days later the International Parliamentarians' Association for Agriculture and Fisheries (IPAAF) was established in Seoul, Korea. In March the same year, WTO Director-General Mike Moore addressed a letter to the speakers of parliament of the WTO members signalling a willingness to 'involve more closely the parliaments and their representatives'.

In April 2001, the European Parliament (EP) organised a seminar in Brussels, Belgium on 'Trade, Development and Democracy. The need for reform of the WTO'. In the closing statement the Chairman emphasised that 'transparency and democratic legitimacy of the WTO should be strengthened by associating the parliaments of WTO members more closely with the activities of the WTO'. In June, the IPU organised a Parliamentary Meeting on International Trade in Geneva, Switzerland. The Final Declaration reaffirmed the need to 'build a parliamentary dimension to international trade negotiations and arrangements'.

A Working Group to prepare a parliamentary meeting on the occasion of the fourth WTO Ministerial Conference held its first session in Strasbourg in September 2001. The session was hosted by the European Parliament. In October, the IPU was granted observer status by the WTO, and two weeks later the EP passed a resolution on openness and democracy in international trade which proposed 'once again the creation of a parliamentary Assembly within the WTO'. At the fourth WTO Ministerial Conference in Doha, Qatar in November 2001 the IPU and EP convened a one-day parliamentary meeting. Some of the participants wished to establish 'a Parliamentary Body formally linked to the WTO' whereas others argued that the parliamentary dimension of the WTO should be provided through the IPU. At the end, the attendees reached a consensus decision to establish a steering group to prepare options for the parliamentary dimension of the WTO.

At a public symposium on 'The Doha Development Agenda' organised by the WTO in Geneva in April-May 2002, there was a parliamentary workshop session moderated by the Director-General Mike Moore. A month later the first session of the Post-Doha Steering Committee was convened jointly by the IPU and EP in Brussels in order to start preparations for the Second Parliamentary Conference on International Trade. In September dr. Supachai Panitchpakdi took over as WTO Director-General and in one of his first speeches he stated that civil society should be informed about the negotiations and that '[e]lected representatives, in particular, need to know about decisions which

potentially affect the communities they represent and make their interest and concerns known'.

3.2 Geneva and Cancún 2003

In 2003, two parliamentary conferences on the WTO were organised by the Inter-Parliamentary Union and the European Parliament. The first conference was held in Geneva in February, and the second in September during the fifth WTO Ministerial Conference in Cancún, Mexico. In addition to this, in June a session on 'Parliaments and the WTO' was set up by the WTO and the IPU at the WTO Public Symposium 'Challenges ahead on the road to Cancún' in Geneva.

The final declaration of the Geneva conference in February emphasised that:

International relations are shaping domestic policies, and external relations have become part of the domestic agenda. Without the introduction of substantive and procedural checks and balances similar to those that are usually applied to domestic policy-making, this tendency will inevitably cause a deficit in democracy at the international level. Real democratic participation is an important goal which has to be linked with the democratic transformation of the entire structure and content of global economic governance. The present initiative and subsequent work are the necessary foundations for this ultimate democratisation objective. We are thus acutely aware of the need for parliamentarians to participate in the running of public affairs that transcend national borders.²

Furthermore the participants stated that 'we are determined to push forward the interparliamentary process with the WTO which would evolve around regular parliamentary meetings held initially once a year and on the occasion of WTO Ministerial Conferences'. These events should be called the *Parliamentary Conference on the WTO*.

With regard to substantive matters, the Geneva declaration stated that the goal was 'to promote trade that benefits people everywhere, enhances development and reduces poverty'. The parliamentarians applauded the 'intent to phase out agricultural export subsidies' and regretted that the deadlines had not been met with regard to 'special and differential treatment for developing countries' and 'making the TRIPS Agreement [on intellectual property rights] more flexible in order to improve access to medicines'. They were 'worried at the lack of advances on the fundamental issue of enhancing real access to markets' and underlined the need to reach an agreement on 'reducing barriers to trade in the field of agriculture, textiles and clothing'. With reference to 'agricultural support in wealthy countries' the declaration stated that 'such trade distorting practices, and their social consequences are unacceptable'.

