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**The challenge of
financing development**

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The struggle for environmental justice in Africa

Africa's myriad ecological challenges are the result of acts that view the continent as a sacrificial zone. In the following edited version of a speech presented at a recent environmental conference, *Nnimmo Bassey* calls for resistance against the despoilers and plunderers.

THE struggle for environmental justice in Africa is complex and broad. It is the continuation of the fight for the liberation of the continent and for socio-ecological transformation. It is a fact that the environment is our life: The soil, rivers and air are not inanimate or lifeless entities. We are rooted and anchored in our environment. Our roots are sunk into our environment and that is where our nourishment comes from. We do not see the Earth and her bountiful gifts as items that must be exploited, transformed, consumed or wasted. The understanding of the Earth as a living entity and not a dead thing warns that rapacious exploitation that disrupts her regenerative powers is an act of cruelty or ecocide.

We bear in mind that colonialism was erected on the right to subjugate, erase or diminish the right to life and the right to the unfettered cultural expression of the colonised. In particular, the colonised were dehumanised and transformed into zombies working for the benefit of the colonial powers. Ecological pillage was permitted as long as it benefited the colonisers. This ethos has persisted and manifests in diverse forms. Grand theft by the colonial forces was seen as entrepreneurship. Genocide was overlooked as mere conquest. Slavery was seen as commerce. Extractivism was to be pursued relentlessly as any element left unexploited was considered a waste. What could be wasted with no compunction was life. So most



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'While the world knows that we must rebuild our biodiversity, what we see is the push towards more deforestation in Africa...'

things had to die. The civilisers were purveyors of death. Death of individuals. Death of ecosystems.

Thus, today, people still ask: What would we do with the crude oil or fossil gas in our soil if we do not exploit them? In other words, how could we end poverty if we do not destroy our environment and grab all it could be forced to yield? We tolerate deforestation, and unregulated industrial fishing, and run a biosafety regulation system that promotes the introduction of needless genetically modified organisms (GMOs) and by doing so, endanger our biodiversity and compromise our environment and food systems.

Plunder is presented as inescapable and desired under the cloak of foreign investment. Political leaders in despoiled regions

offer ease of doing business, tax holidays, sundry lax rules and other neocolonial governance policies.

The reign of exploitation and consumption without responsibility has driven Africa and indeed the world to the brink. The current civilisation of death seeks ready investment in destruction through warfare and extractivism rather than in building resilience and adapting to the environmental changes that result from corporate and imperial misadventures.

We are in a reign in which condescension is the hallmark of multilateralism. The collective action needed to tackle global warming has been reduced to puny 'nationally determined contributions' that add up to nothing. Rather than recognising and paying a clear climate debt, we

expend energy negotiating a loss-and-damage regime to be packaged as a humanitarian gesture. Pray, who negotiates what is offered as charity?

Challenges

Today, Africa is facing multiple ecological challenges. All of these have resulted from the actions of entities that have seen the continent as a sacrificial zone. While the world has come to the conclusion that there must be an urgent shift from dependence on fossil fuels, we are seeing massive investments for the extraction of petroleum resources on the continent. And we must say that this investment comes with related infrastructure for the export of these resources out of the continent in a crass colonial pattern. A mere 1% of the labour force in the extractive sector in Africa are Africans. A mere 5% of investment in the sector is in Africa. More than 85% of the continent's fossil gas infrastructure is for export purposes.

The shift to renewable energy brings the same old challenges to Africa. Extraction of critical minerals for renewable energy is done without prior consultation with and consent of our people. The continent's environment is being degraded just as it has been with the extraction of oil, gas, gold, diamond, nickel, cobalt and other solid minerals. The array of solar panels and wind turbines could well become markers of crime scenes if precautionary measures are not taken now.

Are we against renewable energy? No. They provide the best pathway towards ending the energy deficit on the continent. However, this should be pursued through discrete, autonomous and socialised ownership schemes.

While the world knows that we must rebuild our biodiversity, what we see is the push towards more deforestation in Africa and for monoculture agriculture, all of



Workers at a copper mine in the Belgian Congo, 1928. Extractivism was relentlessly pursued under colonialism.

which are against our best interest and that of the world. A sore issue, land grabbing has not disappeared with the coming innovations.

As Chinua Achebe writes in his classic 1994 book *Things Fall Apart* about Eneke the bird, 'Since men have learned to shoot without missing, he has learned to fly without perching.' For us, until the despoilers of our environment halt their destructive acts, we will intensify our resistance and never give in to their designs. We believe this conference will not only break the yoke of colonialism but will also puncture the hold of coloniality. Our book *Politics of Turbulent Waters* is one of the tools towards these ends.

Every African nation should:

1. Commit to issuing an annual State of Environment Report to lay out the situation of things in their territories.
2. End destructive extraction no matter the appeal of capital.
3. Demand climate debt for centuries of ecological exploitation and harm.
4. Require remediation, restoration of all degraded territories, and pay reparations to direct victims or their heirs.
5. Support and promote food

sovereignty including by adopting agroecology.

6. Adopt and promote African cultural tools and philosophies for the holistic tackling of ecological challenges and for the healing and well-being of our people and communities.

7. Promote and provide renewable energy in a democratised manner.

8. Recognise our right to water, treat it as a public good, and halt and reverse its privatisation.

9. Recognise the rights of Mother Earth and codify ecocide as a crime akin to genocide, war crimes and other unusual crimes.

10. Ensure that all Africans enjoy the right to live in a safe and satisfactory environment suitable for their progress as enshrined in the African Charter on Peoples and Human Rights. ♦

Nnimmo Bassey is the director of the ecological think-tank Health of Mother Earth Foundation (HOMEF), and a steering committee member of Oilwatch International. This article was produced by Earth | Food | Life, a project of the Independent Media Institute (<https://independentmediainstitute.org/earth-food-life/>). It is an edited version of a speech the author delivered at HOMEF's 10th Anniversary Conference with the theme 'Advancing Environmental Justice in Africa', held in June 2023 in Abuja, Nigeria.

The modern form of colonialism: climate change

Developed countries are primarily responsible for the climate crisis, but it is developing countries like Bangladesh that are the most vulnerable to its effects.

Tapti Sen

I am from a disappearing nation.

My country, Bangladesh, is one of several at risk of becoming submerged partially or completely by rising sea levels caused by climate change in the coming decades. Seventy-five percent of the country lies below sea level.

Bangladesh, a tropical country on top of a low-lying delta, is no stranger to flooding, especially during monsoon season. But the extent to which this flooding has taken place in recent years is unprecedented. Flooding in Sylhet and other northeastern districts of Bangladesh between May and June of 2022 displaced an estimated 15 million people – approximately 9% of the country – and toppled hundreds of villages in 2022 alone. Flooding and torrential rains in July 2020 led to the submerging of nearly a quarter of Bangladesh.

All of this flooding and damage has taken an undeniable toll on the nation. Data demonstrates that between 2000 and 2019, Bangladesh suffered \$3.72 billion worth of economic losses due to climate change. Despite its low carbon output both historically and in the present day, the country is disproportionately impacted by climate change due to its location.

International and humanitarian organisations have responded to these annual crises as they always do: with donations upon donations upon donations. But using relief and donation requests to combat climate problems is a flawed



Bangladesh is at risk of becoming submerged by rising sea levels caused by climate change in the coming decades.

approach. Humanitarianism stems from noble intentions, but societies have grown complacent with philanthropic interventions during crises, which avoid the duty to deal with structural issues.

We praise charity efforts as generous, without critiquing why they are made necessary in the first place. Take, for example, the members of the Bangladeshi army who gave up a day's worth of their salary to contribute to flood-related fundraising efforts. Some international organisations are enacting preventative measures for climate disasters. The United Nations Office for the Coordination of Humanitarian Affairs, for instance, has established different anticipatory action frameworks in what they deem 'high-risk

countries', which allowed them to allocate relief funds to Bangladesh even before the monsoon flooding started this year. Given the subsequent toll of the floods, it's clear that even these preventative measures aren't enough to mitigate these disasters.

All of this considered, it's no surprise that numerous Bangladeshi politicians, who formerly took on active roles during national humanitarian crises, took a backseat.

We talk about Bangladesh's climate crisis as if it was inevitable, as though Bangladesh is simply a victim of its location. But the reality is much more sinister. Developed nations are largely responsible for the state of Bangladesh's climate catastrophes.

Moniruzzaman Sazal/Climate Visuals Countdown (CC BY-SA 2.0)

Between 1765 and 1938, Britain plundered almost \$45 trillion from the Indian subcontinent. Within this looting was ‘the financial bleeding of Bengal’, filled not only with the ransacking of its treasuries and towns for money, but the exploitation of its workers and artisans for complex and raw materials alike. It’s no surprise that British colonisation and imperialism goes hand in hand with its industrialisation, considering that the Industrial Revolution demanded cheap raw materials and money in order for factories to produce and over-produce and pollute. Essentially, it’s not inaccurate to say that a major reason for Bangladesh’s climate and flooding crisis is its colonisation under the British Raj.

When we talk about carbon dioxide (CO₂) emissions and responsibility, we need to focus on cumulative historical emissions, as those are the causes of the ongoing climate crisis. The data shows that 23 rich, developed countries, including the United States, Germany, the United Kingdom and France, are responsible for half of all historical CO₂ emissions, with more than 150 countries responsible for the other half.

Up until 1950, more than half of historical CO₂ emissions were emitted by Europe, with the vast majority of European emissions being emitted by the UK. While the UK’s carbon imprint has lessened since then, should it not take responsibility for the consequences of its past actions? And today, rich countries like the US, Germany and the UK are among the top five CO₂-emitting countries. Why should Bangladesh have to suffer for the past and present extravagances of its colonisers?

Developed countries are primarily responsible for our current climate crisis, but it is developing countries that are the most vulnerable to its effects. Global warming, which has increased the economic inequality gap between the Global South and Global North



Dori (CC BY-SA 3.0 US)

Just 23 developed countries are responsible for half of all historical CO₂ emissions.

by a whopping 25%, punishes the economically vulnerable over the rich, the colonised over the colonisers, and it’s clear, therefore, that this climate crisis isn’t just an environmental issue: it’s about colonialism and imperialism and poverty and every systemic structure that has inequality enshrined in its foundations.

Taking responsibility

Developed countries must take responsibility for the climate crisis they initiated by paying reparations for developing countries. And there’s a number of ways they could do this.

One very tangible way for developed countries to pay reparations is the reallocation of Special Drawing Rights (SDRs). SDRs are supplementary foreign exchange reserve assets maintained by the International Monetary Fund. Certain numbers of them are distributed to banks and treasuries around the world, allowing financial institutions fallback options when they need to dip into their financial reserves during crises. However, SDRs are currently allocated by

quota, which means that low-income developing countries like Bangladesh receive 1.4%, high-income developing countries like China receive 22%, and rich countries such as the US and the UK receive over 60%. Of course, rich countries rarely, if ever, need to dip into their SDRs, whereas low-income countries often rely upon theirs. Ending this quota system and reallocating SDRs to the countries most vulnerable to climate change is a feasible way to dedicate existing resources to climate change mitigation. Considering that they don’t even use their SDRs, developed countries have no incentive not to do this.

In the same vein, countries could assist developing countries in undertaking various climate mitigation and adaptation projects. Climate mitigation refers to actions that involve reducing the levels of greenhouse gases in the atmosphere, either by reducing the point source pollution (e.g., the burning of fossil fuels for electricity) or by enhancing the sinks that store these gases (e.g., forests).

Currently, around 63% of Bangladesh’s energy comes from

natural gas. While the government is exploring alternative, renewable energy sources, the country is already enduring a massive energy crisis leading to widespread load-shedding. Bangladesh can't just simply make the switch from one energy source to another. However, developed nations could funnel resources towards Bangladeshi projects to develop renewable, well-explored sources of energy such as tidal and wind, stopping a bad situation from getting worse.

Climate adaptation is just as necessary as climate mitigation. Developed countries could aid in numerous climate adaptability projects, including working with local farmers to develop new agricultural practices less vulnerable to the floods, strengthening coastal tracts of land, preventing the salinisation of already scarce drinking water, and building 'climate-friendly towns'. While non-governmental organisations have aided Bangladesh in these ventures, developed countries should also use their own resources in this transformation.

But climate change devastation simply can't be avoided through mitigation and adaptation techniques alone: frontline countries need financial support to repair from inevitable disasters. The economic costs among developing countries for these losses and damages are expected to reach \$200-580 billion by 2030. The Glasgow Dialogue was established by the 2021 UN climate change conference (or colloquially, COP 26) in response to calls from developing nations regarding assistance during environmental climate crises. Zoha Shawoo, scientist at the Stockholm Environment Institute, outlines different principles the UN and developed nations could use for financing loss and damage, like providing needs-based finance on a country-by-country basis or ensuring that national systems are used to distribute the funds.

All countries owe climate



A solar panel used for electricity in the Sundarbans forest area of Bangladesh. Developed nations could funnel resources towards Bangladeshi projects to develop renewable sources of energy.

refugees recognition and safe harbour. Over 21.5 million people across the world have already been displaced due to climate change. However, many countries, including the US, don't actually recognise climate refugees as 'refugees'. Those who face persecution not from other people but from human-induced environmental threats are often unable to apply for asylum or access shelter, food or basic necessities. This neglect causes climate refugees to, as NPR (US National Public Radio) puts it, 'fall between the cracks'.

Developed nations act less concerned about climate change because, in the next few decades at least, disasters and sea-level changes won't entirely disrupt or affect them (and also because corporations profit off environmental degradation). But we fail to recognise how global and interconnected our world is now. Bangladesh, for instance, is among the top exporters of textiles in the world. When it goes underwater, that void can't easily be filled by some other developing country taking up the burden. While climate change losses may seem relatively small now, the positive feedback loop of global warming means each and every one of them will have

massive global ramifications in the future.

At its core, climate change is a form of genocide – not only human and environmental genocide, but cultural genocide too. With every inch of Bangladesh that goes under, every village that's lost, every province flooded, a part of Bengali culture disappears with it: customs forgotten, ancestral homelands abandoned and submerged.

Those of us from developing and formerly colonised countries have already lost so much, have already had so much of our histories erased through imperialism and the dehumanisation of our peoples.

We are strong – undergoing colonisation necessitated that strength – but how much more can we bear?

If Bangladesh sinks – *when* Bangladesh sinks – it won't be an abstract environmental loss, but the last breath of a people that started dying the minute the British landed on Indian soil. Developed countries created this climate disaster. Now they need to fix it. ♦

Tapti Sen is an Inequality.org Next Leader at the Washington, DC-based Institute for Policy Studies. This article is reproduced from Inequality.org under a Creative Commons licence.

Big Pharma isn't working

Why we need a new way to make medicines

The major drug companies prioritise profits over people's lives, and are making a killing in the process.

Global Justice Now

BIG Pharma's profit-driven model of making medicines is bad for our health. While in theory these companies exist to make the medicines we need, most are more interested in making money for their shareholders than finding cures for the most deadly diseases.

Because they are set up to prioritise shareholder interests, Big Pharma companies prioritise making drugs that will secure high profits, rather than those that will create the most health benefit. This system fuels irrational results, with some studies finding that more than half of approved medicines in recent years offered no therapeutic advance.

A system driven by profits also ignores many deadly diseases, especially those most prevalent in the Global South, where Big Pharma companies see less opportunity for profit. Diseases like tuberculosis kill millions, yet receive very little attention from Big Pharma companies.

Moreover, there is little within the current system to guarantee that medicines are affordable for the patients who need them. Patent monopolies prevent competition, effectively allowing companies to charge the price the market will bear. As one former drug company manager put it: 'If Grandma is on the table, no one will blink at the price.'

Big Pharma's profiteering model proved especially catastrophic during the COVID-19 pandemic, with pharma companies refusing to share vaccine patents



Big Pharma companies prioritise making drugs that will secure high profits, rather than those that will create the most health benefit.

and recipes with manufacturers in the Global South, even as billions of people were left without access to vaccines.

This disastrous episode is just one example in a long history of Big Pharma putting profit before people's lives: from the failure to invest in treatments for Ebola, to Martin Shkreli's hiking the price of a life-saving drug by 5,000%, to the millions of South Africans needlessly deprived of HIV/AIDS medication.

Following decades of Big Pharma failure, the disastrous inequality of the pandemic must mark a turning point for the way we produce medicines. Never again can Big Pharma be allowed to put profit before people's lives.

Big Pharma's money-making model

Pharmaceutical companies are

increasingly focused on maximising short-term financial returns to shareholders rather than making investments to benefit people's health. Big Pharma companies make higher profit margins than even the energy and finance sectors, yet most new medicines don't add any therapeutic benefit.

A key pillar of the Big Pharma model is intellectual property, which allows companies to retain exclusive ownership over 'inventions of the mind'. Patents allow pharma companies to prohibit the manufacture, use or sale of an invention without the patent holder's permission, for a minimum 20-year period. This market exclusivity is supposed to incentivise innovation to benefit the public. In reality, patents provide excessive financial rewards to patent holders, as the monopoly created by the patent allows high prices to be set.

Studies have shown that Big

Pharma's estimates for the cost of producing new drugs are wildly overestimated, even when adjusted for the risks taken in bringing an untested product to market.

While some argue that high prices are justified as long as pharma companies provide the drugs we need, Big Pharma companies are actually very bad at producing new, life-saving drugs. Over 50% of the new medicines that reach the market are 'copycat drugs', meaning they do not bring any added therapeutic advance for patients. This is a deeply irrational use of vast sums of money, not to mention some of the brightest minds in science.

Big Pharma also increasingly buys up the work of public researchers and smaller biotech companies rather than doing its own research and development. In this way, pharma companies build up huge concentrations of market power, which in turn allows them to raise prices sky-high.

Even after the COVID-19 pandemic, the profit-driven pharma industry is failing to invest in vaccines or treatments for some of the most dangerous pathogens. In fact, 10 of the 16 pathogens most likely to cause the next pandemic have completely empty research pipelines. Wary of low profit margins, the industry is also failing to produce new antibiotics, even as concern over drug-resistant bacteria grows.

In a further demonstration of the wrong priorities, many Big Pharma companies spend less money on research and development than they do on shareholder dividends and stock buybacks.

Pandemic profiteering

When the world was hit by a pandemic in 2020, there were hopes that the urgency and scale of the crisis would prompt a more collective approach to the development of COVID-19 vaccines and treatments. However,

Big Pharma companies quickly asserted themselves and were allowed to retain monopoly rights over the production of vaccines and treatments.

Big Pharma companies soon entered into contracts with the world's richest countries, leaving most people in low- and middle-income countries without access to vaccines. Countries in the Global South, led by South Africa and India, called for intellectual property rights on COVID-19 vaccines, treatments and tests to be suspended, to allow manufacturers around the world to produce vaccines and end dependency on a few unaccountable corporate giants. Yet, even as the deadly results of vaccine inequality became clear, wealthy countries including the UK and European Union blocked such moves, while pharma companies refused to share their patents and vaccine recipes with manufacturers in the Global South. The World Health Organisation reported that 1.3 million fewer people would have died if COVID-19 vaccines had been distributed equitably in 2021.

