

Trading Knowledge As A Public Good: A Proposal For The WTO

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Years of deadlock in the Doha Round of trade negotiations at the World Trade Organization (WTO) has prompted some to question the institution's effectiveness, and even, its relevance. But for others, the stalemate seems to be favourable for new ideas and new ways to think about global trade.

During the 19-21 September [WTO Public Forum 2011](#), Knowledge Ecology International (KEI) and IQsensato, both not-for-profit organisations, held a joint panel session on a proposal to the WTO entitled, "An Agreement on the Supply of Knowledge as a Global Public Good." The 21 September session provided a space to debate the feasibility of adding the supply of public goods involving knowledge as a new category in negotiated binding commitments in international trade.

James Love, director of KEI, presented the idea. "The agreement," he explained, "combines voluntary offers with binding commitments by governments to increase the supply of heterogeneous public goods. It would be analogous to existing WTO commitments to reducing tariffs, subsidies, or liberalising services."

Limited access

The idea of "public goods" has been around for a while. A [KEI 2008 paper on the proposal](#), John Kenneth Galbraith's 1958 book, *The Affluent Society*, which created a stir about society's over-supply of private goods versus a growing under-supply of public goods. The KEI paper also cites the contribution to the debate made by Joseph Stiglitz, who identified five global public good categories: international economic stability, international security (political stability), the international environment, international humanitarian assistance, and knowledge.

It's this last category that KEI would like to see put up for negotiation. According to its 2008 paper, "In recent decades, an influential and controversial enclosure movement has vastly expanded the boundaries of what knowledge can be 'owned,' lengthened the legal terms of protection and enhanced the legal rights granted to owners of the collection of legal rights referred to as "intellectual property."

Proposal advocates argue that in the wake of such knowledge protection, the global community faces an under-supply of public goods, including knowledge. Shandana Gulzar Khan, of the permanent mission of Pakistan to the WTO, seconds this sentiment. "I feel that an acute restriction of access to public goods and services is indeed a reality for the majority of the world's population."

Love argued that the WTO is the right international institutional to contribute to the solution. He cited a description of the WTO found on its website: "Above all, it's a negotiating forum...Essentially, the WTO is a place where member governments go, to try to sort out the trade problems they face with each other.... Although negotiated and signed by governments, the goal is to help producers of goods and services, exporters, and importers conduct their business, while allowing governments to meet social and environmental objectives."

Defining Good

When it comes to defining what qualifies as a global public good, Love mentioned how the International Task Force on Global Public Goods describes them as goods that "address issues that are deemed to be important to the international community; and that cannot, or will not, be adequately addressed by individual countries acting alone." The list of such priorities is long and far-reaching.

Examples of potential ask/offers includes collaborative funding of inducement prizes to reward open source innovation in areas of climate change, sustainable agriculture and medicine; agreement to fund biomedical research in areas of great importance, such as new antibiotics, avian influenza, and the development of an AIDS vaccine; funding of projects to improve functionality and usability of free software; and new open public domain tools for distance education.

Some experts cautioned that deriving a universal definition of what constitutes global public goods is a tall task. Panel speaker Antony Taubman, director of the Intellectual Property Division at the WTO, cautioned that public goods do not bring with them an idea of prioritization. "One of the underlying challenges, of course, is how to multi-lateralise the concept of public goods.... What might be considered a high priority public good from one country's perspective would possibly be even rejected by another country."

Taubman mentioned hormones for beef or genetically modified crops as current examples of controversial public goods. "Would one country's contribution of a new drought resistant genetically modified crop really be considered a valuable public good by countries that regarded that as an inappropriate technology?"

Another panellist, José Estanislau do Amaral from the permanent mission of Brazil to the WTO and other economic organisations in Geneva, suggested ways to take the proposal forward.

“There seems to be a double objective in the proposal,” he said. “One is to support the creation of certain public goods and the other one is to increase access to those goods. Both of course are interlinked and they are mutually reinforcing. But they are objectives in themselves.... I am inclined, at this stage, to suggest that there might be benefits in those two objectives being pursued separately. Access to existing knowledge must not be required to wait for the supply of new knowledge.”

The Brazilian official suggested that KEI construct a structured draft treaty of the proposal so there could be a more advanced debate on the idea. Love said that a draft agreement should be ready by the end of February 2012.

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