The declaration adopted at the Cancún session stated that:

² Parliamentary Conference on the WTO: Final Declaration adopted by consensus on 18 February 2003. See www.ipu.org

[...] the days when foreign policy, and more specifically trade policy was the exclusive domain of the executive branch are over. The WTO is rapidly becoming more than a mere trade organisation, having an ever growing impact on domestic policies. Consequently, we wish to contribute to making it more open, transparent, democratic and responsive to national policy objectives consistent with national sovereignty and international trade obligations. ³

The Cancún declaration called on 'our respective governments participating in the 5th WTO Ministerial Conference to add the following paragraph to the final declaration: 'Transparency of the WTO should be enhanced by associating parliaments more closely with the activities of the WTO''. Furthermore the declaration encouraged 'all WTO Members to include members of parliament in their official delegations to future Ministerial Conferences', a call that was later reiterated in a resolution adopted by the Inter-Parliamentary Union in Mexico City in April 2004.⁴

The declaration adopted in Cancún stated that 'negotiations on agriculture are essential' and called on the Ministerial Conference 'to make a commitment to bring to an end all agricultural policies that have contributed to underdevelopment'. The declaration asked WTO members to 'set forth a clear timetable for agreeing upon the phasing out of all forms of export subsidies and to agree upon substantial improvements in market access, taking into account special and differential treatment'. The parliamentarians declared that they recognised that 'agriculture has a multifunctional role which includes food safety, preservation of land, animal welfare, way of life, revitalisation of rural society and rural employment' and WTO members were invited to 'address those issues through non-trade-distorting means' and to 'respond positively to the sectoral initiative on cotton'.

In addition to agriculture, the Cancún declaration paid attention to intellectual property rights (TRIPS) and trade in services (GATS). The TRIPS agreement should be interpreted in ways 'consistent with public health needs' in order to 'improve the present situation in which a third of the world population does not have access to essential medicines'. A 'cautious approach to liberalisation' was required in the GATS negotiations, 'especially as far as services relating to basic human rights and needs are concerned'. Furthermore, the parliamentarians declared that: 'all agreements require an appropriate assessment of their economic, social, cultural and gender impact as well as of their environmental sustainability'.

³ Cancun Session of the Parliamentary Conference on the WTO. Declaration adopted on 12 September 2003. See www.ipu.org

⁴ Working towards an equitable environment for international commerce: The issue of trade in agricultural products and the access to basic medicines. Resolution adopted by consensus by the 110th Assembly. See www.ipu.org.

3.3 From Brussels 2004 to Hong Kong 2005

In November 2004, the IPU and EP organised a new session of the Parliamentary Conference on the WTO in Brussels. One of the issues on the agenda was the 'Adoption of Rules of Procedure of the Parliamentary Conference on the WTO'. The rules were approved by consensus on November 26.5

Article 1 states that the Conference is 'a forum for the exchange of opinions, information and experience, as well as for the promotion of common action on topics related to the role of parliaments and the organisation of parliamentary functions in the area of international trade issues' (1.1). The Conference 'seeks to promote free and fair trade that benefits people everywhere, enhances development and reduces poverty' (1.2). Finally, the Conference 'will provide a parliamentary dimension to the WTO' by:

- (a) overseeing WTO activities and promoting their effectiveness and fairness keeping in mind the original objectives of the WTO set in Marrakech;
- (b) promoting the transparency of WTO procedures and improving the dialogue between governments, parliaments and civil society; and
- (c) building capacity in parliaments in matters of international trade and exerting influence on the direction of discussions within the WTO (1.3).

Participants in the Conference are (Article 2.1):

- delegations designated by parliaments of sovereign States that are members of the WTO;
- delegations designated by IPU Member Parliaments from countries that are not represented in the WTO; and
- delegations designated by the European Parliament, the Parliamentary Assembly of the Council of Europe, the Commonwealth Parliamentary Association and the Assemblée parlementaire de la Francophonie.