The profiteering of these companies is even more scandalous when you consider that every major vaccine was rooted in billions of pounds of public funding. The Oxford-AstraZeneca vaccine was 97% publicly funded, and the Moderna vaccine 100% publicly funded, yet both of these ended up in the hands of private corporations. The case of Moderna, whose vaccine was dependent on mRNA technology developed over decades – and at the cost of billions of dollars – by public scientists in the US, was particularly egregious, with the company making profit margins of over 70%. Meanwhile, the Pfizer-BioNTech vaccine, which also depended on mRNA technology, was supported by nearly half a billion euros of German public funding.

Failing the UK

Globally, it is estimated that the public pays for two-thirds of all upfront drug R&D costs and even medicines discovered by drug companies are often built on a large body of scientific work done in the public sector. In spite of this, there is no guarantee that these medicines will be accessible to patients in the UK or worldwide. Instead of making the industry more democratically accountable, the UK government has consistently bowed to Big Pharma's demands.

For example, abiraterone, a prostate cancer drug, was developed with heavy financing from the UK's largely publicly funded Institute of Cancer Research, but the country's National Health Service (NHS) has often had to ration access to it because of its excessive cost. In this case and many others, taxpayers are in effect paying twice by buying back medicines they have already paid to discover.

Meanwhile, although the UK's universities continue to fund huge amounts of research into medical advances, very little of this stays in the public sector and few conditions are put in place to stop pharma companies from charging exorbitant prices, both in the UK and internationally.

In 2023, pharma companies started calling for the NHS to pay even higher prices for drugs, demanding a huge tax cut to undermine an existing pricing scheme. Their proposals would cost the NHS an extra £2.5 billion a year, piling further pressure onto a health system that is already buckling under the pressure of underfunding and privatisation.

Failing the Global South

Vaccine monopolies proved deadly for people in low- and middle-income countries during the pandemic, but this was far from the first time that Big Pharma has

failed people living in the Global South. At the peak of the HIV/AIDS epidemic, and amid annual global deaths of over 2 million, Big Pharma companies charged a crippling £9,000 per person for key treatments, even though generic companies showed that a 97% reduction in price could still be profitable. When Nelson Mandela's South Africa passed a law that would allow it to import generic medicines, the pharma industry responded with fury, with 39 companies issuing a lawsuit to prevent the action. The companies eventually withdrew, but only after huge resistance from grassroots movements both in South Africa and internationally.

As well as setting scandalous prices and putting essential medicines out of reach of millions of sick people, the profit-driven pharma model has a terrible record of investing in diseases that affect people mostly in lower-income countries. Between 1945 and 1965, when tuberculosis was still a significant problem in rich countries, eight different anti-TB drugs were discovered. However, once TB was no longer a significant problem in the Global North, the development of these vital drugs stalled, with no new anti-TB drugs developed between 1965 and 2012. Meanwhile, just 4% of newly approved products are for neglected diseases that affect middle- and low-income countries.

When countries like Brazil and South Africa resisted integration into the global intellectual property rules, known as TRIPS, they were pursued by the US with threats of trade sanctions. Rigid intellectual property rules, in combination with the immense power of pharma corporations, have limited development of pharma industries in the Global South, leaving many countries dependent on outdated and neocolonial models of charity, rather than building strong domestic industries that protect local sovereignty.

Another pharma system is possible

Alternative models, which put medical advances ahead of shareholder greed, are emerging but they need support.

Sharing the science

One shining example is the team of scientists in South Africa who saw the catastrophic effects of vaccine inequality during the pandemic and took matters into their own hands. Teaming up with the World Health Organisation to make a version of Moderna's vaccine, they initially appealed to the American company to transfer technology to its vaccines hub. When Moderna refused, the South African scientists pushed ahead with their mission anyway, successfully reverse-engineering a version of the vaccine.

Now, instead of hoarding it, the hub has already started freely sharing the science with 15 other countries. Not only could this make a major dent in the power of pharma monopolies, but it could also secure greater control for countries in the Global South. Perhaps most significantly, the hub plans to deploy the mRNA technology to battle not just COVID-19 but also diseases like malaria, HIV, cancer and TB.

State-led innovation

Cuba offers a strong example of how state-led innovation can lead the way. Despite being a small nation under heavy embargo, it has developed two successful, homegrown COVID-19 vaccines. Moreover, it also pledged to support countries in the region, first by exporting vaccines, and then transferring production technology to other countries that need it.

Alternatives to patents

US senator Bernie Sanders has proposed an interesting alternative to the patent system which would involve setting aside 0.55% of US

gross domestic product (GDP) (about \$100 billion) as prize money for drug development. The prize would be paid to successful companies instead of giving them lengthy patents for creating new drugs, and health priorities, both national and international, would be decided democratically.

Conditions

Given that the public is paying for so much of the most important pharmaceutical innovation, governments could do far more to apply conditions on that funding. By doing this, they could ensure cheaper access to drugs, give the public a share of the revenues produced by taxpayer-funded research, and make the medical science available for others to improve on. A more collaborative and open approach to knowledge sharing would likely encourage more medical innovation, especially when compared with the strangling effect of patents and the litigious monopolies that hold onto them.

Our demands

1. Break Big Pharma's patent monopolies and support better ways of rewarding innovation.
2. Share vaccine and treatment technology with lower-income countries, so all countries can make the medicines they need.
3. Attach public-interest conditions to publicly funded research to hold pharma companies accountable.
4. Invest to make the medicines the world needs, not the ones that make the most profit.
5. Build up publicly controlled medicines research and manufacturing, to ensure the right to health for all. ◆

The above was first published by Global Justice Now as a campaign briefing (June 2023, <https://www.globaljustice.org.uk/resource/big-pharma-isnt-working/>). The London-based Global Justice Now campaigns for a global economy where people come before profit, and works in solidarity with social movements to fight injustice and inequality.

The four neat tricks corporations used to take over the world

Claire Provost and Matt Kennard spotlight the mechanisms that have propelled big business to positions of tremendous power, and that are helping them stay there.

This piece was originally published by Novara Media.

AS European empires crumbled in the 20th century, power structures that had dominated the world were up for renegotiation. Yet instead of a triumph of democracy, what emerged was a silent coup against its very core – namely, the unstoppable rise of global corporate power and new infrastructure to protect it from rebellious peoples. After spending years investigating this power grab for our new book *Silent Coup*, four systems stood out to us as having enabled multinational corporations to expand their control and to insulate themselves from democracy worldwide.

1. Corporate justice

The investor-state dispute settlement (ISDS) system enables multinational corporations and foreign investors to challenge entire countries at obscure but powerful international tribunals. What for? Anything that they can claim threatens their ‘rights’ under international investment and trade treaties. So far they’ve used this system to challenge environmental regulations, taxes they don’t want to pay and a wide range of other state actions (or inactions) from raising minimum wages to failing to quell protests or other activities that can interfere with their profit-making. The amounts of money at stake in these cases can be vast – many millions and even billions of dollars that states have to pay from public budgets. But beyond



Headquarters of the World Bank's International Finance Corporation in Washington DC. The IFC invests directly in private companies that operate in developing countries.

Castelobranco (CC BY-SA 3.0)

enabling money-making, this system has also helped corporations to steal decision-making power from the people (usually without our knowledge).

In El Salvador, we learnt how an Australian-Canadian mining company's case threatened the poor country with a giant bill but was also delaying further action to protect the environment and already-stressed water resources. Unusually, the government was openly resisting this case, which was well known on the ground and denounced as an attack on Salvadoran sovereignty. In South Africa, we learnt how the government quietly settled another case challenging Black economic empowerment policies, giving a group of European investors exemptions to them. Rich countries including Germany were also increasingly being sued through this

system. Today there are hundreds of other ISDS cases that are currently pending against states around the world – but they're typically heard in faraway places and shrouded in secrecy that the mainstream media rarely penetrates.

The International Centre for Settlement of Investment Disputes (ICSID) sits at the centre of this system and has overseen the majority of known cases so far. It is a little-known branch of the World Bank that is officially supposed to support the Bank's global development and poverty reduction goals by encouraging international investment into developing countries. But its track record – and its own history – tell another, anti-democratic story. At ICSID's headquarters in Washington DC, we found copies of historical documents that showed how some

developing countries tried to resist its establishment – arguing, like El Salvador is now, that it would threaten their sovereignty. The Bank deployed strategies including deceptively framing this system as a ‘modest proposal’ that would be based on consent, and not circulating notes from consultations, in order to push it through despite these concerns.

This system emerged in the mid-20th century as a growing number of European colonies were agitating for independence. Before the World Bank took up the idea, it was pitched among business elites. At a 1957 conference in San Francisco, Deutsche Bank’s Hermann Abs proposed what was described by *Time* magazine as a new ‘capitalist Magna Carta’ to protect private interests against rebellious peoples, independence movements and new governments that could try to nationalise or redistribute resources. He wasn’t the only European involved. The British Lord Shawcross was behind similar proposals, which were merged with Abs’s. After stalemates at the Organisation for Economic Cooperation and Development (OECD) and the United Nations, Americans and the World Bank took up the idea amidst the Cold War and desires to quash any alternatives to capitalism.

It took decades for this system to be enshrined in thousands of international investment and trade treaties crisscrossing the globe. At first, these were primarily signed between rich countries and poorer ones, giving corporations and investors from the former advance consent to sue the latter. The 1990s brought new mega-treaties including the North American Free Trade Agreement (NAFTA) and the Energy Charter Treaty (ECT) that expanded this system to enable threats against rich countries too. Law firms and financiers also seem to have fuelled an increase in cases. Corporate claimants are



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A ‘Special Economic Zone’ in the Philippines. Foreign investors operating in such SEZs are accorded many benefits and privileges.

advised by law firms that such cases can, for example, be used as ‘leverage’ in other negotiations with governments. Third-party financiers will pay for their claims to be mounted, taking cuts if they’re won.

These cases are typically judged by tribunals of three ‘arbitrators’ who have included former corporate and government officials as well as former treaty negotiators. Issues like human rights and the environment are not their expertise or concern. Some countries have started to try to extricate themselves from this system and the treaties that enshrine it – though they often include what are called ‘sunset clauses’ that mean their provisions stay in force for years even after they’re cancelled. South Africa decided to do this after the case we investigated. Critical to their decision was an internal study that failed to find clear evidence that giving investors access to this system indeed increased rates of investment, as proponents claim.

2. Corporate welfare

The international aid and development system similarly emerged in the mid-20th century amidst decolonisation and independence movements. It has enabled corporations to break into new regions around the world, and then to expand their presence there. It has helped them get through tough times and respond to resistance from local communities. It has provided new resources and revenue streams – and new routes to influence and control the economies of the majority of the world’s countries. Like the ISDS system, it has also increasingly gone global and is now active in parts of Europe too.

Supporters and critics of international aid often talk about it in similar terms: as if it were a direct transfer of cash from rich to poor countries. The reality is more complex. Donor countries like the UK spend large amounts of money

through private contractors based in rich countries that profit from this business. Companies don't just sell things to be used in aid projects – they also manage whole projects. At events for this industry in Liverpool and Brussels, we saw up close this little-known side of aid: where humanitarian crises are opportunities for windfall profits, and enduring underdevelopment means a reliable revenue stream for years to come.

What are called development finance institutions, meanwhile, invest directly in private companies that operate in developing countries, or want to. They include the UK's CDC which was first set up in 1946 to invest in the colonies and bring Britain economic benefits. It did not wind up when the empire did, however. It was instead joined by the World Bank's International Finance Corporation (IFC) which was set up in 1956. Beneficiaries of these institutions' investments have included luxury property developers catering to elites, as well as mega-chains like Lidl accused of violating workers' rights. In Tanzania, we went to a diamond mine supported by the IFC – where the diamond in one of Queen Elizabeth's favourite brooches had been found.

In recent years, the IFC's size, reach and influence have exploded. Its share of total World Bank spending rose from 13% to 35% between 2000 and 2013 (when it made more than \$18.3 billion in financing commitments). A controversial Bank programme called 'structural adjustment' appeared to have paved the way for this growth – conditioning loans to poor-country governments in the 1980s and 1990s on agreements to deregulate and privatise their key industries. Rather than supporting local development, this programme seemed to derail it. While this programme has supposedly been reformed to better involve poor-country governments and focus more explicitly on poverty reduction, they didn't in the end

look too different.

The IFC had been envisioned in the 1950s by its founders and initial advocates from elite US political and business communities as a soft-power antidote to the spread of communism. But it did not close up shop when the Soviet Union did. Instead, its investments increased globally – including in several former Soviet countries. A new European Bank for Reconstruction and Development (EBRD) meanwhile emerged to focus on these countries and help them develop new capitalist economies. (It has since expanded beyond former Soviet countries too, and has also backed companies in Greece, Croatia, the Czech Republic and other European countries.)

Since the 2008 global financial crisis, the visibility and power of giant corporations in aid and development efforts seemed to reach new levels. CEOs were sitting on UN panels discussing priorities for international development agendas. An initiative launched at the 2012 G8 summit of the leading industrial countries called the New Alliance for Food Security and Nutrition brought big agribusiness corporations to the table along with aid donors and developing-country governments across Africa – which committed to numerous policy changes to support these corporations' expansions. A proliferation of corporate-NGO tie-ups has meanwhile meant that organisations you might otherwise expect to hold companies to account for their impacts on local communities and the environment are also their 'partners' in development.

3. Corporate utopias

Around the world, the territories of nation-states have been carved up into various 'zones' that privilege corporate interests and insulate them against democracy. They include Special Economic Zones (SEZs) where normal rules and

regulations – from tax rates to labour laws – don't apply. Increasingly large gated communities, where elites withdraw from cities and democratic processes to improve them. Wholly private cities where there is no traditional mayor but a corporate representative in charge instead. Tax havens where finance is king and there is little space for dissent.

In Myanmar, we met some of the small-scale farmers who have lost their land and livelihoods to the expansion of an SEZ that was supposed to support their country's development. In Cambodia, we met some of the factory workers in SEZs in that country struggling with poor wages, working conditions and hostility to unions. In India, we saw another form of corporate carve-out: an entirely private city called Lavasa, the country's first built and entirely run by a corporation, with a CEO rather than a traditional mayor in charge. Such carve-outs reflect inequality but also enable some people to withdraw from public debates including about the environment; in Vietnam, we found gated communities advertising green oases with cleaner air.

Development institutions have also helped to spread such carve-outs. The World Bank, for instance, has produced dozens of reports studying and promoting SEZs. Along with investing in private businesses, its IFC branch and other Bank teams gave developing-country governments 'advice' on how to make themselves more attractive to private investors, including what laws they should change. Carving out such zones for foreign investors seemed to be a regular item on the menu. Meanwhile, in 2015, an Asian Development Bank research paper read: 'It is said that females possess the nimble fingers and patience with routine tasks required by the labour-intensive processes generally occurring in the zones and that they are also less likely than males to strike or disrupt production in other

ways.’

The World Bank’s IFC was also investing in companies registered on the island of Mauritius which had transformed itself into an offshore financial centre – joining a global web of secretive jurisdictions where multinational corporations and elites can stash their cash and limit their taxes and contribution to the infrastructure of public life. While the Bank’s leadership acknowledged development challenges resulting from this system and warned of increasing inequality among Mauritians, the IFC had investments in numerous businesses registered there, but operating elsewhere. On the island, we had Kafkaesque experiences when trying to get information about them. One office worker wouldn’t even confirm the address of his building.

These carve-outs proliferated in the same period in the mid-20th century as formal colonial regimes were winding down. A free zone in Shannon, Ireland, set up in 1959 is often described by SEZ proponents as the first of its kind (though others give that dubious honour to Puerto Rico). In exchange for setting up shop there, foreign investors were given benefits like special tax holidays, tariff reductions, and grants for research. Over time, however, the distinction between being inside and outside the zone faded – as lower tax rates were rolled out nationwide, for example. This was often the point of SEZs: to test new business-friendly policies in a certain place before pushing them on entire countries and populations.

They had also similarly boomed after the end of the Cold War, and again after the 2008 global financial crisis. The International Labour Organization estimated that more than 66 million people – about the population of the UK – most of them poor, young women, worked in more than 3,500 of these zones across the globe. The idea of incentivising investors

to set up shop in specific areas, with rules that suit them, had also spread beyond zones established by national governments – cities and regions were also following a similar model, competing with each other for investment. It was slicing and dicing rich countries and cities too – including London, where the Royal Docks Enterprise Zone was being set up with Chinese investment.

4. Corporate armies

Corporations have a long history of violence, as a young American economist Eugene Staley noted in a 1935 study, *War and the Private Investor*. One of the companies he studied was United Fruit Company (now known as Chiquita), which had ‘created and deposed governments’ and ‘ruled vast plantations with a free hand’. To prevent further conflicts between unruly populations and such companies (as resisting their expansion was ‘futile’), he proposed a new world government with institutions that sounded similar to the World Bank’s ICSID and IFC that we had investigated. While such bodies have come into being, violence has continued.

Chiquita, in fact, admitted paying paramilitaries many times in the 1990s-2000s, and it was implicated again in attacks against those opposing its plantation expansions in Colombia. There were similar stories in Honduras, including those involving an IFC investee. From Israel-Palestine to southern Europe and back to the UK, we meanwhile followed the expansion of private control over border security, immigrant detention and asylum systems. Along with profit-making and cost-cutting, we found reduced transparency and accountability. Nothing has been off-limits, it seems, not even nuclear security and the threat of nuclear war.

Like other systems and trends we had investigated, modern private military and security companies

also seemed to have boomed in the decades of ‘decolonisation’, as independence and anti-colonial movements rose and Europe’s formal empires fell. From the 1960s, numerous new private contractors were founded by British special forces veterans. Such companies boomed again at the end of the Cold War, as millions of people left state militaries and looked for new jobs. And then again with US-led wars in the Middle East and rising levels of income inequality.

The history of the Beretta family gun company – which was much older than most states – also offered us an interesting window into how who controls the guns in our world has changed. Beretta emerged in the 16th century, at a time when Italian city-states had become reliant on private military forces – which Machiavelli had called ‘whores of war’ and urged leaders to eschew in favour of their own armies. As state militaries grew, they became major clients for Beretta, but today the majority of its business is again with private customers. Most firearms worldwide are in non-state hands (legally or illegally), with new guns often developed for military use and then adapted to the private market. Private security outnumber police in many countries; while some are contracted by public authorities, many clients are other companies.

The increased prevalence (or reemergence) of private security reflects income inequalities and leads to different experiences of safety and violence that can undermine the Universal Declaration of Human Rights’ commitment that ‘everyone has the right to life, liberty and security of person’. The history of who holds the guns shows that states haven’t always ruled supreme and that their monopoly on the use of force appears fragile or already fractured. ♦

Investigative journalists Claire Provost and Matt Kennard are the co-authors of Silent Coup: How Corporations Overthrew Democracy, published May 2023 by Bloomsbury Academic. Kennard is also co-founder of Declassified UK. The above article is reproduced from Novara Media (novaramedia.com).

UN Financing for Development: The best chance to democratise global economic governance?

The international financial architecture is in urgent need of reform to support developing economies' progress, and the forum best placed to realise this aim is the United Nations' Financing for Development process.

THE Bretton Woods institutions (BWIs) – the World Bank and the International Monetary Fund (IMF) – are historically known for their lack of democratic governance and accountability. Their shareholder structure skews decision-making power towards Global North countries, their leadership selection is based on an arbitrary gentleman's agreement between the US and Europe, and they deny international human rights obligations as binding to their operations. Despite their neocolonial structures, the BWIs continue to play an outsized role in shaping the international debt and financial architecture, by being major creditors, global norm setters and policy prescribers to the Global South.

Yet, there is a forum mandated to address global economic governance where each country has an equal say: the United Nations. In particular, the UN Financing for Development (FfD) process constitutes the only inclusive and truly democratic space to advance on the systemic reforms needed to redesign a skewed and dysfunctional international financial architecture towards supporting human rights-centred sustainable development.

Surprisingly enough, both the IMF and the World Bank were constituted as specialised agencies of the UN, but have historically drifted apart from the UN system. They differ on membership and governance, and in contrast to the BWIs, climate change, inequality

**Flora Sonkin and
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and human rights are at the core of the UN's mission.

FfD needs to be made the space for equitable global economic governance

The FfD process has its historical roots in the active discontent of Global South countries about the systemic shortcomings of the international financial architecture and the historical inequalities that define it. The first International Conference on Financing for Development took place in Monterrey, Mexico, in 2002, in the aftermath of the Asian financial crisis. It was an attempt to recover the UN's voice within the global economic and financial system and resulted in the 'Monterrey Consensus', which initiated a process towards coherent, rights-based norms and actions to create policy space for Global South countries to sustainably finance their own development.

Although debt, domestic resource mobilisation and other international economic governance issues are at the core of the FfD agenda, this and other UN processes dealing with global economic reform have been systematically marginalised in favour of the BWIs. For instance, attempts

to advance reforms on the debt architecture and financial markets regulation under UN auspices have been blocked by Global North countries. Nevertheless, the democratisation of global economic governance has remained at the heart of the FfD process since the Monterrey Consensus. Civil society organisations (CSOs) and the private sector are recognised as partners in the process, making the FfD a uniquely inclusive space for discussing global economic issues in all their systemic dimensions.

On sovereign debt resolution, for instance, while FfD could offer an inclusive process where borrowing countries have equal voice under the 'one country one vote' system and CSOs participate, the IMF and the World Bank push for discussions at creditor-dominated fora such as the G20 or the recent Global Sovereign Debt Roundtable. This is precisely why civil society has been calling for an intergovernmental process to discuss the reform of the international financial architecture and the establishment of a multilateral sovereign debt resolution framework under UN auspices.

Momentum is building on international cooperation to face multiple crises

In recent months, the UN FfD process has regained steam due to two major steps forward: the approval by consensus of a

resolution tabled by the Africa Group for an intergovernmental process on tax cooperation at the United Nations, and the momentum building towards the fourth Financing for Development Conference, which seems likely to occur in 2025.

Tax dodging and illicit financial flows, issues which have been raised by developing countries since the inception of the FfD process, cost governments around the world hundreds of billions of dollars in lost tax income every year. It is one of the main structural impediments to Global South countries' socioeconomic transformation and remains a political choice, with multilateral progress undermined by decades of resistance from the developed OECD economies. The recent resolution offers a concrete opportunity to move towards action on much-needed reforms to the international tax system.

As the BWIs fail to deliver their own transformation in response to the pressing challenges we face today, a fourth FfD Conference has never been more urgent, given the need for structural reform and financing in the context of the COVID-19 pandemic aftermath, 19th-century levels of inequality, increasing social and political instability, and the accelerating climate emergency.

While Global North countries attempt to create separate fora – such as the Finance in Common Summit or the Summit for a New Global Financing Pact – where they can set the agenda and steer the outcomes, the UN FfD process remains uniquely placed to foster policy cohesion on global economic governance and to ensure all countries have a place at the decision-making table in shaping a more just and sustainable global economy. ♦

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Who benefits from undermining breastfeeding?

Exploring the global commercial milk formula industry's generation and distribution of wealth and income

Benjamin Wood, Diarmid O'Sullivan, Phillip Baker, Tuan Nguyen, Valerie Ulep and David McCoy

The global commercial milk formula (CMF) industry is known to systematically undermine breastfeeding around the world, thereby reinforcing a preventable public health and human rights crisis. The aggressive marketing of CMF products by the industry, for instance, is recognised as one of the key reasons behind the poor global progress in improving breastfeeding rates. The CMF industry is also known to use a range of political strategies to prevent the effective and widespread adoption of regulations by national governments, such as marketing regulations, intended to protect and promote the health of their citizens. One of the key political messaging strategies used by the CMF industry as part of its efforts to avoid or weaken regulation is to portray its importance to economic development and prosperity for national economies, especially those of low- and middle-income countries. Such claims, however, have rarely been subjected to critical analysis.

Given these considerations, this report sets out to provide an alternative picture of the global CMF industry's contribution to economic development and prosperity for national economies by critically examining the industry's generation and distribution of wealth and income.

Available at https://twn.my/title2/books/pdf/Industry_CMF_October%202022.pdf

A half-hearted effort: The G20's finance track

Initiatives on the development financing front by the G20 grouping of the world's leading economies have fallen short of delivering adequate respite to debt-ridden and other vulnerable countries.

EVEN as the war in Ukraine and intensifying hostility between

China and the US and its allies have increased global geopolitical uncertainties, less developed countries that host a majority of the world's population have gained voice in an increasingly multipolar, even if less liberal, world. In utilising that space, the leadership of the G20 has proved to be an advantage, with the presidency of that grouping shifting to 'emerging market countries' for a prolonged period; it was held by Indonesia over much of 2022, then taken

over by India for much of 2023, and would shift to Brazil in 2024. Though these are countries that are more developed when compared with their counterparts in the less developed category, they are being looked to as agents that would give voice to the concerns of the poorest countries as well.

Framework for enabling finance

Each year, senior leaders and officials of the 19 countries and the European Union which together constitute the G20 and account for two-thirds of the world's population and 85% of its gross domestic product (GDP), meet in several working and engagement groups and a final summit and launch initiatives that touch on all the problems seen as of concern to the global community. Thus, through the G20, developed and

C.P. Chandrasekhar



India holds the presidency of the G20 in 2023, after Indonesia in 2022 and before Brazil in 2024. The actions of these emerging-market leaders in the G20 will be closely watched to see the direction their advocacy would take.

less developed member countries sit across the table in a semblance of a dialogue among political equals to try and shape a consensus of what needs to be done and how. Nothing is binding about the outcomes of these discussions. And given the increasingly polarised global environment, consensus often eludes the group, as is the case with security issues, especially after the outbreak of war in Ukraine. However, there is one lead track of the discussions – the finance track – in which agreement in principle has been easier to achieve, though obstacles to implementation remain.

This unevenness in effectiveness over subject areas was reflected in the decisions taken in the first meeting of the group's finance ministers and second meeting of its central bank governors (FMCBG) that took place in Bengaluru, India, between 22 February and 25 February 2023. While declaring

in the context of the Russia-Ukraine conflict that the G20 is not the forum to discuss security

issues, notwithstanding their importance, the participants went on to set a number of goals in the global finance area.¹

The meeting called on its International Financial Architecture Working Group to work with the multilateral development banks (MDBs) to prepare a roadmap for implementing the recommendations of the G20 Independent Review of MDBs' Capital Adequacy Frameworks (CAF). It has

asked the International Financial Architecture Working Group to draft a G20 Note on the Global Debt Landscape and ways to address debt and vulnerabilities in low- and middle-income countries (LMICs) in a fair manner. It called on the Sustainable Finance Working Group to develop an analytical framework for enabling finance for Sustainable Development Goals (SDGs), with an initial focus on nature- or environment-related data and reporting and social impact investing.

Widening debt treatment efforts

These elements of the agenda for the period under India's presidency are in keeping with the principal pillars of the G20 finance track as it has evolved over the years. The first of those pillars is to address the need for external

debt restructuring and debt crisis resolution in poor and vulnerable countries. The number of such countries has spiked in recent years, as a result of the debilitating impact of the COVID-19 pandemic and the response to it, as well as the disruption caused by the speculation-induced rise in global food and fuel prices in the aftermath of the invasion of Ukraine. Foreign exchange receipts shrank in many LMICs, while foreign exchange expenditures rose, resulting in a collapse in reserves and an inability to service foreign debt.

The efforts of the G20 to recommend ways to address these problems began with the Debt Service Suspension Initiative (DSSI)² launched in May 2020 to address the impact of the pandemic. Under the initiative, bilateral creditors committed to suspending debt service payments for a limited period of time, with the resulting arrears being added to the stock of debt. The initiative was open only to the poorest countries eligible for funding from the International Development Association (IDA) and were in an International Monetary Fund financing arrangement, or had requested financing from the IMF. The term of the initiative was extended twice till December 2021, before being brought to an end.

It was soon clear that the DSSI was inadequately fit for the purpose. Besides the fact that it was limited to debt owed to bilateral creditors whose shares in total had been falling, and was not open to many lower-middle-income and middle-income countries which were also debt-stressed to differing degrees, the relief it offered was a mere temporary suspension of payments. That was inadequate support for countries that needed debt restructuring or debt relief to render debt sustainable, and served more as a teaser that postponed payments and shifted an increased burden to the future. More importantly, access to support was linked to IMF-style adjustment programmes, despite

evidence that these imposed severe austerity on populations already suffering from increased deprivation without ensuring a return to growth or a traverse to a sustainable external debt trajectory. External- and total-debt-to-GDP ratios often ballooned and government revenues fell, eroding the abilities of governments to spend to advance towards the SDGs or provide for adaptation to and resilience in the face of climate change.

That experience possibly drove the November 2020 decision (taken in a virtually held Extraordinary G20 Finance Ministers and Central Bank Governors' Meeting)³ to widen the ambit of debt treatment efforts under the Common Framework for Debt Treatments (CFDT). The CFDT was aimed at supporting eligible low-income countries by allowing them to request debt treatment, following which a creditor committee would be constituted to start negotiations to work out a debt restructuring arrangement involving Paris and non-Paris Club bilateral creditors and an array of private creditors and sovereign bondholders, who would be subject to 'comparable treatment'⁴ and called upon to accept haircuts in keeping with needs defined by a Debt Sustainability Analysis from the World Bank and the IMF. To ensure future sustainability, this debt treatment exercise was expected to be accompanied by a 'reform programme', similar to an Upper Credit Tranche IMF programme.⁵

The CFDT too has proved to be a disappointment, with few countries requesting treatment under it and even those countries facing in most cases considerable delays in fashioning an acceptable restructuring programme agreed to by all creditors. The fundamental problem here is that despite being a G20 initiative, the CFDT is overly influenced by the Paris Club creditors⁶ and by the IMF, whose voting structure and decision-making is also dominated by the

Paris Club.

This hangover from the past comes in a context in which three major changes have occurred in the global external debt landscape. To start with, the share of bilateral creditors (as opposed to multilateral and private creditors) in total LMIC debt has come down sharply, and to the extent that the figure is still significant, it reflects a sharp increase in outstanding bilateral credit from China. The current importance of the once-dominant Paris Club creditors comes not from their share in total LMIC external debt but from the support they provide to the multilateral development banks like the World Bank and the Asian Development Bank. This does have significant implications for any debt stress resolution process.

MDBs insist that they cannot be called upon to offer debt relief or accept a haircut on credit provided by them, because that would affect their AAA ratings, which ensures they can borrow easily at competitive rates in international markets. In addition, they enjoy the benefit of near-zero default on the credit they provide, because debtor nations are stakeholders and bound by treaty to meet debt service commitments to the MDBs. This has resulted in the MDBs staying out of the process of restructuring past debt, and only promising to contribute new and additional financing once an IMF-led restructuring exercise is completed and an IMF adjustment programme initiated.

So, among all official creditors, bilateral creditors must shoulder a disproportionate share of the burden of any debt reduction. A corollary is that China is being called upon to share much of the burden because of its recent emergence as a serious and dominant bilateral creditor. China is clearly not willing to accept this disproportionate responsibility and has called on the MDBs to share a part of the burden, as well as questioned why it should substantially fund a process

in which the terms of engagement and the nature of restructuring are determined by a Paris Club-dominated IMF.

A second change in the debt landscape is the sharp increase in the share of private creditors in total external debt of the LMICs, and, within that corpus, the increase in the share of private bondholders. Seen through the lens of immediate private interest, these creditors should be easy to bring to the table when rescheduling debt. Much of this debt is traded in private bond markets and receives bids of cents to the dollar that imply huge discounts, given the probability of loss when held to maturity. So, private creditors should be willing to cut their losses by accepting smaller, though significant, haircuts as part of debt rescheduling. But in practice this is not the case. Not only are private creditors, including individual bondholders, unwilling to settle for a discount, but ‘vulture funds’⁷ that have bought some of these bonds at a discount are there to hold out till they can extract every possible cent. Some of these even go to court in jurisdictions like the US to demand full payment when a resolution agreement is in sight.

Private creditors’ reticence to settle early is because of the belief, grounded in experience since the time of the Brady Bonds arrangement in Latin America in the 1990s and through the bailout designed after the Southeast Asian financial crisis of 1997, that the governments of the advanced economies work through the IMF to ensure the interests of financial interests from their home countries. Reducing the losses of these interests is crucial to ensuring the stability of financial systems in the metropolitan countries, given the large exposures of the latter in LMICs. This means that both the MDBs and the private creditors are unlikely to accept any or significant haircuts, leaving the initial offers to the bilateral creditors and, therefore again, disproportionately to China.

That this is the likely outcome

of restructuring efforts is partly corroborated by the IMF’s assurance that an IMF-led restructuring would lead to a resumption of private capital flows into foreign exchange-strapped debtor countries. Not surprisingly, China does not see these programmes as instances of comparable treatment. Moreover, China joining a restructuring programme designed by the IMF, in the functioning of which it has limited, if any, influence, would amount to endorsing that programme, which it possibly sees as inimical to the interests of both official creditors and debtors.

These features of the global landscape require choosing between two responses. One is to take the IMF out of debt resolution negotiations and make ‘comparable treatment’ a reality. That would not be acceptable to the advanced nations, the Bretton Woods institutions or the private creditors. Hence, it is an unlikely direction of movement. The other is to reform the IMF, to either change its voting structure and management in keeping with the changed correlation of economic and political power in the global system or to have it modify its conservative, austerity-emphasising ‘adjustment’ strategies that have proved to be counterproductive. The problem here is, given the IMF’s current voting structure and the US veto it embodies, efforts to reform its architecture and governance style have stalled. And given the global influence of financial interests and the dominance of neoliberal economic thinking among governing elites in almost all G20 countries, there are few takers for fundamental modifications of the IMF’s adjustment toolkit.

As a result, focus has shifted to increasing the ability of the MDBs to provide additional funding, especially to LMICs experiencing stress or needing support for much-needed expenditures on mitigation, adaptation and rehabilitation and reconstruction following climate-

precipitated loss and damage. Under the Indian presidency, the emphasis appears to be taking forward the recommendations of the expert panel tasked by the G20 to review the capital adequacy frameworks of the MDBs. The intent of the exercise is to enable shareholders to maximise the MDBs’ financing capacity. To that end, it called for risk tolerance measures that are less stringent and independent of assessments from risk rating agencies; giving credit to callable capital in capital adequacy assessments; enhancing reliance on financial innovation; and improving disclosure of MDB data and analysis to give more power to shareholders. The intent of this exercise is clearly to get the most of an MDB architecture that has proved to be inadequately fit for purpose, given the multiple crises that challenge the international community.

One area in which more radical action is needed is in the flow of climate finance from advanced countries that are responsible for a disproportionate share of cumulative emissions. While even the modest promise of ensuring a flow of \$100 billion a year of credible climate finance by 2020 has not been met, estimates of climate finance requirements have ballooned. The report of Working Group III included in the sixth assessment of the Intergovernmental Panel on Climate Change (IPCC) places the cumulative share of North America, Europe, Japan, Australia and New Zealand in anthropogenic carbon emissions at 43%. Add on Eastern Asia, which includes China, and that share rises to 55%. Calling on all countries to contribute to mitigation and adaptation purely on the basis of their own resources is obviously unfair. According to the report, available partial and imperfect data suggests that, to meet assessed needs, yearly flows of climate finance would have to rise four- to eight-fold in developing countries, and two- to five-fold in developed countries. The International Energy

Agency estimates that as much as two-thirds of future collective climate investments would have to occur in developing countries, which makes cross-border financial flows crucial.

Addressing developing-nation concerns

Unfortunately, adequate responses to these concerns of the international community are not reflected in the transformational Roadmap that the World Bank has chalked out for itself. The Roadmap has very modest ambitions. In the name of enhancing vision, it seeks to broaden its current ‘twin goals’ of ‘ending extreme poverty and boosting shared prosperity’ by 2030, by including in its stated agenda sustainability and resilience and the creation of global public goods to address challenges such as climate change and pandemic preparedness, prevention and response. The ‘review’ is not one of the World Bank’s past performance, but an exercise on ‘how to strengthen the focus’ of its mission.⁸ To that end, the Roadmap makes a case for tweaking the World Bank’s goal to ‘serve all clients’. As the Roadmap explains: ‘While the 2018 capital increase for IBRD and IFC interpreted “serving all clients” as reorienting lending towards lower income countries, the need to make progress on global challenges would require a rebalancing of this strategy to identify opportunities to better respond to MIC [middle-income country] clients.’

That appears to be a new version of ‘trickle-down’ development, since the perception is that ‘WBG [World Bank Group] involvement with MICs offers the opportunity to learn from these countries’ experiences and apply these lessons to LICs [low-income countries]’. However, this could involve pushing non-concessional lending into poor countries or depriving them of low-cost credit and grants from the International

Development Association. It could also lead to the adoption of a one-size-fits-all approach with policy recommendations to the poorer countries that are not based on an understanding of their often exceptional circumstances. Attention to challenges faced by middle-income countries is welcome, but should not be at the cost of already inadequate attention to the low-income countries.