The Brussels declaration includes comments on a fairly extensive list of issues negotiated in the WTO. The declaration stressed 'the importance of lower industrial tariffs' and 'better market access for non-agricultural products', reduction or elimination of 'tariff and non-tariff barriers to trade in environmental goods' and 'trade facilitation'. With regard to agriculture, the parliamentarians called on WTO members 'to continue working' on the 'elimination of all forms of export subsidies', a 'substantial reduction in trade-distorting domestic support' and market access.

In relation to the negotiations on agriculture, the declaration pointed to the 'fundamental need to define and provide a framework for the notion of "sensitive products" and for the issues of special interest to developing countries' as well as 'the need to discuss further sectoral initiatives, differential export taxes and geographical indications' and 'the aim of encouraging the withdrawal of export subsidies'. The 'highest importance' was attached to the 'pressing needs of developing countries dependent on the export of tropical agricultural commodities, notably sugar, bananas and cotton' and consideration

⁵ Rules of Procedure adopted during the Brussels session on 26 November 2004. See www.ipu.org.

should also be given to 'developing countries dependent on export incomes from coffee, cocoa, pineapple, rice, and other monocultures'. The concerns of developing countries with regard to 'poverty reduction, food security and sustainable livelihoods' should be 'kept at the forefront' of the negotiations and 'non-trade concerns of agriculture, which include food security, land conservation, revitalisation of rural society and rural employment, as well as the issues of sustainable forestry and fisheries' should be 'addressed in a satisfactory manner'. In the negotiations on export competition, the 'issues of malnutrition and hunger deserve sharper focus'.

With regard to trade in services, the parliamentarians declared that 'caution must be exercised in the liberalisation', especially liberalisation of services that relate to 'basic human rights and basic and essential needs such as those that provide for public health, education, culture, and social services'. The Brussels declaration expressed a belief in every country's 'right to protect its cultural diversity and to conserve and develop public services'. Furthermore, the declaration stressed the need to 'make progress in the area of trade-related aspects of intellectual property rights (TRIPS)', and underlined 'the importance of providing technical assistance to developing countries'. 'Special attention' was given to 'the protection of biodiversity and access to essential low cost medicines'.

The next Parliamentary Conference was held during the WTO Ministerial Conference in Hong Kong in December 2005. The declaration that was adopted by the MPs comprises a considerable number of institutional and substantive matters related to the ongoing trade negations.⁶ Institutional matters include technical assistance to developing countries, greater coherence between international economic actors like the WTO, the World Bank and the International Monetary Fund, and strengthening of the WTO with regard to openness, transparency, accountability and participation. Of particular interest here is paragraph 24 regarding among other things the national parliaments and their dealings with trade issues:

We advocate assigning trade issues to an existing committee or, when needed, establishing a special committee on the WTO in national parliaments, regional and global parliamentary organizations. These committees could monitor developments in multilateral trade, including capacity-building of parliaments and parliamentarians in multilateral trade, and offer parliamentary oversight.

The MPs attending the Hong Kong session expressed a concern with 'the insufficient progress made in dealing with all key sectors, especially the major development issues'. With regard to agriculture, the declaration emphasised that 'all forms of export subsidies' should be phased out, and that 'trade-distorting domestic support to agriculture by developed countries' should be reduced. Developed countries should open their markets for the world's poorest countries, and 'permanent provision of duty-free and quota-free market access for products originating from the least developed countries should be offered'.

⁶ Hong Kong Session of the Parliamentary Conference on the WTO. Declaration. Adopted on 15 December 2005 by consensus (later the delegation of Australia expressed some reservations). See www.ipu.org.

Other topics mentioned in the Hong Kong declaration include the cotton issue, food security and sustainable livelihoods, non-trade concerns of agriculture and non-agricultural market access, trade in services including health, education and basic needs, intellectual property rights including the protection of traditional knowledge and genetic resources. The declaration emphasised 'the importance of environmental protection' and called 'for WTO rule-making and goals to be coherent with the obligations undertaken under multilateral environmental agreements'. The 'environmental legislation of WTO members should not be seen a non-tariff barrier to trade'.