This has implications for the role that the G20 can play under the emerging-market troika – Indonesia, India and Brazil – that together hold the presidency from 2022 to 2024. These are middle-income countries that are to be the new focus of a multilateral like the World Bank. This could divert attention from the need for them to serve as the voice of the poorest countries in international forums. The actions of emerging-market leaders in the G20 would be closely watched to see the direction their advocacy would take. As of now, it does appear that the substance of the discussions has moved out of excessive emphasis on the concerns of the advanced nations and the financial and real economy instabilities they have been experiencing, to matters that affect the lives and livelihoods of a majority of the world’s poorest. Whether that would make a real difference to the policies adopted by members of the international community only time would tell. ♦

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Notes

1. https://www.g20.org/content/dam/gtwenty/gtwenty_new/document/1st%20FMCBG%20Chair%20Summary.pdf
2. For details, see <https://www.imf.org/en/About/FAQ/sovereign-debt#s2q1>
3. <https://www.imf.org/-/media/Files/News/news-articles/english-extraordinary-g20-fmcgbg-statement-november-13.ashx>
4. The working principles for debt rescheduling of the informal Paris Club group of creditors include ‘a “comparability of treatment” clause, which aims to ensure balanced treatment of the debtor country’s debt by all external creditors. In accordance with this clause, the debtor country undertakes to seek from non-multilateral creditors, in particular other official bilateral creditor countries that are not members of the Paris Club and private creditors (mainly banks, bondholders and suppliers) a treatment on comparable terms’.
5. ‘Under the Credit Tranche Policies, the IMF makes credit available in four tranches (segments), each equal to 25 percent of a member’s quota. The First Credit Tranche represents use of IMF resources up to the limit of the first tranche on fairly liberal terms. Requests for use of IMF resources beyond the first credit tranche (in the upper credit tranches) require substantial justification for the expectation that the member’s balance of payment difficulties will be resolved within a reasonable period of time.’ <https://www.imf.org/external/np/fin/tad/docs/glossary.pdf>
6. The members of the Paris Club are the governments of Germany, Australia, Austria, Belgium, Brazil, Canada, Denmark, Spain, the United States, the Russian Federation, Finland, France, Ireland, Israel, Italy, Japan, Norway, the Netherlands, the Republic of Korea, the United Kingdom, Sweden and Switzerland. Additionally, South Africa has been a prospective member since 2022.
7. <https://www.investopedia.com/terms/v/vulturefund.asp>
8. <https://us.boell.org/en/2023/04/11/world-bank-groups-roadmap-and-human-rights>

Seeking a way out of the debt maze

For the increasing number of countries weighed down by loan burdens, debt relief will free up much-needed fiscal space to pursue their development aspirations. However, current debt restructuring efforts are messy, difficult and woefully insufficient, necessitating a comprehensive mechanism for sovereign debt resolution.

**Iolanda Fresnillo and
Ilaria Crotti**

SINCE states are not protected by bankruptcy or insolvency laws in national or international law, when a country's sovereign debt becomes unsustainable and it can no longer repay its public debts it cannot simply declare bankruptcy as a private entity would. Before reaching that moment of debt distress, the country's government has very few options to avoid default: keep borrowing – making the problem even bigger – raise taxes and mobilise other domestic resources to have more revenue to keep paying, or cut public spending to free up resources to pay back its creditors.

This last option comes at the expense of impacts on human rights, particularly women's rights. All these alternatives generally end up delaying default, but not avoiding it. The country could also try a pre-emptive debt restructuring (to avoid default), but most countries avoid that option out of fear of rating downgrades by credit rating agencies and loss of market access.

Once default happens, the government needs to start a restructuring process, meaning renegotiating the contract terms of its debt with its creditors. According to the International Monetary Fund (IMF), between 1950 and 2010 there have been more than 600 cases of debt restructurings in 95 countries. These numbers show that it is often the case that a country that had recourse to debt restructuring is likely to do it again, with repeat



A sovereign debt resolution mechanism should focus on debt sustainability that puts the needs of the population before debt service.

defaulters representing up to 61%, exposing the inefficiency of the current system. On average, African debtor countries had to negotiate with the Paris Club seven times, with no debt sustainability achieved after just one negotiation.

What is sovereign debt restructuring?

Debt restructurings tend to be opaque processes with no commonly set rules nor universally accepted consensus on how they should work or unfold. A combination of political and strategic interests, normative considerations and even religious dimensions influences what, in theory, should be a legal process driven by economic and financial rationale, taking into account the impact on the well-being of the country's citizens.

In summary, we refer to

sovereign debt restructuring as a process, involving both a debtor government and its creditor(s), that changes the current terms for payment of outstanding sovereign debt instruments. The process is formally aimed at enabling the debtor government to address liquidity or solvency difficulties resulting from its current payment obligations and fiscal situation, and achieving debt sustainability in the medium term.

Today, a universal system that regulates the sovereign debt restructuring framework does not exist, to the extent that we can refer to the current situation as a 'non-regime'. There are no common norms that regulate the level of debt cancellation or rescheduling for a country depending on specific criteria, nor a timeline for debt restructuring. A government cannot negotiate its total debt stock in one

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WHAT IS IT?

Debt restructuring can be **defined** as "an exchange of outstanding sovereign debt instruments, such as loans or bonds, for new debt instruments or cash through a legal process."⁶ It can therefore mean any change in the terms of the debt – from minor changes to interest rates or when the debt is due to be paid – to major changes such as large scale cancellation of debt.

WHAT DEBT IS RESTRUCTURED?

Domestic or external sovereign debt. In this briefing we focus on the latter.

WHEN?

The majority of restructurings happen after a country defaults, meaning that it cannot service its debt payment on due time. There's also the possibility of pre-emptive restructurings, which happen prior to a default. The two things are not mutually binding, meaning that there can be a default without restructuring and vice versa.

HOW?

Sovereign debt restructuring actions generally fall into two categories (or a combination of them):

debt rescheduling, where there is a change in the terms and conditions of repayment, such as a lengthening the repayment period, offering a grace period or lowering interest rates and fees

debt reduction – also known as debt haircut or debt cancellation – where there is a cut in the face (nominal) value of the existing debt stocks.

WHO PARTICIPATES?

Primarily the debtor government and its creditor(s). The creditors can be:

Bilateral

this is other countries that lent official loans, divided into:

Paris Club creditors

An informal group of 22 mostly western countries that, since 1956, coordinate bilateral debt restructuring. Since its inception, the Paris Club has taken part in 478 debt restructurings, reaching agreements with 102 countries.⁷

Non-Paris Club creditors

Other countries, like China, India or Saudi Arabia, that particularly in the last decade have increased their official lending to global south countries. These creditors are not officially coordinated through any group, formal or informal.

Private

In the past, private creditors were predominately banks. Today, they are mostly bondholders through investment funds such as BlackRock (US), PIMCO (US), AllianceBernstein (US), Fidelity Investments (US) and Amundi Asset Management (FR).⁸

WHO DOES NOT PARTICIPATE?

Multilateral creditors are normally excluded from debt restructuring. They argue that debt relief would jeopardise the credit-worthiness of the institution and they would rather continue financing countries in debt distress, usually via additional loans, than cancel the debt⁹. Nonetheless, in 2005 the IMF and the World Bank (WB) participated in the Multilateral Debt Relief Initiative (MDRI)¹⁰, proving it is possible for multilateral lenders to cancel debt without impacting their credit-worthiness.

THE ROLE OF IMF AND WB

Even if not involved in the restructuring of a country's debts, these two institutions still play very central roles producing the Debt Sustainability Analysis (DSA); financing the country even if it is in default ("lending into arrears"); or playing an informal mediation and influencing role in the negotiations. They are also observers to the Paris Club negotiations and can participate in the Common Framework Creditor Committees.

procedure and in one place, but has to submit to a series of fragmented negotiations with different non-coordinated creditors through ad hoc operations, which ultimately leaves room for significant risks, such as vulture funds. The outcomes of such negotiations are heavily dependent on the skills of the law firm representing the debtor country and the willingness of a government not to pay if an acceptable agreement is not reached. Additionally, there is no guarantee that an agreement will be reached.

How does it work?: Debt restructuring for the fictitious country of Debtlandia

Debtlandia is a low-income country that has been devastated by the pandemic, heavily impacted by climate change and is facing payment difficulties on its sovereign debts. Debtlandia tries to avoid default at any cost, out of fear of rating downgrades and losing market access. Borrowing costs continue to increase, however, and refinancing its debts with a new bond issuance is impossible. When a debt payment to bondholders arrives, and reserves are not sufficient, the country has no option but to hold the payments and enter into default.

As of 2020, Debtlandia is eligible, and has no other option but to apply for the G20 Common Framework (CF) (see box) to ask for a debt treatment. The first step to begin negotiating with its creditors is to ask the IMF for a programme, which the country has been trying to avoid given the harsh austerity conditions it will likely entail, along with the internal social and political tensions that can unfold as a result. However, without an IMF programme, even outside the CF, it is unlikely that the creditors will accept any debt restructuring. The IMF, together with the World Bank, will also provide an assessment of the country's fiscal situation and indebtedness in their Debt

The Common Framework

In November 2020, the G20 and Paris Club agreed to establish the Common Framework for Debt Treatments (CF) aspiring to deliver on timely and comprehensive debt treatment for countries with unsustainable debt levels. The initiative is limited to a list of 73 countries and so far only four have requested treatment under the CF: Chad, Ethiopia, Ghana and Zambia. The main novelty of the CF in relation to other debt restructurings is that it establishes a bilateral creditor committee including Paris Club and other G20 creditors – notably China, India and Saudi Arabia. The treatment under the CF aims for changes in debt service over the course of the mandatory IMF programme, a debt reduction in net-present-value terms, and an extension of the duration of the treated claims. A debt write-off or cancellation will only be provided in exceptional 'most difficult' cases. Multilateral debts, which are the majority in many lower-income countries, are excluded from the CF treatment. The success of a debt restructuring under the CF still relies on the will of the creditors, particularly on whether private creditors decide to voluntarily engage in the creditor committees and deliver on comparability of treatment.

Sustainability Analysis (DSA). The DSA includes a detailed examination of Debtlandia's outstanding debt and fiscal situation. It is not normally made public until the IMF approves a loan and a programme. The DSA is the basis for determining not only the size of the IMF loan within the new programme, but is also used to indicate the amount by which debt should be reduced to reach sustainable levels.

For the IMF to give the greenlight to a new loan and programme, its Board has to make a decision based on 'assurances' that the creditors will participate in a debt restructuring process in good faith.

Debtlandia knows that it can take months to get the assurances that the IMF needs, or for the IMF to accept the assurances that the country gets from its creditors. In the meantime, Debtlandia is still in default and accumulating arrears (unpaid interest and resulting fees). Once the IMF Board accepts the assurances and agrees on a loan and programme, the DSA will likely become public.

The IMF programme works as a guarantee for Debtlandia's creditors, and it triggers the restructuring negotiations. Two committees are created, one with bilateral and another with private creditors. The back and forth of negotiations with one and the other starts. Debtlandia will probably agree on debt restructuring conditions with its bilateral creditors on the basis of the DSA, but it will maintain talks with the privates to see how much they are willing to accept. Once a deal is agreed with the bilaterals, the country needs to seek a similar deal with its private creditors, known as 'comparability of treatment'. If it doesn't, in theory, the bilateral creditors could step back and retire



The IMF plays a central role in sovereign debt restructuring.

from the deal. In the history of the Paris Club, this has never happened.

The diverse creditor landscape is a complex knot that Debtlandia has to untangle. This has changed significantly in the past decades and neither group fully trusts the others. In an attempt to deal with this compound universe, some principles and instruments have been created, including the comparability-of-treatment principle. However, it is not a written rule but more of a gentlemen's agreement. Another innovation to deal with this complexity is the inclusion of contractual collective action clauses (CACs) in bond contracts. These define how to initiate and conduct restructuring negotiations and allow a qualified majority of creditors to modify the conditions of a bond series, as well as binding all holders of these bonds to the decision. This means that if the country reaches an agreement with a certain percentage of creditors as indicated in the CACs, the remaining creditors are obliged to comply with that agreement.

In the meantime, and throughout the whole process, any

form of communication about Debtlandia's economic situation and any indiscretions about the debt restructuring negotiations need to be handled strategically, as 'markets do not like uncertainties'. Depending on how it handles the process, Debtlandia fears a loss of market access (even though it has no access to financial markets while in default) and the reputational costs for future market access.

The potential for miscommunication is high. Debtlandia has to face several ambiguities throughout the process. For instance, the negotiations with the different creditors do not follow a precise

timeline and can be extremely intricate and time- and resource-consuming. The legal context is ambiguous, too: several jurisdictions might be involved, each with different rules and perspectives. 'It may not be clear which will prevail (and possibly none of them would prevail), and how the implicit bargaining among different countries' judiciaries will be resolved.' Private creditors might get nervous – or just fight for the biggest return possible, not willing to take any cut – and either threaten to or actually take Debtlandia to the New York or London courts (the two jurisdictions under which most international government debts are owed) over the unpaid debts.

After months or years of negotiations (the nine restructuring cases between 2014 and 2020 took an average of 1.2 years, with many cases going over two years of negotiations), Debtlandia will likely achieve an agreement with its bilateral and private creditors, which will most probably be 'too little, too late'. Its debts to multilateral development banks (MDBs) and the IMF will remain untouched.



A multilateral debt resolution framework under the auspices of the United Nations can provide fair, timely and comprehensive debt treatment from all lenders and for all countries according to their needs.

As in most cases, Debtlandia will probably have to go through further rounds of debt treatment in the coming years, until creditors realise there is need for a substantial debt reduction for the country to achieve debt sustainability. Historically, debt default episodes have taken an average of seven years to be resolved, involving multiple restructurings. The IMF itself agrees that ‘debt restructurings have often been too little and too late, thus failing to re-establish debt sustainability and market access in a durable way’.

Is an alternative to the maze possible?

The debt restructuring process is chaotic, costly, long and difficult to understand, particularly for ordinary citizens who suffer the consequences. Additionally, success is determined by the calibre of lawyers a country can afford to hire, as well as the willingness of a government to refuse to pay if creditors do not agree to an acceptable deal. Powerful creditor countries maintain the current lack of a system because it enhances

their power, and that of their private companies, in debt negotiations. Furthermore, debtors today have to navigate new instruments, creditors, innovations and interests, which greatly complicate the restructuring process. As the then World Bank President David Malpass described it back in 2020, it is ‘the modern equivalent of debtor’s prison’.

In opposition to this chaos, we propose a systemic reform of the existing debt architecture. It is time to update the debt resolution frameworks to adapt to the new world we live in and, most importantly, to the needs of Global South countries and their people. We need a permanent rules-based multilateral debt resolution framework that provides fair, timely and comprehensive debt treatment from all lenders and for all countries according to their needs. We need a mechanism that does not rely on creditors’ will nor is defined solely by creditors. We propose a debt workout mechanism hosted under the auspices of the United Nations, since the UN is currently the only forum in which all countries have equal say and is neither a creditor nor a borrowing institution. This

debt workout mechanism should respond to 10 essential principles:

1. It should be a body independent from creditors and debtors to assure impartiality.
2. The borrower has the right to choose to initiate the debt restructuring process in pre-default phase and an automatic standstill will apply to all external debt payments.
3. The initiation of the process should trigger a stay on litigation by uncooperative creditors.
4. The entirety of a country’s debt stock should be dealt with in a single process, reducing fragmentation and time.
5. Inclusive participation of all stakeholders, including civil society.
6. Independent assessment of debt sustainability and validation of individual claims to assess the legality and legitimacy of debts through public debt audit.
7. Focus on debt sustainability that puts the needs of the population before debt service, and that includes climate vulnerabilities and human rights and gender equality assessments.
8. Respect for international human rights law and the realisation of international development commitments, such as the Sustainable Development Goals (SDGs).
9. Transparency and accountability, as standard procedures for sovereign debt restructuring negotiations, must be established, and the negotiations and their outcomes must be made public.
10. Enforceability, meaning that all parties must respect the decision of the independent body. ◆

The above is extracted from ‘The debt games: Is there a way out of the maze?’, a briefing paper (April 2023) published by Eurodad (European Network on Debt and Development). The full paper is available at https://www.eurodad.org/the_debt_games

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Time to reform the global tax architecture

A new international taxation framework is sorely needed – one that advances the interests of developing countries and meets the challenges posed by the digital economy.

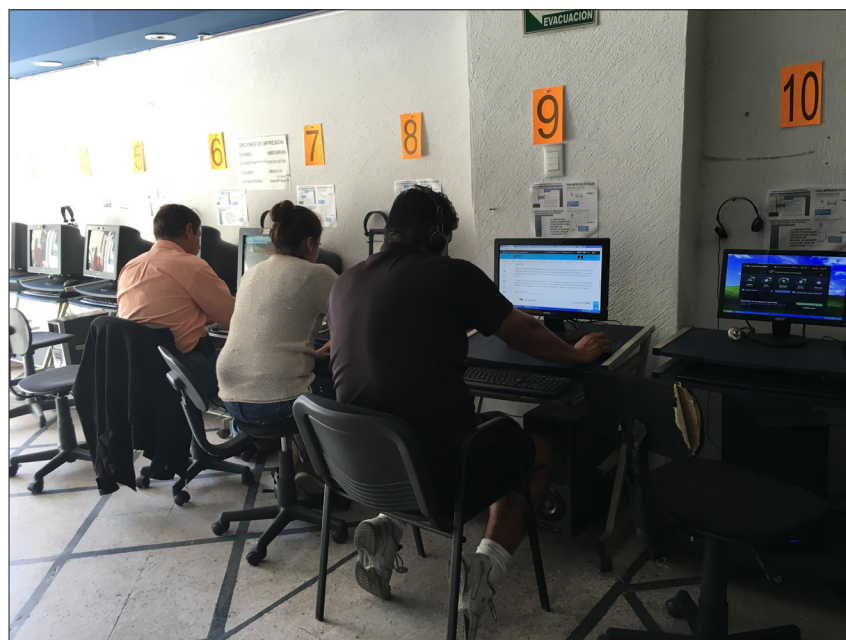
Antonio Salvador

THE current international tax architecture was put into place more than one hundred years ago to allow countries to address tax issues related to foreign direct investments, transfer or sale of companies to another country, cross-border payment of dividends, cross-border provision of services, import and export of goods, and many others.

With the increase in international transactions, it became apparent that there were instances where the very same transaction was being taxed twice in two different countries: in the jurisdiction where the income was sourced, and in the jurisdiction where the person or corporation was domiciled. Thus, countries passed laws and/or entered into tax treaties in order to address this matter.

Unfortunately, there are corporations, individuals, accountants, lawyers, financial planners, etc. who have through the years learnt how to avoid and even evade the payment of taxes using a number of schemes – from legal to patently illegal – even as countries passed legislation and entered into tax treaties both to avoid double taxation and to limit tax abuse.

Meanwhile, we have witnessed an exponential increase in both the number and types of international transactions. Moreover, among the more important phenomena are the increasing importance of



Reform measures spearheaded by developed countries have been criticised as falling far short of what is needed to tax digital platforms.

foreign direct investments, the increasing sophistication of global value chains, different business models, the increasing importance of intangible property, the advent of e-commerce – and the interaction and dynamics among all these factors combined.

It has become increasingly clear that the 100-year-old international tax architecture needs to be dramatically reformed in order to address the radical changes in the economy and international commerce, including the inability of developing countries to tax digital platforms. Since the digital platforms do not need physical presence nor permanent establishment in practically all jurisdictions other than their own

resident country, they are not subjected to income and other taxes in those other countries where they operate virtually. Reform is also needed to address the ability of transnational corporations and rich individuals to use tax planning techniques to avoid or evade the payment of tax.

What is being done?