3.4 Geneva 2006 – 2009

The Parliamentary Conference on the WTO in 2006 took place in Geneva in the beginning of December. Deliberations were marked by a standstill in the WTO negotiations. The declaration adopted on 2 December repeated the 'commitment to provide a strong and effective parliamentary dimension to the WTO', but nothing new was added with regard to the institutional development of the dimension. The parliamentarians expressed a particular concern with the 'lasting negative effects' of a 'prolonged suspension of the Doha talks' which could 'put poorer countries in a disadvantaged position'. The losses 'would be immense' and 'among the first to be adversely affected would be the least developed countries (LDCs), including cotton-exporting countries in Africa'.

The standstill continued in 2007 and there was no Parliamentary Conference this year. However, the Conference Steering Committee met twice, and a parliamentary panel was organized at the WTO Public Forum in Geneva in October 2007. In June-July 2008 the WTO negotiations seemed to progress but once again the negotiators failed to reach an agreement. The Parliamentary Conference on the WTO convened again 11-12 September 2008. In the declaration, now termed 'Outcome Document', the parliamentarians expressed their disappointment and concern about the failure. The document stated that the WTO 'will need to engage in institutional reform aimed at improving its functioning and enhancing its accountability and democratic legitimacy'. Furthermore, the parliamentarians declared that 'it is crucial for parliaments to exercise ever more vigorously and effectively their constitutional functions of oversight and scrutiny of government action', and that they were 'committed to play a far greater role than ever before in overseeing WTO activities'.

Even more interesting in our context are the amendments to the Rules of Procedure and the new 'Guidelines for Relations between Governments and Parliaments on International Trade Issues' which were adopted at the 2008 conference. The amendments to the Rules of Procedure were related to Article 4 – Steering Committee and Secretariat, and showed that a new step was taken in the process of institutionalising the parliamentary dimension of the WTO. A specification of membership in the Steering Committee was included in paragraph 4.1. The committee should be composed of 'representatives of parliaments in Sovereign States, of the IPU and the European Parliament as the Conference co-organizers, of selected other regional and international parliamentary assemblies and structures, and of the WTO Secretariat' (4.1). Furthermore, five new paragraphs on continuity in representation (4.3),

participation in the decision-making process (4.4), changes in the composition (4.5), term of office and rotation of seats (4.6), and a decision that the Steering Committee should define geographical regions for the purpose of rotation (4.7), were added to the set of rules regarding the steering committee.

The purpose of the guidelines for the relations between governments and parliaments adopted at the parliamentary conference in Geneva 2008 is 'to provide all national parliaments with the opportunity to scrutinise and have an influence on governments' trade policy'. The guidelines apply not only to the WTO but to 'international trade negotiations in the broader sense, i.e. both to multilateral and bilateral frameworks'. Three elements which were supposed to 'help to ensure that the national parliaments gain an influence on trade policy' were pointed out. The parliaments should receive 'relevant information on trade initiatives from the government in good time so that the parliament has an opportunity to take them into consideration before decisions are made'. Furthermore, the parliaments should have 'real opportunity to use the information received to gain an influence on its own country's trade policy' and to 'follow up on its government's decisions'.

The recommendations included easy access to information on legislation and trade initiatives as well as original documents and draft agreements, meetings with ministers 'well in advance' of international trade meetings, and information 'well in advance as regards positions in the negotiations and decisions to be made'. Finally the guidelines recommend that '[m]embers of parliament specialising in international trade should be included, as a matter of rule, in their country's official national delegation to international trade events including WTO Ministerial Conferences'.