In order to address the issue of taxation of the digital economy, also often referred to as e-commerce, the OECD/G20 came up with the Inclusive Framework on Base Erosion and Profit Shifting and on 11 July issued an Outcome Statement on the Two-Pillar Solution to Address the Tax Challenges Arising

ARipstra (WMF) (CC BY-SA 4.0)

from the Digitalisation of the Economy. Tax justice advocates have however consistently criticised the solutions prescribed as being wholly inadequate to tax the digital platforms, even as the process is far from inclusive. In forcing countries not to impose digital services tax on digital platforms that operate as non-resident foreign corporations, the solutions prescribed constitute a direct assault on the sovereign right of independent countries to impose taxes. Invariably, nations impose taxes through their respective legislative branches of government, which legislative power in fact emanates from the people. Thus, the OECD/G20 Two-Pillar Solution disenfranchises entire peoples.

Note that this is also a competition policy issue since tax-paying local companies would have to compete with these digital platforms.

On 30 December 2022, the United Nations General Assembly adopted a resolution on ‘Promotion of inclusive and effective tax cooperation at the United Nations’, which tax justice advocates see as an excellent opportunity to reform the international tax architecture in a comprehensive manner, with each member state negotiating as equals, as opposed to the so-called Inclusive Framework of the OECD/G20, where a number of, especially African, countries are not included.

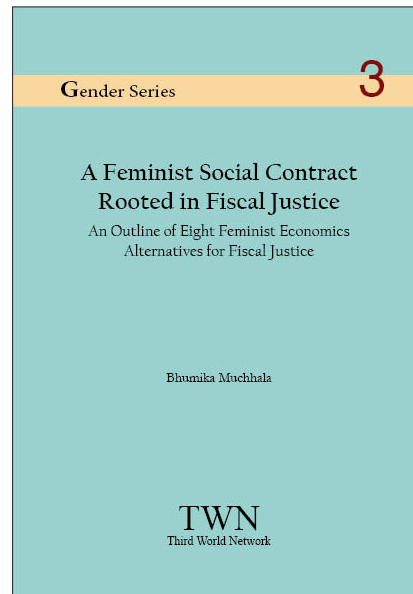
The International Monetary Fund, the OECD, the European Union, etc. argue that since the OECD/G20 Inclusive Framework has been tackling the taxation of the digital economy for a number of years now, the same should no longer be included in the UN process. However, this would constitute a veritable carve-out in favour of the resident countries of the digital platforms, and to the disadvantage of developing countries. With the corresponding prohibition or discouragement of the ‘unilateral imposition’ of digital services tax, this translates into nothing short of a transfer of

wealth from the developing to the developed countries.

Furthermore, their arguments betray the utterly condescending attitude that the developing countries do not have the technical capacity to deal with digital taxation, basically saying that while

taxation may be within the powers of the developing countries, they simply cannot deal with it from the standpoint of tax know-how and political economy. ♦

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A Feminist Social Contract Rooted in Fiscal Justice

An Outline of Eight Feminist Economics Alternatives for Fiscal Justice

TWN Gender Series No. 3

Bhumika Muchhala

The fiscal consolidation framework underpinning economic policy across much of the world has led to the erosion of critical public services and social infrastructure. These cutbacks have disproportionately affected women, who face diminished access to essential services, suffer loss of livelihoods and bear an increasing burden of unpaid care work as a result. In light of the baleful impacts of gendered austerity, this paper puts forward a set of strategies spanning policy and practice – from progressive taxation to social movement building – aimed at advancing gender-equitable fiscal justice.

Available at <https://twn.my/title2/series/gsgs03.htm>

Finding place for a progressive trade agenda in the FfD process

Resources to achieve development goals can also be raised through international trade. Developing countries thus need to step up engagement in the UN Financing for Development talks – where trade issues have been given relatively short shrift – in order to enhance the capacity of trade as an engine of development.

Ranja Sengupta

THE Financing for Development (FfD) review forum 2023 was held on 17-20 April at the United Nations headquarters in New York. The objective of this annual forum is to review the progress under the Addis Ababa Action Agenda agreed by UN member states in 2015 as well as commitments made under the Monterrey Consensus. The Addis Ababa Action Agenda¹ is the outcome of the third conference in the FfD process, which was kicked off with the adoption of the Monterrey Consensus at the first International Conference on Financing for Development, held in Monterrey in 2002.

The FfD process recognises the ‘principle of a holistic and integrated approach to the multidimensional nature of the global development challenge’ and aims to provide financial and non-financial tools to governments, especially developing-country governments, to meet their development objectives. This process is of special significance to developing countries as it is meant to help them supplement resources and foster global cooperation on development issues, especially those that require supra-national efforts.

Trade in FfD: A neglected child

Since providing globally relevant solutions to global



Recommendations on international trade form a key part of all outcome documents from the FfD process.

development challenges lies at the core of the FfD process, international trade by its very nature is an important part of the framework. Trade can be a means to generate resources for achieving development objectives, as well as a direct or indirect barrier to development tools and policies. Right from the Monterrey conference, this has been recognised, and accordingly, recommendations on international trade form a key part of all outcome documents from the FfD process. Investment also remains an important issue that is placed mainly under private finance. Trade and investment together are also significantly interlinked with the other pillars of the FfD process,

namely, private and public finance including tax, debt, technology, data and systemic issues.

Paragraphs 79-92 of the Addis Agenda cover ‘international trade as an engine of development’ and urge actions on many issues of significant interest for developing countries. The section talks of promoting a ‘universal, rules-based, open, transparent, predictable, inclusive, non-discriminatory and equitable multilateral trading system under the World Trade Organization (WTO)’. It mentions the importance of: implementing the WTO’s Bali Package and the food security decision on public stockholding of importance for developing countries; trade finance

for developing countries; the need for participation of least developed countries (LDCs), landlocked developing countries, small island developing states and Africa; TRIPS (Trade-Related Aspects of Intellectual Property Rights, the WTO agreement on intellectual property rights) flexibilities and public health; ensuring duty-free-quota-free access for LDCs and promoting their exports including the adoption of simpler rules of origin; aid for trade; and also the critical issue of special and differential treatment for developing countries and LDCs.

In a significant development, Paragraph 83 of the Addis Agenda calls on WTO member states to ‘promptly conclude the negotiations on the Doha Development Agenda and reiterate[s] that development concerns form an integral part of the Doha Development Agenda, which places the needs and interests of developing countries, including least developed countries, at the heart of the Doha Work Programme’.

However, unlike the more finance-oriented pillars of the FfD process, such as public and private finance, debt and international development cooperation (aid), trade is rather a neglected pillar. The key reason behind this is that trade is seen to have other spaces such as the WTO where binding trade rules are made. In addition, legally binding bilateral or regional free trade agreements (FTAs) as well as investment treaties are being negotiated between governments. The UN, in comparison, is seen to not have much traction in this area. This idea also gains ground because the UN Conference on Trade and Development (UNCTAD), created in 1964 under the UN system to support developing countries’ efforts to ensure their trade policies work for their development objectives, has increasingly been neutralised through a forced shift in its mandate and a takeover of its core objective. The Addis Agenda

provided a strengthened mandate for UNCTAD in Paragraph 88, ‘as the focal point within the United Nations system for the integrated treatment of *trade and development* and interrelated issues in the areas of finance, technology, investment and sustainable development’ (emphasis added). But this mandate is increasingly under threat.

Many of the other areas have seen much more action and have better engaged global civil society groups because these areas do not have other progressive global spaces that ensure such tools are deployed with development as their target. The FfD process remains one of the only tracks, along with work in tandem in the UN’s Economic and Social Council (ECOSOC) and General Assembly, that can hope to deliver substantive outcomes.

The political dynamics of the IATF reports

Another key output to watch for in the FfD context is the report of the Inter-agency Task Force (IATF), the body put together to provide expert analyses of current trends ahead of the FfD review forum each year. While some of the information and analysis on the trade and investment segment in the successive reports has been useful, several of the recommendations over the years have, at the minimum, been insensitive to developing-country needs. The reporting highlights the gains for the developed countries as gains for the entire world – for example, the outcomes from the 12th WTO Ministerial Conference (MC12) in 2022 on agriculture, fisheries and the pandemic response (IATF report, 2023²) – rather than take a critical look at current trends which could have been helpful for developing countries. There has been criticism that the reports have, especially of late, worked against a progressive trade agenda for the South and helped entrench the North-South divide rather than address it. The consistent

pitching of a Northern agenda in the reports may be the result of strong pressure exerted by the developed countries or an inevitable outcome of the political views of the experts enlisted, or a mix of both.

One case in point is that of e-commerce. Heavy espousing of the benefits of liberalising e-commerce has been one of the persistent strains across the last few reports. This in effect calls for deregulation of the entire digital economy of developing countries. For example, while the 2023 report points to the benefits of cross-border e-commerce on ‘SMEs [small and medium-sized enterprises], women and marginalised groups’, it is silent on the risks of such liberalisation, especially where regulatory policies in the digital arena are not yet fully developed.

The IATF reports are useful for the trade discourse in one sense. They indicate to a certain extent which way the developed countries want to take the trade agenda, either in terms of current issues on the table at the WTO or in FTAs, or in terms of a future agenda that the developed countries are incrementally aiming for. While this may sound the alarm bell, it can also perhaps signal the need to prepare a development-friendly narrative and counter-agenda.

The 2023 report, for example, highlights the issue of industrial policy and its linkage to trade. While developing-country efforts to bring this to the table have repeatedly failed, the recent interest of developed countries in this issue seems to have ignited a revival of the discourse. There is also a proposal tabled at the WTO by the African Group of countries related to industrial policy.³

However, it is clear that the needs and demands of developed and developing countries are highly different and most often in direct conflict. At the same time, the current trade paradigm of the WTO and the FTAs blocks efforts by developing countries to achieve industrial

transformation. While developed countries have been articulating the need for access to raw material and minerals from developing countries, the industrial policy needs of developing countries will require them to restrict outflow of such valuable resources in order to promote their own industrialisation. Similarly, developed countries want liberalisation of e-commerce and government procurement in developing countries in order to gain access to their markets, while this clearly goes against developing countries' industrial policy needs as they would be conceding market access without effectively receiving any in return. On the other hand, while developed countries want developing countries to lower import tariffs, they are themselves voicing the need for protecting their own producers and production through the use of higher import duties. 'Protection' has indeed been the biggest doublespeak in the trade discourse. In addition, as raised in the African Group proposal, the stricter intellectual property standards demanded by developed countries run contrary to the industrial policy needs of the Global South and hinder the much-needed transfer of technology.

While the IATF's 2023 report falls short of articulating a clear industrial policy framework and a supportive trade framework for developing countries, it does mention the need to address inequity by addressing the special needs of LDCs and the impact of some developed-country measures (such as the EU's proposed Carbon Border Adjustment Mechanism) on developing-country exports. While the emergence of the industrial policy debate in the report may augur a push by developed countries for certain policies at the WTO and at other fora such as the FfD process, it can also facilitate a strengthening of developing-country positions and their articulation.

FfD outcome documents: Help or hindrance for development?

Given the apparent lack of engagement on trade issues, among both developing countries and civil society organisations, there has been a deterioration in the language and substance in FfD outcomes over successive years from a development perspective. Key issues of interest to developing countries have either failed to make it into the outcome documents or been twisted to create disadvantage for developing countries.

The most notable is of course the conclusion of the WTO's Doha Development Agenda, which was strongly mandated by both the Addis Agenda (Paragraph 83) and the 2030 Agenda for Sustainable Development (Paragraph 17.10). In spite of such commitments, it has not really made much headway in the FfD discussions, which is not surprising given that the developed countries have refused to implement this Agenda at the WTO, rendering it virtually dead.

Another prime example is the waiver of intellectual property rights enshrined in the WTO's TRIPS Agreement. The waiver was proposed and supported by about a hundred developing countries at the WTO before its 12th Ministerial Conference. The objective was to enable developing countries to obtain supplies of the vaccines, tests and treatments needed to deal with the COVID-19 pandemic. However, it failed to make an entry into the FfD outcome document in 2022 or even in 2023. It is important to remember that Paragraph 86 of the Addis Agenda highlighted the importance of TRIPS flexibilities and of protecting public health in the implementation of the TRIPS Agreement. The waiver was finally adopted at MC12.⁴ Even though this decision fell far short of the ambitious coverage developing countries had demanded and

included only very limited flexibility on vaccines (not diagnostics or therapeutics), it was nevertheless a milestone in the problematic issue of intellectual property rights at the WTO but one which the FfD process has ignored.

Even issues such as food security, of key interest to developing countries, have often been addressed in the FfD outcomes in such a manner as to reflect the interest of developed rather than developing countries. For example, the very limited MC12 decision on World Food Programme purchases was welcomed in the outcome document of 2023 (Paragraph 58),⁵ while issues of critical interest for developing countries – such as a permanent solution on public food stockholding (PSH) that has been proposed by 80 developing countries at the WTO,⁶ or the Special Safeguard Mechanism, or disciplines on domestic cotton subsidies in the North – have all been ignored in successive outcome documents. In fact, the PSH issue is mandated in Paragraph 80 of the Addis Agenda.

Another issue is WTO reform, which has been of key interest to the developed countries at the WTO and is being used to propose negotiations to form rules on new, unmandated issues as well as to turn the WTO process against developing countries. This found its way into the 2023 FfD outcome document (Paragraph 55). But including special and differential treatment (S&D), a key principle that ensures preferential treatment for developing countries and LDCs to help them catch up on their development trajectories, has been a difficult battle. Paragraph 84 of the Addis Agenda strongly mandates the implementation of S&D provisions in the WTO as well as 'strengthening them and making them more precise, effective and operational'. But even when S&D was included in Paragraph 54 of the 2023 FfD outcome document

– which was one of only two constructive paragraphs reflecting the interests of developing countries – it was qualified with conditionalities that developing countries are opposing at the WTO.

In contrast, an issue such as e-commerce liberalisation which could narrow developing countries' policymaking space, has found multiple encouraging mentions in successive outcome documents.

Another issue, of much interest to developing countries, is investment treaty reform, in particular reform of the infamous investor-state dispute settlement (ISDS) mechanism established in many of these treaties. Many developing-country governments have been at the losing end of ISDS arbitration cases and have not only had to pay billions of dollars in compensation but also lost significant policy space in the areas of environmental conservation, sustainable development, labour rights, public health and sectoral policies. Paragraph 91 of the Addis Agenda specifically mentions the need to ensure that 'the goal of protecting and encouraging investment should not affect our ability to pursue public policy objectives. We will endeavour to craft trade and investment agreements with appropriate safeguards so as not to constrain domestic policies and regulation in the public interest'. Even the IATF reports, in particular the 2023 one, have pointed to the loss of policy space and the declining number of new investment treaties due to their predatory nature. However, efforts by civil society groups and some developing countries to bring this issue into the FfD outcome documents have not made much headway.

In a positive turn, one continuing issue of concern for developing countries, dependence on primary and low-value commodity exports, which has seen very little constructive discussion in the WTO recently, did find its way into the

2023 FfD outcome document. Paragraph 59 says, 'We call upon the international community to support the efforts of and foster cooperation with commodity-dependent developing countries to address the factors that create structural barriers to international trade and impede diversification.' Whether this can pave the way for radical solutions through the UN system to help developing countries bound to the low end of the value chain in terms of their production and exports, as well as being forced to export their critical raw material and minerals, remains to be seen.

In lieu of a conclusion

Notwithstanding the challenges, the FfD process actually remains very important for global trade policymaking. The WTO seems to have long relinquished its role as an institution that will deliver on its development promises. Meanwhile, the bilateral and regional FTAs are increasingly expansive and, coupled with a slew of bilateral investment treaties (BITs) and international investment agreements (IIAs), are intruding deep into the development policy space of governments across the Global South. Therefore, the FfD space seems one of the scant few that can still hope to deliver on a progressive development agenda which integrates both trade and investment issues. It is important to ensure that progressive and development-friendly principles and tools come out of the FfD process, as well as to prevent language and commitments disadvantageous to developing countries from being agreed at the FfD forum.

In addition, the role of UNCTAD as the trade institution that is mandated to support developing- and least-developed-country efforts in trade policymaking, needs to be strengthened. UNCTAD also has a mandate on FfD and can play a more effective role in the FfD process as a facilitator of developing-country trade positions rather than

desperately claiming to balance North-South needs. Currently, with the notable exception of the Division on Globalization and Development Strategies, most of the divisions working on trade in UNCTAD do not seem to cater to UNCTAD's main mandate.

Overall, a vibrant FfD process must bring in key concerns of developing countries related to trade and investment, and integrate these into the other streams of work. An active and informed engagement of developing-country delegates on trade issues on the FfD front will also add much more value to the process and help advance their trade agenda in the WTO and other trade fora. ♦

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Notes

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3. 'The Role of Transfer of Technology in Resilience Building: The TRIPS Agreement', communication from the African Group, WTO document WT/GC/W/884, 5 July 2023.
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The grand narrative of private finance

Growing reliance on private capital to address development challenges is detracting from the imperative of deep-rooted global financial reform, write

Bhumika Muchhala and María José Romero.

ONE message that was repeated throughout the Paris summit in June on a so-called 'New Global Financing Pact' was that developing countries urgently need mass financing to tackle the climate and biodiversity emergency. And there is not enough of it in public coffers.

Unfortunately, the false narrative that the only way to fill this gap is to 'leverage' more private finance also persisted. The resulting Paris Agenda for People and Planet stated that 'meeting global challenges will depend on the scaling up of private capital flows'. This should be achieved in large part by revamping the role of multilateral development banks (MDBs).

Last December, the World Bank Group (WBG), the biggest MDB, launched its so-called 'evolution' process, with the support of the G7 industrial countries. This set the institution to work on increasing its lending by deepening its reliance on the financial market.

The dogged reliance on private capital as saviour appears to be steeped in capitalist realism. It is believed to be implausible for the public sector to deliver the scale of financing needed to address the climate and development crisis.

Private capital, which can be leveraged using public money, securitised and reproduced, is favoured as the pragmatic choice. However, while the financing gap to deliver on the Sustainable Development Goals (SDGs) is very real, the neat narrative buttressing private capital obscures two

empirical realities.

The first is the absence of rich countries' political will to deliver on agreed commitments, from the 0.7% of gross national income in development aid made in 1970 to the \$100-billion-per-year climate financing agreed in 2009.

Second, the ongoing systemic wealth drain from developing to rich countries. Since 1982, developing countries as a whole have transferred an estimated \$4.2 trillion in interest payments to Global North-based creditors, far outstripping aid flows and concessional lending during the same period.

Additionally, tax-related illicit financial flows cost countries hundreds of billions of dollars in lost tax income every year. Debt servicing is draining approximately 25% of total government spending in developing countries as a whole, hijacking both climate and SDG financing.

The allure of private finance

In June, in a new attempt to 'leverage' private capital, the WBG launched the Private Sector Investment Lab, a partnership with the private sector that aims to 'rapidly scale solutions that address the barriers preventing private sector investment'.

Furthermore, it announced 'an expanded toolkit for crisis preparedness, response, and recovery' that includes providing 'new types of insurance' to backstop private sector projects. This follows a not-so-new pattern articulated in

the WBG's Evolution Roadmap draft published in April.

While the WBG is set to expand its mandate to incorporate 'sustainability' considerations, the approach is still rooted in a heady cocktail of derisking instruments such as risk guarantees, blended finance and first-loss positions by governments, and in tweaking national regulatory frameworks to enable a business-friendly environment.

The goal is as singular as the solution: to make investment more profitable for the private sector. The (optimistic) rationale: 'incentivising' private capital will 'crowd in' economic growth and climate, biodiversity and development financing. This assumes that it is possible to equate commercial goals and the public interest, which is not always the case without creating financial barriers that undermine access to public services, such as user fees.

It also ignores that risks are transferred from private to public actors, further increasing debt vulnerabilities, and the developmental dilemma posed by prioritising private profits over distributive goals and state sovereignty.

In ongoing discussions about the Roadmap, it is yet to be seen if the WBG will incorporate sufficient provisions within its plans to ensure the recipient state's right to regulate in the public interest for a rights-based economy that upholds distributive justice. That

is, economic, climate and gender equity.

Solutions with legitimacy

The largest coalition of developing countries in the United Nations, known as the Group of 77 – representing 134 nations – have been calling for reform of the international tax, debt and financial architecture for many years.

These calls, enshrined in resolutions adopted by the UN General Assembly, include establishing a multilateral legal framework that would comprehensively address unsustainable and illegitimate debt, including through extensive debt restructuring and cancellation, and agreeing on a UN Tax Convention with equitable participation of developing countries to address tax abuse by multinational corporations and other illicit financial flows.

As was made clear in June in several developing countries' calls, a reform agenda should not be limited to merely boosting MDBs' coffers – via financial innovation techniques – but rather include governance reform that meaningfully augments the voice and vote of developing countries in macroeconomic decision-making, which is the litmus test for legitimate and democratic economic governance.

Furthermore, for many in civil society, for the WBG to 'evolve' in a credible way it must also seek to independently evaluate the development impact of its policy prescriptions for developing countries over recent decades. Civil society organisations stated this in official feedback on the Evolution Roadmap submitted to the Bank in July.

The ways in which the mythology of the private financier is construed dangerously omit the concrete reforms for historical economic justice and state sovereignty that the Global South are demanding. This disjuncture

calls for a clear-eyed questioning of the allure of private finance. Here lies the difference between new forms of extraction as opposed to change towards redistributive justice. – *IPS* ◆

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Bt Crops Past Their Sell-By Date: A Failing Technology Searching for New Markets?

TWN Biotechnology & Biosafety Series No. 19

Dr Eva Sirinathsinghji

Crops genetically modified to contain toxins from the bacterium *Bacillus thuringiensis* have been touted as having inbuilt capacity to ward off pests. These so-called Bt crops are now increasingly being promoted in developing countries despite growing concerns surrounding their efficacy and suitability.

Development of resistance among target pests to the Bt toxins is reported to be accelerating, while the plants are also coming under attack from non-target secondary pests. On top of this, the cultivation of Bt crops often requires additional agricultural inputs and practices, which throws into doubt its viability for resource-poor farmers in the Global South.

This paper flags the potential pitfalls associated with the push by Bt crop backers to make market inroads into developing countries for a technology of questionable effectiveness and durability.

Available at <https://twn.my/title2/biosafety/bio19.htm>

A highly explosive situation in Sudan

The conflict in Sudan rages on, threatening to spill over to other parts of the region and creating one of the fastest-growing refugee crises ever seen.

Christine-Felice Röhrs

IT'S been only a few months since fighting first broke out between the Sudanese military, commanded by General Abdelfattah Burhan, and the Rapid Support Force (RSF) militia, led by General Hamdan Dagalo. The first shots were heard in the capital Khartoum around 9.30 a.m. on 15 April; an hour later, there was such intense gunfire that, in central districts, residents dived under their kitchen tables or beds for safety, or stuck tape across their window panes to avoid shrapnel injuries. A conflict that started as skirmishes in the capital has now escalated, encompassing other flashpoints around the country, and there are concerns that it might also impact the wider region, as well as create huge waves of cross-border refugees.

In Khartoum, one of Africa's largest urban centres, ground battles and air raids continue unchecked, while millions of civilians remain in the city. Many neighbourhoods have been reduced to rubble. The airport has been largely destroyed, as have the electricity grid, the water supply and large markets. RSF fighters are using civilians as human shields, embedding themselves in residential areas and hospitals. There are regular reports of rape. RSF militia forces, with gangs following in their wake, are also looting whatever they can: private residences, embassies, government facilities or even the camps of humanitarian organisations. At least 3,000 civilians are reported to have been killed and at least 6,000



A Sudanese refugee camp in Chad. It is estimated that more than three million people have been displaced by the Sudan conflict in just about 12 weeks.

Henry Wilkins/VOA

injured, though the actual numbers are likely to be far higher, given that these figures are often based on information from hospitals – which many injured civilians are unable to access.

At the same time, the mutual destruction being wrought as the two generals battle for military supremacy has spread to other areas, including the city of El Obeid in North Kordofan and the Darfur states to the west. The latter are where the RSF has its roots, and where violence has historically also had a component of ethnic cleansing by Arab-descended militias against African civilian tribes. This pattern is now repeating itself. From places such as El Geneina and Misterei (West Darfur), Zalingei (Central Darfur) and Nyala (South Darfur), we are hearing horrifying reports of targeted killings and forced displacement. Satellite images show charred areas where villages used to be. Some believe

that the RSF is laying the ground for a kind of alternative scenario in which it would retreat to its former stronghold should the battle for the capital become too costly. That would lead to a de facto fragmentation of the country into military- and RSF-dominated 'princdoms' and the break-up of the Sudanese state.

One consequence of all this is a regional refugee crisis that the Norwegian Refugee Council (NRC)'s country director for Sudan calls one of the biggest and fastest-growing he has ever seen. In total, the latest estimates by the International Organisation for Migration (IOM) suggest that more than three million people have been displaced in just about 12 weeks. More than 2.4 million of them are internally displaced, while more than 730,000 people have fled across the border to neighbouring South Sudan, Chad, Ethiopia or Egypt.

Failed attempts at mediation

So far, there is no sign of either side in the conflict gaining the upper hand. The war is not going to end any time soon, says Volker Perthes, the German head of the UN political mission Unitams, recently declared persona non grata by the military and refused entry to the country. The many calls from the international community, including those from the Friends of Sudan Group co-founded by Germany, for an end to the violence have thus far been ignored by the warring parties. US and UK sanctions against the structures behind both armed groups seem to have had no impact either. None of the agreed ceasefires have held, including the terms brokered in the US- and Saudi Arabia-sponsored (but now abandoned) Jeddah talks.

Overall, attempts at mediation have largely been neither broadly supported nor especially coherent. An initiative by South Sudan ended without success. Another spearheaded by Kenya in the Ethiopian capital Addis Ababa was boycotted by the military, which doesn't consider Kenyan President William Ruto to be neutral. A new 'summit of neighbours' initiative led by Egypt has managed to attract a remarkable number of participants, though it too is yet to yield actual results and is likely to be met with scepticism by the RSF due to Egypt's close ties to the Sudanese military.

It is indeed a situation in which mediation is extremely difficult. Sudan's central location, its geostrategic importance as the third-largest country in Africa, with borders with seven other countries, and the interests of neighbours and regional powers in Sudan's various assets (gold, huge swathes of agricultural land along the Nile, the eastern coast) – all this has created a complex web of competing and overlapping trade relationships and security interests that require good relations with either the military or

the RSF – or both – and mean many of the relevant actors are cautiously tiptoeing around each other. This impedes mediation attempts and collaboration, blurs power dynamics and forces supporters to work clandestinely or via proxies, where they are harder to spot.

Overall, attempts at mediation have largely been neither broadly supported nor especially coherent.

Up to now, both Sudan's direct neighbours and regional powers such as the United Arab Emirates, Saudi Arabia and even Russia have endeavoured, at least publicly, not to clearly back one side over the other, fearing this might unleash a cascade of regional violence. Everyone is aware that the Horn of Africa is highly combustible. At present, this is a conflict between the two largest armed Sudanese groups and not yet a full-blown civil war, nevermind a regional conflagration.

However, given the dense tribal networks that even extend beyond national borders, the conflict could certainly spread to other countries if other groups in this ethnically and politically fragmented state get drawn into it. There are already signs that this is happening. The leaders of groups in Darfur (which borders Chad) have been openly considering armed resistance to protect their territories and are apparently mobilising. In the states of South Kordofan and Blue Nile near the Ethiopian border, there has already been fighting between the military and the SPLM rebel group. Abroad, according to some observers, Islamist militias are said to be getting ready to join the RSF.

Given the two generals' resolute belligerence, it's unclear what levers could be pulled in order to end the violence. Some are calling for further sanctions, though those

imposed against Omar al-Bashir, the Sudanese autocrat deposed in the revolution of 2018-19, failed to prevent army- and RSF-dominated industries from flourishing. There is thus a need to find new approaches and to push them far more forcefully.

Civilian political groupings, meanwhile, have been confined to the sidelines and are paid little heed by the combatants. Many have fled the country and now meet in Egypt, Kenya or Uganda instead. Shortly before the outbreak of war, there had still been hopes that the military might return power to a civilian government after its coup in 2021. Some actors are still working to achieve such a scenario, but a civilian process only stands a chance of succeeding in the face of military force if political civil society manages to overcome the fragmentation that, even in this time of crisis, still seems to beset it. This is an area in which, in addition to organising humanitarian aid, German and European diplomacy could focus its efforts.

One ray of hope is the many youth groups that, since the 2018-19 revolution and the military coup, have become a new locus of political influence. Many of their members have also fled, representing a tragic brain drain for Sudan. Others have stayed and continue to make positive contributions, be it as individuals, in youth forums or in what are known as resistance or neighbourhood committees. By assuming administrative responsibility, the latter have stepped up where the military regime has not only been failing in its duty of care but has also actively been creating victims; local committees have thus been arranging for treatments and medications for the injured and sick and ensuring families get food and water supplies. These young Sudanese activists need continued support. ♦

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Headlines and frontlines: Bias in US news coverage of Yemen and Ukraine wars

Esther Brito Ruiz and Jeff Bachman draw attention to skewed US media reporting of the ongoing conflicts in Yemen and Ukraine.

WAR entails suffering. How and how often that suffering is reported on in the US, however, is not even-handed.

Take, for example, the Saudi-led intervention in Yemen in March 2015 and the Russian invasion of Ukraine in February 2022. The media attention afforded to the crises reveals biases that relate less to the human consequences of the conflicts than to the United States' role and relationship with the warring parties involved.

In Yemen, the US is arming and supporting the Saudi-led coalition, whose airstrikes and blockades have caused immense human suffering. Meanwhile in Eastern Europe, the US is arming and aiding Ukraine's efforts by helping to counter missile strikes that have targeted civilian infrastructure and to retake occupied territories where horrific killings have taken place.

As scholars who study genocide and other mass atrocities, as well as international security, we compared *New York Times* headlines that span approximately seven-and-a-half years of the ongoing conflict in Yemen and the first nine months of the conflict in Ukraine.

We paid particular attention to headlines on civilian casualties, food security and provision of arms. We chose *The New York Times* because of its popularity and reputation as a credible and influential source on international news, with an extensive network of global reporters and over 130 Pulitzer Prizes.

Purposefully, our analysis

focused solely on headlines. While the full stories may bring greater context to the reporting, headlines are particularly important for three reasons: they frame the story in a way that affects how it is read and remembered; reflect the publication's ideological stance on an issue; and, for many news consumers, are the only part of the story that is read at all.

Our research shows extensive biases in both the scale and tone of coverage. These biases lead to reporting that highlights or downplays human suffering in the two conflicts in a way that seemingly coincides with US foreign policy objectives.

Ukraine in the spotlight

War in Ukraine is clearly seen as more newsworthy to US readers. This double standard may have less to do with the actual events than with the fact that the victims are white and 'relatively European', as one CBS News correspondent put it.

Our broad search of *New York Times* headlines concerning the overall civilian impact of the two conflicts yielded 546 stories on Yemen between 26 March 2015 and 30 November 2022. Headlines on Ukraine passed that mark in under three months and then doubled it within nine months.

Front-page stories on Ukraine have been commonplace ever since the Russian invasion began in February 2022. In comparison, front-page stories on Yemen have

been rare and, in some cases, as with coverage on food security in the country, came more than three years after the coalition initiated blockades that led to the crisis.

The first front-page article with explicit focus on the hunger crisis was published on 14 June 2018, with the headline 'Saudi-Led Attack Deepens the World's Worst Humanitarian Crisis'. By this point, 14 million Yemenis were already facing 'catastrophic food insecurity', according to the United Nations Office of the High Commissioner for Human Rights.

More context on Ukraine

When we analysed headlines on Yemen and Ukraine, we classified them as either 'episodic', meaning focused on specific events, or 'thematic', meaning more contextual. An example of an episodic headline is 'Apparent Saudi Strike Kills at Least Nine in Yemeni Family'. An example of a thematic headline is 'Ferocious Russian Attacks Spur Accusations of Genocide in Ukraine'.

New York Times headlines on Yemen were mostly focused on events, accounting for 64% of all headlines. In contrast, headlines on Ukraine involved a greater emphasis on context, accounting for 73% of total articles. The reason this is important is that by focusing more on either episodic or contextualised stories, newspapers are able to lead readers to different interpretations.

The largely episodic headlines on Yemen may give the impression

that the harm reported is incidental, rather than symptomatic of the coalition's violence. Meanwhile, contextual articles on Ukraine trace the broader implications of the conflict and reflect stories of continual Russian responsibility and accountability.

Differences in assigning blame

Accountability in coverage is also vastly different. We found 50 headlines on Yemen that reported on specific attacks carried out by the Saudi-led coalition. Of them, 18 – just 36% – attributed responsibility to Saudi Arabia or the coalition. An egregious example that omits responsibility is this headline from 24 April 2018: 'Yemen Strike Hits Wedding and Kills More Than 20'. A reader could easily interpret that as meaning that Yemen rebels were behind the attack rather than the Saudis – as was the case.

It is hard to imagine a Russian strike on a wedding in Ukraine headlined as 'Ukraine Strike Hits Wedding and Kills More Than 20'.

Over the period we looked at, there were 54 headlines on specific attacks in Ukraine – 50 of which reported on Russian attacks, with the remaining four reporting on Ukrainian attacks. Here, of the 50 headlines about Russian attacks, 44 of them – or 88% – explicitly attributed responsibility to Russia. Meanwhile, none of the four headlines on Ukrainian attacks attributed responsibility to Ukraine. This shows the selectivity of responsibility attribution – clear in Ukraine when covering Russia's actions, but often obscured when it comes to the Saudi-led coalition's attacks in Yemen.

Furthermore, a June 2017 headline portrays the coalition as concerned about the destruction it has caused: 'Saudis Move to Address Civilian Toll in Yemen'. Compare this with how Russia's attempts to address civilians are categorically dismissed: 'Russia's Explanations for Attacking Civilians Wither Under Scrutiny'.

A tale of two humanitarian crises

Both invasions have led to situations of food insecurity – in Yemen creating a national risk of famine, and in Ukraine compromising global grain supply. However, the news stories have little in common in the way they speak about hunger in both countries.

Russian actions blocking grain exports and destroying crops and agricultural infrastructure are portrayed as deliberate and weaponised: 'How Russia Is Using Ukrainians' Hunger as a Weapon of War'.

In contrast, the Saudi-led coalition's blockade, despite being the primary driver of the famine and even equated to torture by the World Organisation Against Torture, was rarely afforded this intent. In fact, coverage of the hunger crisis often did not mention the coalition at all, such as in this 31 March 2021 headline: 'Famine Stalks Yemen, as War Drags on and Foreign Aid Wanes'.

Out of 73 stories broadly about food security in Yemen, only four unequivocally attributed rising starvation to the actions of the coalition and condemned their role.

Moral outrage vs. neutrality

Headlines on Ukraine tend to invoke moral judgments, we found, compared with a more neutral tone on Yemen. Russia is portrayed as a violent, relentless and merciless villain: 'Russian Forces Pound Civilians ...' and 'Russia Batters Ukraine ...'. In turn, Ukrainians are presented as heroes who are fighting for the survival of their nation, and they are humanised in their suffering: 'They Died by a Bridge in Ukraine. This Is Their Story'.

This moral positioning on the conflict in Ukraine is not necessarily a problem. After all, falsely equating Ukraine's actions with those of Russia fails to account for Russian aggression, which initiated the

armed conflict, as well as Russia's routine targeting of civilian sites.

However, it is noteworthy that *New York Times* headlines on Yemen fail to employ similarly condemnatory narratives towards the Saudi-led coalition in Yemen. This is despite reports produced by human rights organisations, conflict trackers, and international and regional experts that have blamed the coalition for the vast majority of civilian suffering.

As a consequence, Yemeni civilians become forgotten victims, unworthy of attention and obscured by opaque numbers, detached language on the consequences of coalition violence, and narratives of the inevitability of war. These editorial decisions obscure the role of the US in Yemeni suffering – even if they do not reflect the underlying intent behind the reporting.

Journalism of deference

In both the Yemen and Ukraine conflicts, the US has spent tens of billions of dollars – more than \$75 billion in humanitarian, financial and military assistance to Ukraine and over \$54 billion in military support to Saudi Arabia and the United Arab Emirates between 2015 and 2021 alone. What's different is that the US is essentially on opposite sides in these conflicts when it comes to its relationship to those inflicting the most civilian casualties. Washington officials have made open and direct declarations about the inhumanity of atrocities in Ukraine while avoiding inquiry and condemnation of those in Yemen. Our research suggests that such messaging may be supported by the news media. ◆

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In Uruguay, the struggle for memory and accountability continues, 50 years on

In 1973, a coup plunged Uruguay into dictatorship. Decades later, human rights movements continue to demand justice for the crimes committed under the reign of state terror.

Debbie Sharnak and Gabriela Fried Amilivia

ON 20 May 2023, thousands of Uruguayans marched in dozens of places across the country and beyond in one of the largest commemorations of the disappeared since the annual Marcha del Silencio began 28 years ago. The march first took place in 1996 in memory of Uruguayan politicians Zelmar Michelini and Héctor Gutiérrez Ruiz, who were assassinated in Buenos Aires in 1976. Over the years, increasingly large crowds have shown up for a massive, silent vigil through downtown Montevideo under the banner ‘¿Dónde están?’ – where are the disappeared?

In the years since that first march, memory activities have expanded; there is now not just one day dedicated to the memory of the disappeared but a whole month, the *mes de la memoria* or month of memory. This year’s Marcha del Silencio came as the country prepared to mark 50 years since the beginning of the Uruguayan dictatorship. On 27 June 1973, President Juan María Bordaberry shut down parliament and turned governing power over to the military. His *autogolpe* or self-coup officially launched a 12-year reign of state terror characterised by widespread torture, political imprisonment, massive displacement, censorship and the disappearance of over 200



The Marcha del Silencio in Montevideo on 20 May 2023. The banner reads ‘Where are they? State terrorism never again’.

citizens.