The guidelines state that '[i]t is up to each parliament to decide the extent to which the guidelines should be implemented', but even so we see that the *international* Parliamentary Conference on the WTO goes quite far in the specification of how *national* parliaments and governments should act. The guidelines illustrate the gothrough-the-WTO strategy mentioned above. National parliamentarians used the WTO conference as an instrument in the struggle for influence vis-à-vis their respective national governments.

The agenda of the Geneva conference in 2008 included debates on two substantive themes. The first debate on 'Looking beyond Doha' focused on the consequences of the failure to reach an agreement while the second theme raised the question 'Can International Trade Help Mitigate Climate Change?'. In the outcome document of the conference the parliamentarians called attention to 'the need to continue to give priority to the vital interests of developing countries'. With reference to 'the soaring prices of raw materials and agricultural products' the document expressed worries about financial and economic crises and the urgent need to address 'challenges relating to food security, energy and climate change'. However, the primary concern of the parliamentarians meeting in Geneva in September 2008 was the failure to reach an agreement. The parliamentarians urged their government negotiators to 'close the deal, that is on the table since July, before the end of the year [2008] so that the Doha Development Round can be concluded in 2009'.

A new attempt to overcome the problems in the WTO negotiations was made by a group countries and the EU shortly after the Parliamentary Conference in September 2008. However, the attempt failed and the negotiations came to a new standstill. In 2009, once again no parliamentary conference was held, but an 'Enlarged Session of the Steering Committee of the Parliamentary Conference on the WTO' was organized on the occasion of the seventh Ministerial Conference in Geneva in November-December 2009.

3.5 Summing up

In the presentation of the development of the parliamentary dimension of the WTO we have focused on two elements: the institutionalization of the parliamentary dimension and the subject-matters that the participants have been concerned with.

With the adoption of the Rules of Procedure of the Parliamentary Conference on the WTO in 2004 and the amendments in 2008 we may say that the first phase in the process of institutionalizing a parliamentary dimension of the WTO has been completed. The dimension has been institutionalized in the shape of the Parliamentary Conference on the WTO. Parliamentary bodies at different levels are included in what we may call the multilevel parliamentary field of the WTO. The WTO has not been a driving force in the development of the parliamentary dimension. It is first and foremost the parliamentarians themselves that have advocated that there should be a parliamentary role to be played in the WTO.

Furthermore, the parliamentary dimension is still not fully integrated into the WTO. The conference is organized jointly by the Inter-Parliamentary Union and the European Parliament, not by the WTO itself. However, the WTO has accepted the development and gradually become more interested in the parliamentary dimension for its own reasons. After the turmoil at the Ministerial Conference in Seattle in 1999, the WTO became more aware of the need for transparency, legitimacy and better communications with civil society. Parliamentarians, as elected representatives of the people, may serve as a link between the WTO and the civil societies of member states and thus legitimise the objectives of the WTO. Or as the so-called Sutherland report on institutional challenges to the WTO puts it: 'legitimacy is central to the effective development of the WTO as a force for good in the world, and national parliaments are the key mechanism to secure that legitimacy' (Sutherland et al. 2004:46).⁷

The declarations and outcome documents that have been adopted at the parliamentary conferences reveals that gradually the parliamentarians have engaged more strongly in the subject-matters of the WTO negotiations and possible consequences for other policies. The number of paragraphs increased from 12 in the Geneva 2003 declaration and 15 in the Cancún 2003 declaration, to 22 in the 2004 Brussels declaration and 25 in the Hong Kong 2005 declaration. The parliamentary conferences in Geneva in 2006 and

⁷ The report – The Future of the WTO. Addressing institutional challenges in the new millennium – was prepared by a Consultative Board chaired by Peter Sutherland. The Board was appointed by Director-General Supachai Panitchpakdi in June 2003.

2008 were marked by the failure and standstill in the negotiations and the declarations comprised only 9 and 12 paragraphs respectively, primarily concerned with the need for an agreement on international trade. However, the expansion of the texts in the preceding declarations was related to a number of issues reflecting the intertwinement of domestic and international policies. The declarations have dealt with issues such as domestic support to agriculture, animal welfare, rural development, public services, medicines and public health, and climate change etc., thus illustrating that international and domestic politics and policies interfere with each other. The dissolution of the borderline between domestic and international policies encourages members of national parliaments to engage in matters that have traditionally been considered to belong to the prerogatives of the executive.