To commemorate the 50th year since the coup, social organisations have staged a series of official and unofficial events. In January, the association of former political prisoners Crysol commemorated the first transfer of prisoners to the most notorious women’s prison, Punta de Rieles. Their homage focused on the children born in captivity and the gendered forms of abuse and discrimination the women experienced there. The following month, further highlighting how repression began well before June 1973, parliament held an event focused on Bordaberry’s February 1973 signing of the Boiso Lanza pact, which allowed the president to remain the official head of state while transferring power to the military. The pact, which *The New York Times* in March 1973 called a ‘virtual military coup d’état’, is

often recognised as the beginning of the coup. Meanwhile, Uruguay’s Museo de la Memoria is hosting various installations and exhibits commemorating the anniversary, prominently highlighting 50 years of solidarity and resistance.

These commemorations come at a propitious moment in Uruguay’s struggles over the memory and legacy of state terrorism. Perhaps no example better encapsulates these challenges than recent debates over the implementation of the Inter-American Court of Human Rights decision *Maidanik et al. v. Uruguay*. For decades, the struggle against impunity for dictatorship-era crimes has been characterised by advances and setbacks. Now, as Uruguay marks the 50th anniversary of the coup, and more survivors pass away, the continuing demand for truth and justice for victims and

Isabella Fried Leeman/nacla.org

their families takes on additional urgency.

Struggles against impunity

In March 1985, when military rule in Uruguay officially came to an end, victims of the dictatorship filed dozens of court cases seeking to hold the military accountable. The military, however, threatened not to show up in the event of a trial and even hinted at a new coup. In response, in December 1986, parliament hastily passed an amnesty law – the Ley de Caducidad, or expiry law – protecting members of the police and military from prosecution for crimes committed between 1973 and 1985. Despite various legal attempts over two-and-a-half decades to overturn it, the amnesty remained in effect until 2011.

During the years the expiry law was in place, judicial accountability could only be achieved through legal loopholes. In 2010, for instance, former president-turned-dictator Bordaberry was convicted of violating the constitution, forced disappearances and other crimes, and his foreign minister, Juan Carlos Blanco, was convicted of political killings. These prosecutions were possible because Bordaberry and Blanco were civilian members of the dictatorship and not part of the military.

In 2011, however, the Inter-American Court of Human Rights issued its first decision regarding Uruguay's military rule. *Gelman v. Uruguay*, filed in the inter-American system in 2006, found the state liable for violating several rights and ordered Uruguay to ensure that the expiry law 'never again becomes an impediment for the investigation of the facts at hand, and of the identification, and if applicable, punishment of those responsible'. In other words, the Court ordered Uruguay to overturn the expiry law.

Within a year, it did just that. In June 2011, President José Mujica issued Decree 323 to begin the process of removing the law. Then,

in October 2011, parliament passed Law 18.831, effectively cancelling the amnesty law's provisions and eliminating the main legal barrier to prosecutions. Other measures of compliance with the Court decision included an official state apology, which was delivered to a full house of parliament in 2012 by, ironically, President Mujica, who was himself a political prisoner of the dictatorship.

The years after the expiry law was overturned did not produce the long-awaited accountability, however. In fact, members of the military did everything they could to avoid trials, for example, by challenging the statute of limitations. Meanwhile, in 2019 a new, far-right political party, Cabildo Abierto, emerged.

Reproducing the dictatorship's national security discourse and ideology, Cabildo Abierto used its new seats in parliament to advocate for measures such as restoring the amnesty law and granting house arrest to all convicted military officials over the age of 65, which would apply to the limited number of former military convicted of dictatorship-era crimes. Even as a minority party, Cabildo Abierto has enormous power, because President Luis Lacalle Pou is dependent on its members for a governing majority. As of June 2023, Cabildo Abierto refused to vote for a pension reform bill until Lacalle Pou agreed to grant house arrest to all members of the military in the Domingo Arena prison.

Against this backdrop, the Inter-American Court agreed in 2020 to hear a second case regarding violations committed during Uruguay's dictatorship: *Maidanik et al. v. Uruguay*.

A second inter-American court case

Filed in the inter-American system in 2007, *Maidanik et al. v. Uruguay* addressed three cases of extrajudicial executions and two cases of forced disappearance, as well as the lack of adequate investigations into the crimes.

The first case dates back to 21 April 1974, when the Armed Forces and police shot several rounds of ammunition into the house where Diana Maidanik (21), Silvia Reyes (21 and 6 months pregnant) and Laura Raggio (19) were sleeping, killing all three. The counterinsurgent military-police Joint Forces said they were looking for Reyes's husband and falsely claimed that the women had died in a confrontation. The incident is often referred to as the '*muchachas de abril*'.

The second case in the petition concerns the forced disappearance of Luis Eduardo González (22), detained on 13 December 1974. While the Army initially claimed that González had fled the country, witnesses report that he was subject to severe torture and died in custody on 26 December 1974.

The final case, the latest of the three crimes chronologically, is that of Oscar Tassino Asteazu (40), beaten and detained in his home on 19 July 1977. The Joint Forces took him to La Tablada clandestine detention centre where he died after sustaining a heavy blow. The military told his wife that they had no idea where he was.

Both González and Tassino are still disappeared. Uruguay's official 2003 truth commission claimed that each man had initially been buried in one of the Army battalions, but that towards the end of the dictatorship in 1984, the military allegedly burned and tossed their remains in the Río de la Plata as part of an alleged coverup, known as Operación Zanahoria. However, Operación Zanahoria is now believed to have been an intelligence foil meant to discourage the search for and exhumation of bodies in military quarters.

These cases were originally filed in Uruguay as early as 20 June 1985, during the initial transition to democracy, but were archived once the amnesty law was passed in 1986. Although the Instituto de Estudios Legales y Sociales de Uruguay (IELSUR), the human rights law group representing the plaintiffs, attempted to reopen inquiries in

2005 during President Tabaré Vázquez's first term in office, the judiciary refused. As a result, the victims' families turned to the Inter-American Commission on Human Rights (IACHR). Because of the backlog of cases, it took the IACHR more than a decade to refer the case to the Court. For victims and families in these and other cases, the struggle to see their day in court has been unduly long.

On 15 November 2021, the Court finally issued its decision. It found the Uruguayan state guilty of various crimes, including forced disappearances and lack of adequate investigations to determine what occurred, and where appropriate, to punish those responsible. Even though Uruguay's expiry law had been officially overturned 10 years prior, the Court concluded that the Ley de Caducidad had continued to impede investigations. At the time of the ruling in 2021, more than 44 years after the disappearances, there was 'no record of effective actions undertaken', according to the Court. 'In this aspect', the ruling continued, 'the State has not shown due diligence' and 'did not conduct [actions] diligently to avoid those delays'.

Implementing the orders

As part of various compliance orders, the Court commanded the state to hold a public ceremony acknowledging responsibility. This is a common measure, and in the 2011 *Gelman* case, Mujica's apology was a widely covered event in the country and internationally. In *Maidanik*, however, even the participation of President Lacalle Pou proved to be a point of high contention amid charged debates over the memory of the dictatorship.

The event was initially slated for 11 May 2023. In the preceding weeks, senator Guillermo Domenech of *Cabildo Abierto* said that his party refused to pay homage to the '*muchachas de abril*' because, as he falsely asserted, 'these were not girls, they were committed to a guerrilla movement'. In the following days, Lacalle

Pou also refused to participate in the public ceremony. In a far cry from President Mujica's widely publicised 2012 acknowledgment of state responsibility, Lacalle Pou decided to send his vice president, Beatriz Argimón, to the event in his place.

In response, the Association of Madres y Familiares de Detenidos Desaparecidos del Uruguay, simply known as Familiares, came out strongly against *Cabildo Abierto*. Familiares is a leading human rights organisation in the struggle for truth and justice that first began searching for their loved ones during the dictatorship and have never stopped. They fiercely contested Domenech's categorisation of the victims and argued that the president's failure to attend the public apology violated the Court's orders. As a result, Familiares refused to participate, and the 11 May ceremony did not take place. The government rescheduled the event for 15 June, conveniently when Lacalle Pou would be in New York, with plans for Vice President Argimón to officiate the event.

Amid these debates over the legacy of the dictatorship and the state's responsibility to the Inter-American Court, the *Marcha del Silencio* took to the streets in support of truth, memory and justice. The image of a *margarita* (daisy) with a missing petal, long a symbol in Uruguay associated with the search for memory and justice for the *desaparecidos*, appeared in force around the country.

Yet, looming over the impressive march – now multigenerational in its composition – and stunning visual displays of support for the decades-long pursuit of justice were the persistent challenges. In a press conference about the march, Alba González, the mother of a disappeared man, called out Lacalle Pou for his government's failures to comply with the *Maidanik* decision. 'How many steps back do we have to take in this country?' she implored.

Ending on a resilient note, however, González also highlighted how people have 'taken into their

own hands the task of sustaining memory'. The struggle for justice 'covered the entire town', she said, referring to the proliferation of daisies symbolising the demand for the search for the disappeared. Uruguayans, she added, are 'a people who do not remain silent ... who refuse to forget even if people try to silence them'.

Indeed, a new breakthrough came on 6 June, when forensic anthropologists, who have been searching for the disappeared in military barracks since 2017, uncovered more human remains at the 14th Battalion. Less than two weeks later, newly released military secret files, *Archivos del Terror* – Uruguay, were uploaded to the Internet by anonymous sources (possibly intelligence agents). The discovery of bones and the subsequent document leak have renewed calls for accountability around the country amid a moment of heightened awareness of the need for the recognition of these crimes.

It has been 50 years since the coup officially began, but Uruguayans began their fight against the imposition of dictatorship even long before 27 June 1973. Now, in an ongoing struggle since the country's return to democratic rule, an ever-increasing multigenerational and multi-ethnic coalition of Uruguayans and transnational allies continues fighting for truth, justice, recognition and accountability. The struggle of memory against oblivion is far from over. ♦

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The above article is reproduced from nacla.org, the website of the North American Congress on Latin America.

Of doors and cigarettes

Reflections of a Palestinian political prisoner

THE 61-year-old Palestinian political prisoner and writer **Walid Daqqah** (pic) was arrested in 1986 and sentenced to 37 years in Israeli prison. His sentence should have come to an end in 2023 but was extended by Israeli authorities for two years over the smuggling of mobile phones. As Sana' Salameh, Daqqah's wife, whom he married in 1999 while in prison, recently wrote, 'In other, similar cases, such offences were punished with a few days of solitary confinement. In Walid's case they added two years.' Salameh and other activists view Daqqah's continued detainment as, in actuality, punishment for his defiance, most prominently the smuggling of his sperm to conceive the couple's daughter, Milad – born in 2020 – after Israeli authorities illegally prohibited them from conjugal visitations.

In December of 2022, Daqqah was diagnosed with terminal bone marrow cancer. Despite the severity of his diagnosis, he continues to be denied release as well as vital, life-prolonging treatments. 'They have in the past delayed transferring him to the hospital, until it's almost too late,' writes Salameh. 'This policy of medical neglect is well known. We call it a policy of slow killing.'

In March of 2023, his family launched a social media campaign, #FreeWalidDaqqa. As part of the campaign for his release, a handful of his essays have been translated from Arabic into English by **Dalia Taha**, a Palestinian poet and playwright. These essays, smuggled out of prison, include the two below: 'A place without a door' and 'Uncle, give me a cigarette'. Other works by Daqqah include *Parallel Time* (later adapted as a play), *Dissolving Consciousness*, or: *Redefining Torture* and his children's novel *The Tale of the Oil's Secret*.



Samidoun: Palestinian Prisoner Solidarity Network

* * * * *

A place without a door

Once, after she had returned from a trip to the ocean, I promised Milad on the phone that I would take her there next time. She paused for a few seconds, hesitant to respond, as if she didn't want to shock me before finally saying, 'No, you don't have a door.'

For a long time whenever Milad asked me on the phone, 'Daddy, where are you?', I avoided using the word 'prison'. I feared that it might be too much for her at her tender age to begin to live with this word and its weighty implications. Torn, I grappled with the question of whether I should nevertheless tell my daughter the truth. Or should I hide the bitter reality, to prevent the connotations of the word 'prison' from lodging in her imagination?

Through her visits, Milad came to understand what a prison is, long before she learnt the meaning of the word. To her it was a place without a door. Where her father was confined, which he was unable to leave. And for her, if there was no door, then there could be no

visit to the ocean. No breakfast to share. And no chance for me to accompany her to the nursery she fondly referred to as 'school'.

From the earliest moments of their lives our children come to understand the reality of walls, barriers and checkpoints. They do so long before they are introduced to the word 'occupation'. So we ask ourselves a vexing question, one that is of the utmost importance to their education: How do we turn the oppressive feeling created by this reality into a force for positive action, which could contribute to the constructive growth of their young and developing personalities?

While thinking about whether I should use the word 'prison' with Milad, memories from my years of captivity began to play in my mind. During these years, I found myself living alongside not just one but three generations of prisoners: the Father, the Son and the Grandson. Perhaps it is the pervasiveness of prisons in the lives of children, through their frequent visits to incarcerated family members, which brings them back to the confines of the prison as prisoners themselves. In one of my stories from life in prison, entitled 'Uncle, give me a cigarette', a 12-year-old child prisoner asked me for a cigarette. In normal circumstances, outside the walls of the prison, I would have said no. We don't want children to smoke. But in this environment, it struck me that the child wanted by this request to grow up quickly so that he could better confront the years of confinement that now loomed before him or perhaps recover from the violence of his arrest. By the act of smoking, he seemed to proclaim 'behold me, an adult'. So I handed the child a cigarette. And in the presence of Milad, I finally

spoke the word 'prison'. In the end, I followed Milad's own cue to me. She had taught me the importance of honesty and truthfulness when raising children. In the end, it did not matter if she heard me use the word 'prison'. In her heart she had already felt what it meant. It is a place without a door.

* * * * *

'Uncle, give me a cigarette'

It is morning and I hear the jangling of two sets of handcuffs as the prison guard approaches us. He throws them to the ground, clanging against the concrete floor, and a sense of calm settles over the room. There's one bundle to tie the hands, and another, with longer chains, to tie the legs. Eight pairs of handcuffs of each kind, for seven prisoners.

I stand with the others in the middle of a small yard, ringed by holding cells, and try to lean against the wall. I am tired of being moved between prisons since we started the open hunger strike. I gather my energy and try to take in as much air as possible in preparation for a journey that will last hours inside an iron box that in this heat quickly turns into an unbearable furnace.

Once he is finished handcuffing us, the guard heads off for the prisoner transport truck. And then I hear a voice emanating out of the cell behind me...

'Uncle, give me a cigarette.' I peer into the cell's darkness but cannot see anyone, and for a moment I think I am delirious. Then the voice issues out of the cell again, this time louder and more desperate. 'Uncle, my uncle, give me a cigarette!' I stare into the cell again and call to the voice.

'Where are you?!'

'I'm here, down here!'

Hunching down, I peer through the slot in the bottom of the door through which prisoners receive their food and have their hands tied before being let out of the cell, and I see a child, not older than 12 years

old. A child asking for a cigarette.

I didn't know how to respond to him. Should I give him a cigarette, I wondered, or should I educate him about the dangers of smoking in the way that adults do with children outside prison? Adults, adults... and then I am struck by the fact I am including myself in this category. By the fact that he called me 'uncle'. Am I so old already?

I was suddenly terrified by being addressed in this manner. It was the first time during my 26 years of imprisonment that I have met someone speaking to me across such a distance of age. In prisons we are used to not addressing each other in this way, with social honorifics marking our age. Regardless of what our age differences may be, we all address each other as 'my brother' or 'comrade' and, more recently, 'fighter'.

I considered the child, empathising with his craving for the cigarette. The craving is not for the rush of nicotine but for what the cigarette connotes. Frightened, a mere child in the harsh world of the prison, he wanted to become a man quickly. Meanwhile, it is now my desire to turn back time so that I can again become a child, at least a young man, the way I was when I entered prison more than a quarter of a century ago.

Both of us were fearful. I was fearful for the time that had passed and he was fearful of what had not yet passed. I was afraid of the past and he was afraid of the future. I was afraid of having lived a life that had burnt out in prison, and he was afraid of what the cigarette that was now lodged between his lips could not burn away. The cigarette became something else after he had exhaled and so did he, standing tall now on his toes, appearing now older than his age. The ember glow became a lantern in his hand, chasing away the darkness of the cell, dispelling his fear and loneliness.

He was not smoking but trying to dispel the image of a child that so incontrovertibly clung to him. In the world of the prison, in the face of

the cruelty of its guards, childhood is a burden. Knowing that he was to face years of imprisonment, he was seeking to rid himself of his vulnerability and innocence, for which he clearly had no further use – it having made no difference to the judge that had sentenced him to four years.

The guard came back for us, picked the eighth pair of handcuffs up from the concrete floor, and barked at the child to push his hands through the slot in the door. So the child pushed them through, still holding the cigarette between his fingers. The guard shouted at him to drop the cigarette and then muttered to himself in Hebrew, bemoaning the sight of a child smoking. Nevertheless he proceeded with the handcuffing, remaining unmoved by the sight of those small hands in handcuffs. Because the child's wrists were too small, however, he struggled several times to secure the handcuffs, and finally decided to use them to chain the boy's legs.

When he was moved out of the cell, in preparation for the transportation, I looked at him and imagined that he was my own son, such as fate had not yet wanted to bring into the world. I wanted with every strain of my being to hug him and as these paternal feelings surged through me, I felt an overwhelming desire to cry. But I hid my feelings. I did not want to shatter the image of the man that he wanted now to become. I walked over to him, so as to shake his hand as a comrade, and a rival, asking

'How are you, fighter?' ♦

The above is reproduced from the website of the Middle East Research and Information Project (MERIP) (merip.org/2023/07/a-place-without-a-door-and-uncle-give-me-a-cigarette-two-essays-by-palestinian-political-prisoner-walid-daqqah/).

Notes

1. Sana' Salameh, 'Free Walid Daqqah and all political prisoners', Mondoweiss, 29 March 2023, <https://mondoweiss.net/2023/05/free-walid-daqqah-and-all-political-prisoners/>

Women recyclers in Bolivia build hope, demand recognition

Sorting through trash in the streets of La Paz, the 'grassroots recyclers' of the Bolivian capital earn a tough but dignified living.

Franz Chávez

THEY haul many kilos of recyclable materials on their backs but receive little in return. These Bolivian women who help clean up the environment are fighting for recognition of their work and social and labour rights.

The inhabitants of La Paz, Bolivia's political centre, walk hurriedly and almost oblivious to the women of different ages silently opening heavy lids of municipal garbage dumpsters that are taller than the women themselves.

They use a homemade tool, a kind of hook with a long wooden handle, to dig through the unsorted waste, trying to avoid getting cut by broken glass, and in search of plastic containers, paper, cardboard or aluminium cans.

People walk by on the avenues and squares without looking at them, and sometimes actively avoiding them. The recyclers feel this indifference and even rejection, but they overcome it with the courage gained over years and generations, convincing themselves that they have a dignified vocation.