4. Questions for research and reflection

By the end of 2009 we may say that the first phase in the process of institutionalizing a parliamentary dimension of the WTO has been completed. However, the role to be played by parliamentarians in relation to WTO negotiations is not fully developed and a number of questions for further research – and reflection among parliamentarians as well as in the WTO – may be raised. In this section we will discuss some of the questions that may be raised in relation to the theoretical perspectives that were presented in section 2 and the fact that the *parliamentary* dimension of the WTO is related to an intergovernmental organization. In the discussion we will take into account that the dual process of internationalization of domestic affairs and domestification of international affairs indicates that the *international* parliamentary dimension of the WTO itself should be analysed in relation to what we have called a *national* parliamentary dimension regarding the WTO.

4.1 National interests and two-level games

As pointed out in section 2, with the exception of national security and military defence there is no *single* national interest as such. National interests need to be defined and one of the most important roles of national parliaments in democratic systems is to prioritise and balance conflicting political interests. The significance of national parliaments in the process of defining and balancing different national interests depends among other things on the strength of parliament vis-à-vis the executive. Consequently we would expect executive-legislative relations in general to have an impact on the role of parliament with regard to the establishment and revision of national negotiating positions in the WTO in particular .

This way of reasoning calls for comparative analyses of variations across countries with regard to the way national interests and negotiating positions are established. In short: How are parliaments involved in these processes? Are these matters determined by governments or do parliaments have a say? Such analyses should include topics like the formal decision-making by parliaments, informal consultations between parliaments and governments, the organisational structures (e.g. parliamentary committees) established in order to handle these processes, and the influence exerted by various domestic

interest groups (cf. Rommetvedt et al. 2009, Langhelle and Rommetvedt 2004). The procedures for processes like this are important with regard to democratic representation and the legitimacy of decisions made in related to the WTO negotiations.

An important aspect of two-level games is the interaction between the games played at the national and international levels respectively. The major players to focus on in this context are the negotiators in the WTO, i.e. the national governments and their delegates. On the one hand governments may use compromises and 'necessary' concessions to be given in international negotiations as a means to persuade domestic interest groups and opposition parties in parliament to agree to domestic policies that they would otherwise not accept. On the other hand the governments' negotiators may use constraints imposed on the government by domestic interest group and parties as a playing card in the WTO negotiations. They may argue that strong interests would not accept further concessions and consequently that the government would risk parliament to deny ratification of the proposed agreement. The occurrence and variations with regard to such games and strategies are important topics for further analysis.

4.2 Go-through or bypass government?

As indicated in section 2, executive-legislative relations and the strength of parliaments vis-à-vis governments may have an impact on the strategies chosen by national parliaments in their efforts to influence WTO negotiations. The go-through-government strategy is appropriate when the government is responsive to parliament and we would expect strong parliaments to exert their influence primarily through the government. Consequently, in the case of minority governments, and to some degree also coalition governments, we would expect parliaments to be relatively strong and to employ the gothrough-government strategy. In presidential systems and parliamentary systems with strong majority governments on the other hand, we would expect the legislature to have limited influence on the domestic arena and consequently to be more inclined to implement a bypass-government strategy at the international arena. In this case parliamentarians should be expected to engage more actively in the international parliamentary dimension and try to make their voices heard at the parliamentary conferences on the WTO. Parliamentarians may even apply a go-through-the-WTO strategy in order to influence their governments.

Questions for further research to be analysed in this context may take variations with regard to parliamentary strategies towards WTO negotiations as the starting point. Are the choices of strategies in fact related to executive-legislative relations? Are the bypass-government and go-through-the-WTO strategies substitutes or supplements to the go-through-government strategy? Are there other explanations for variations in parliamentary strategies, like for instance government responsiveness vis-à-vis the opposition, the 'maturity' of parliaments in established and new democracies (cf. Rommetvedt et al. 2009), or the resources and competencies of parliaments and parliamentarians? And related to the last question: As stated in the Rules of Procedure, the Parliamentary Conference on the WTO 'will provide a parliamentary dimension by [...] building capacity in parliaments in matters of international trade' (see section 3).

How are the intentions with regard to parliamentary capacity building implemented, and to what effect?

4.3 Influence or legitimise?

Naturally, the bypass-government strategy depends not only on the strength of national parliaments but also on the significance of the parliamentary dimension of the WTO. As we have seen, the development of the parliamentary dimension of the WTO has been a process mainly of institutionalising a role to be played by parliamentarians. Gradually the attention of the parliamentary conferences has changed and more recent declarations focus on the content or subject-matters of the WTO negotiations (cf. section 3). However, one may indeed question the real influence exerted by the parliamentarians on the negotiations. The parliamentarians' influence seems limited so far, but more thorough analyses should be conducted in order to see how this develops. It seems premature at present, but in a longer perspective on may ask whether a stronger involvement of national parliamentarians changes the balance of power among WTO members.

According to Zahrnt (2008:407), delegates at the national missions at the WTO agreed that 'the greater average participation of parliaments tended to decrease their countries' readiness to open up their markets'. One of the reasons for this may be that parliamentarians have narrower constituencies and more specific interests than the executive bodies. Consequently, parliamentarians 'enlist support for their specific protectionist needs by endorsing the claims for protection by other parliamentarians'. However, the impression given by the declarations from the parliamentary conferences on the WTO is not particularly protectionist. More research on the parliamentarians themselves, and not only on the delegates at the national (government appointed) missions at the WTO, is needed in this context.

As we have seen, the WTO itself has not been the driving force behind the development of the parliamentary dimension. Perhaps somewhat reluctantly, the WTO has accepted that national parliamentarians should have a role to play in relation to the negotiations in the intergovernmental organization. However, the role that the WTO wishes parliamentarians to play is rather different from the one we have discussed above. The wishes of the WTO are related to transparency, but first and foremost to the communication of information about the WTO and the trade negotiations to the citizens (cf. section 2). In short, the WTO seems to consider the parliamentary dimension to be a possible tool for legitimization of the WTO and trade liberalization. Consequently, one may ask whether the parliamentary dimension of the WTO is a channel for parliamentarians to exert influence on the WTO, or if it is simply an instrument for the WTO to legitimize its activities? According to the delegates at the missions in Geneva 'parliamentarians usually lack a thorough understanding of the WTO' (Zahrnt 2008:407). Does participation in the parliamentary conferences and other WTO related activities 'enlighten' the parliamentarians and influence their attitudes with regard to trade liberalization?

5. Conclusion

No doubt the World Trade Organization has become one of the most important international organisations in the world. In this paper, we have seen how a parliamentary dimension has been added to this intergovernmental organisation. A number of measures that have been taken in order to institutionalize a parliamentary dimension of the WTO, and gradually the parliamentarians have increased the attention paid to the substantive content of the WTO negotiations. I have argued that this development should be related to the amalgamation of international and domestic affairs, and to theoretical perspectives on national interests and two-level games, executive-legislative relations, and go-through- or bypass-national-government strategies in order to influence the WTO. As we have seen, the latter has been supplemented with a go-though-the-WTO strategy carried out in order to strengthen the influence of parliamentarians on national governments.

Finally, I have raised a number of questions related to the process of prioritising and balancing various national interests and the relationships between the games played at national and international levels respectively, executive-legislative relations and parliamentary strategies, and the role of parliamentarians with regard to exerting influence and/or legitimizing the WTO. These are questions for further research as well as reflection among the parliamentarians and in the WTO itself. The list of topics is definitely not comprehensive, but it illustrates that in the era of internationalization and globalization there is need for further research and reflection on representative democracy and the role of national parliamentarians in the multilevel parliamentary field of the WTO.

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