'People call us *cochinas* [dirty pigs], they humiliate us and we can never respond,' says Rosario Ramos, a 16-year-old who accompanies her mother, Valeriana Chacolla, 58, sorting through the trash for recyclable waste.

A study by the United Nations Joint Programme on self-employed women workers in the country describes them generally as being 'of indigenous origin, adults with primary school education. Seventy percent of them are also involved

in activities related to commerce, while 16 percent work in the manufacturing industry.'

Of a population of 12.2 million projected by the National Institute of Statistics for the year 2022, 5.9 million are women. La Paz is home to 1.53 million people.

Of the total population of this Andean country, 41% defined themselves as indigenous in the last census, while according to the latest official data available, 26% of urban dwellers live in moderate poverty and 7.2% in extreme poverty, including most of the informal recyclers.

On this southern hemisphere wintertime July night in La Paz, the group of women are virtually invisible as they gather around the dumpsters located in a corner of the Plaza Avaroa, in the area of Sopocachi, where residential and public office buildings are interspersed with banks, supermarkets and other businesses.

It's a good place for picking through the waste in the dumpsters, and the women find paper, newspapers, plastic and aluminium containers. Although the volume of waste is large, each one of the garbage pickers manages to collect no more than one or two kg on one of the days that Inter Press Service (IPS) accompanied different groups of the women in their work.

The silence is broken on some occasions when salaried municipal cleaners show up and throw the women out of the place, because they also compete to obtain materials that they then sell to recyclers. This is a moment when it becomes especially clear that garbage has value.

That is one of several reasons that forced the informal garbage pickers to come together in an association called EcoRecicladoras de La Paz. 'There is no work for us, and they only listen to us when we organise,' says María Martínez, 50, the recording secretary of the 45 members, who also include a few men.

In Bolivia, trash is not separated into reusable and non-reusable waste in homes or offices. This task is carried out by private recycling companies, who buy the raw materials from informal waste collectors such as EcoRecicladoras.

Martínez, with slightly graying hair, says she comes out every evening. 'I was a domestic worker until I was 30 years old. When my daughter was born I couldn't get a job. I collected plastic bottles, clothes and shoes and sold them to the factories, but the recycling companies who pay really low prices emerged,' she complains.

It takes about three months between the initial collection and the final sale of the recyclable materials. Martínez collects the materials, carries around seven kg on her back, walks about three kilometres and patiently stores them until she has enough to sell to the wholesaler.

'One year I collected 200 kg of scrap metal and sold it for 150 bolivianos [about \$20],' she recalls. The recycling companies want to buy by the ton, she explains, with a grin, because it is impossible for them to reach that volume.

She represents a second generation of garbage collectors. Her mother, Leonor Colque, is two years short of turning 80, and

has been combing through garbage dumps and trash on the streets for 40 years. On her back she carries a cloth in which she hauls a number of pieces of paper and some plastic waste.

‘They should stay in school because this job is not for young girls,’ she recommends, sadly, because she could not achieve her goal of sending one of her daughters to a teacher training school.

At 58, Chacolla, like almost all women garbage pickers, is the head of her household. Her husband, a former public transport driver, lost his job due to health problems and occasionally works as a welder, door-maker or bricklayer.

When she goes out to sort through trash, she is accompanied by her daughter, Rosario, who explains and expands on what her mother says, calling for a change in the public’s attitude towards them and respect for the work they do as dignified, emphasising, as they all do, that they deal with recyclable waste, not garbage.

‘I walk with the Lord in my heart, he always helps me,’ says Angelica Yana, who at 63 years of age defies the dangers of the wee hours of the morning in the Achachicala area, on the outskirts of La Paz, five kilometres north of the city.

‘Nothing has ever happened to me,’ says Yana, who leaves her home at three in the morning to scrape up enough to support a son who offers fine finishing masonry services, and her sick husband.

At the age of 70, Alberta Caisana says that she was assaulted by municipal cleanup workers while she was scrounging for recyclable materials. She now carries a credential issued by the Environmental Prevention and Control Directorate of the Autonomous Municipal Government of La Paz, and wears a work vest donated by development aid agencies from the governments of Sweden and Switzerland.

She relies on her uniform and

identification card as symbols of protection from the indifference of the people and aggression from local officials.

The mother of a daughter and the head of her household, Anahí Lovera saw her wish to continue her university studies frustrated, and at the age of 32 she combines collecting plastic bottles with helping in different tasks in the construction of houses.

Others, they say, sell clothes and other recovered objects in street markets, such as the famous one in Villa 16 de Julio in the neighbouring city of El Alto, where used and new objects are sold in an area covering two kilometres.

Lovera’s work appears to go smoothly, but she and her colleagues describe the moment of dealing with the buyers. They deliver an exact volume and weight of products and the buyers declare a lower weight in order to pay less.

Recognition

‘This sector isn’t noticed by society, especially because we work with waste, that is, with what society throws away; this work is “devalued”,’ Bárbara Giavarini, coordinator of Redcicla Bolivia-Reciclaje Inclusivo, told IPS.

One sign of the public’s recognition of the ‘grassroots recyclers’, as they call themselves, could be the direct, sorted delivery of the waste, which would facilitate the women’s work, she said.

Redcicla, a platform that promotes the integrated treatment of waste, has been helping since 2017 to organise them and bring visibility to their work, while fostering the delivery of waste from citizens to ‘grassroots recyclers’ and working for the recognition of their work as dignified.

The president of EcoRecicladoras de La Paz, Sofia Quispe, supports the idea of getting help from local residents in sorting materials and delivering them to their affiliates, instead of throwing

them into dumpsters where they are mixed with products that prevent subsequent recycling.

Quispe is a 42-year-old mother of three. Like most of her fellow recyclers, she walks about two kilometres on foot in search of dumpsters, dressed in the customary indigenous wide-brimmed hat and pollera or skirt.

On the night that IPS accompanied her, she did not find the dumpster that was usually on Avenida 6 de Agosto, probably because it had been removed and taken to another part of the city.

The impoverished garbage picker was once a skilled seamstress who worked in small family-owned factories in the Brazilian city of São Paulo. Upon her return due to an illness, she was unable to raise the money she needed to buy a machine and raw materials. She was also discouraged by the lack of interest among local residents in buying garments made in Bolivia, as they preferred low-cost clothing smuggled into the country as contraband.

Leonarda Chávez, a 72-year-old head of household who collects recyclable materials every day with her daughter Carla Chávez (42) and granddaughter Maya Muga Chávez (25), feels satisfied because she can see her dream come true.

In July, her granddaughter earned a diploma in Business Social Responsibility, with which she completed her university education, in addition to a degree in commercial engineering and business administration, in a country where higher studies do not always guarantee good jobs.

Amid the darkness and the objects discarded by people, hope is also alive. Rosario Ramos took the lessons of hard work and created her own goal: ‘I will study advanced robotics and prosthetic assembly,’ she says with a confidence that contrasts with the group’s sad stories. – IPS

Creating art, literature and community from cardboard

An engaging study explores how the cartonera movement – which publishes books made out of cardboard – is fostering collaboration among and giving voice to marginalised sectors across Latin America.

Jasmine Haniff

IN *Taking Form, Making Worlds* (University of Texas Press, 2022), Lucy Bell, Alex Ungprateeb Flynn and Patrick O'Hare immerse readers in the colourful world of cartonera, a publishing phenomenon that has swept across Latin America over the past two decades.

Cartonera is a publishing venture and artistic practice that emerged in Argentina in 2003 in the wake of the 2001 economic crisis. With job security worsening, many people took jobs as cartoneros where they would collect and sell salvaged materials to recycling plants. At the same time, publishing houses were struggling, and some people in the industry were looking for a way to make literature cheaper and more accessible. Against this backdrop, Eloísa Cartonera – the first cartonera collective – was born.

The premise was simple. Eloísa would buy cardboard from the cartoneros at a higher rate than other recycling plants, and the cardboard would be painted, decorated, glued and bound to produce a book cover. Since then, the cartonera movement has exploded across Latin America and beyond, expanding beyond the original circumstances in which it was created to form a vibrant and ever-evolving practice.

A study of cartonera

Taking Form, Making Worlds is the first comprehensive study of cartonera. Based on extensive fieldwork and research conducted

over the course of four years, Bell, Flynn and O'Hare immerse themselves in the world of cartonera, going beyond the role of researchers to become practitioners, exhibitors, curators and activists in their own right.

The book is split into six chapters; the first few chapters engage with cartonera in a more theoretical sense, fleshing out the humble beginnings of the phenomenon in Argentina, before laying out the methodological framework of the authors' research. The final few chapters work through the more practical and material aspects of cartonera, including encounter, workshops and exhibition. With the three authors coming from different academic backgrounds (including literary, anthropological and artistic), they adopt an interdisciplinary approach, seeking to reflect cartonera's collaborative spirit of exchange through their own collaboration on the book. While the book can be quite theory-heavy, the ever-present voices and stories from inside the cartonera cooperatives keep it engaging and fluid.

Taking Form, Making Worlds draws primarily from the work of four cartonera collectives based in Brazil and Mexico: Dulcinéia Catadora, which was the first collective to be launched in Brazil in 2007 and operates from a recycling cooperative in São Paulo; Catapoesia, which was set up in Minas Gerais to promote literacy, working with quilombos and rural communities to create books that reflect oral tradition; La

Cartonera in Cuernavaca, the first cartonera set up in Mexico, which specialises in bilingual editions and minority languages; and La Rueda in Guadalajara, a community-based collective and café that aims to 'oppose government cultural policy and resist the homogenising ideology and (dis)information propagated by public institutions and the mass media' (Sergio Fong, 2018).

The book is packed with examples of the ways in which different groups – including imprisoned women, Indigenous people, rural communities, waste-pickers and more – use cartonera to amplify their voices, foster solidarity and community, and oppose state infrastructure.

Notably, the Guadalajara-based collective La Rueda have set up a cartonera workshop programme in a women's prison called Puente Grande in Jalisco. The women who partake in the workshops are able to reduce their sentences by getting involved. Many of these women have directly suffered at the hands of the state. These cartonera workshops give women the creative licence to speak back against the sexist, patriarchal and colonial system which put many of them in prison in the first place.

Griselda, one of the women who participated in the workshops in Jalisco, tells the authors how these workshops have helped: 'The book *Wind and Mirrors* has been a journey, like winning a place on a cruise that allows me to travel far beyond the walls of this prison. I now know I can express myself

and denounce injustices through literature.'

Just as the imprisoned women in Puente Grande are empowered by these cartonera workshops, rural communities in Minas Gerais work with Catapoesia to create cartoneras that resist extractivism and disseminate alternative ways of knowing, being and relating to the natural world. Working with some of the region's most marginalised and isolated communities, Sol, one of the publisher's founders, says: 'Our writings are intrinsically related to our work in communities. Catapoesia, from the beginning, decided to write collective texts because they benefit from the words of all participants, even those who don't like to write.'

The means rather than the ends

Time and time again, Bell, Flynn and O'Hare's research shows that above all, cartonera collectives are inherently social and firmly embedded in their respective communities. They are grassroots, non-hierarchical, often decolonial, and challenge the existing hierarchies in the publishing world and within the confines of contemporary gallery spaces. The authors state: 'Cartonera creates a space between visual art and literary narrative for people to tell their own stories by making their own books.'

One of the most striking things about the book is that the authors do not seek to define cartonera as an art object. Rather, they attempt to unravel the practice of cartonera itself. Bell, Flynn and O'Hare argue that 'the focus of the project is always on the means rather than the ends', that separating the 'final product' of the cartonera from the workshops and the material act of making erases the importance of the practice itself. The value of cartonera does not necessarily lie in the art object itself, rather it lies in the process of encounter and exchange involved in its making. Indeed, when Latin America Bureau sat down to chat with co-author Flynn, he suggested that

'cartonera is unpredictable. To try and pin it down to one thing would not be true to what the cartonera practitioners are doing across the continent.' It is a fluid and ever-evolving movement that everyone approaches differently.

Flynn hopes that *Taking Form, Making Worlds* will encourage people to take art more seriously. He asserts that 'art has the power not just to illustrate things, but to generate theory and effect change.' The concluding chapter of the book describes the London Cartonera Book Festival in 2019 and seems an apt way to finish the study. The festival gave the authors, by taking

their study beyond the borders of Latin America, the opportunity to reflect on how cartonera has affected their research and work moving forward, as well as giving some of the cartonera collectives the opportunity to share their work and connect with other artistic communities.

The final words of the book summarise both cartonera itself and the authors' approach to their study: 'Stubbornly community based, joyfully collective, and irreverently autonomous.'

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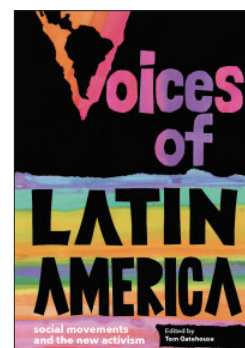
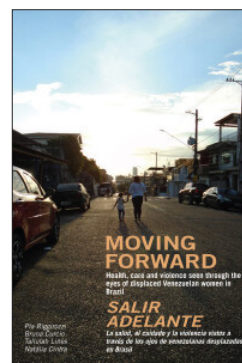
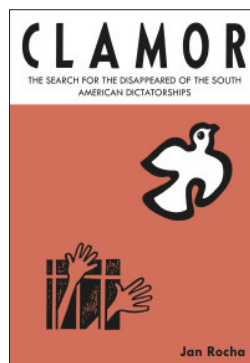
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Rhythms of resistance

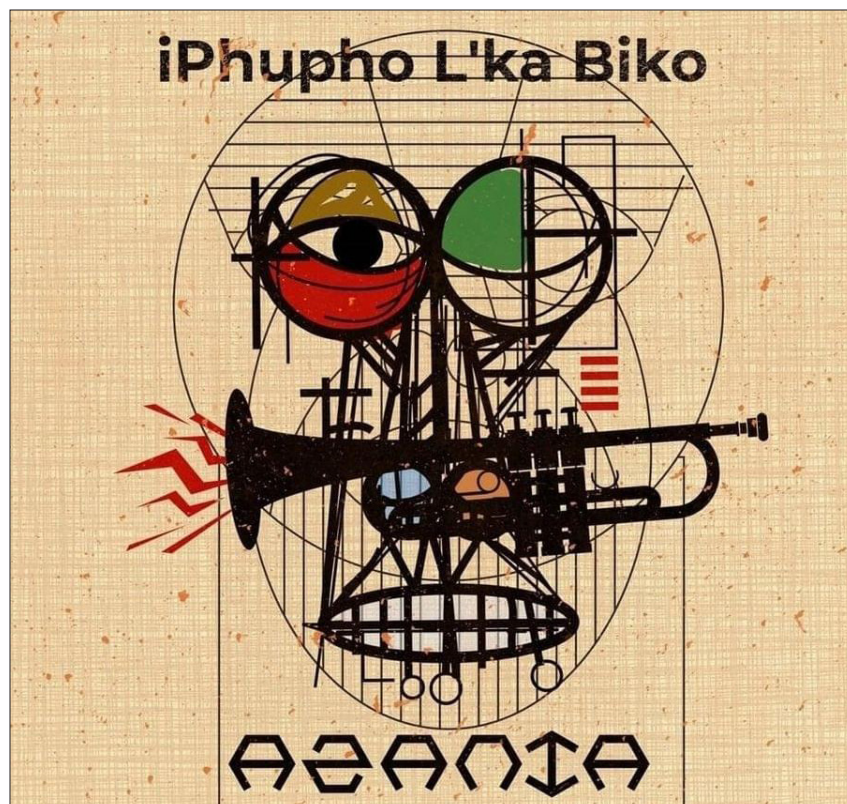
In their debut EP, the Johannesburg-based experimental jazz group iPhupho L'ka Biko offer a message of hope, resilience and solidarity while drawing from South Africa's black jazz heritage.

Nkanyiso Ngqulunga

IN the bustling city of Johannesburg, black classical music comes alive through the sounds of the powerful experimental jazz group iPhupho L'ka Biko. Emerging from the influential student movements of 2015-16, this group has become a beacon of hope, embodying the spirit of resistance and resilience that defines South Africa's post-apartheid paradigm shift.

Following a successful debut project in 2019, iPhupho released their highly anticipated debut EP *Azania* on 30 June. Songs like 'Qamata' and 'Azania' feature prominently, showcasing the band's growth and artistic prowess. Over time, their interpretations of rhythm, harmony, melody, tone, colour, soloing, improvisation and duration have evolved, resulting in a magnificent transformation. Known for their captivating vocals and exquisite jazz improvisation, the ensemble, often referred to as Abahlali, aim to keep their followers enthralled. The EP carries a deep-rooted message inspired by the current challenges faced by young people in South Africa, the struggles faced by women experiencing abuse, and the persistence of racial disparities worldwide.

A standout track on the album is 'Braam Streets'. It takes listeners on a reminiscent journey of the militant marches and activism that took place in Braamfontein (an inner-city neighbourhood of Johannesburg), including the FeesMustFall movement, which exploded on the campus of the nearby University of the Witwatersrand. Jazz music has always been entwined with black



culture in South Africa, serving as a powerful weapon against the legacy chains of oppression. The Fallist movement, while demanding free education, sparked discussions on various important issues, such as patriarchy, homophobia and xenophobia. Within this charged atmosphere, music emerged as a medium to communicate the students' anger and to conscientise the masses. Esteemed artists such as Hugh Masekela and Thandiswa Mazwai paved the way, confronting South Africa's history of exploitation and migrant labour through their significant musical archives.

Interestingly, the first song iPhupho L'ka Biko composed, 'uThixo Ukhona' (God Is With Us), was crafted at Kitchener's, a

100-year-old bar in Braamfontein named after the infamous British imperialist Herbert Kitchener (who played an instrumental role in developing concentration camps during the Second South African War).

The song 'Azania' resonates deeply, reflecting the concept of death in African cultures. It portrays death as a transformative period, where ancestors become guiding lights for those who remain oppressed. Featuring a stunning solo by Kgethi Nkotsi, it calls us to action in the face of today's struggles. The melody is expertly composed, and the combination of horns and vocals echoes the work of the iconic, late Moses Molelekwa. Molelekwa, a jazz pianist, was the defining musical figure of the 1990s

and 2000s in South Africa, creating eclectic works that blended jazz, traditional song, electronic music and kwaito. iPhupho find their roots in a historical song by Molelekwa, aptly named 'Biko's Dream'. Its politics speak to every black individual, encompassing black queer and feminist voices, united in the struggle against the violence inflicted by the current government and its neoliberal allies – a truly intersectional piece of art.

The jazzy sound of the EP evokes raw emotions and spiritual connections. Sibusiso Mkhize and Keketso Poho, the lead vocalists, infuse elements of gospel into their captivating performances, beautifully curated alongside the imaginative brass lines crafted by Nkotsi. The plea urges people to persist in the fight against oppression, ultimately seeking liberation. This form of musical activism follows in the footsteps of other trailblazers such as Nina Simone, Miriam Makeba and Mazwai.

Over the years, iPhupho L'ka Biko have captivated audiences with their diverse performances. What sets them apart is their grassroots motivation and belief that art and theatre should have a positive impact on communities. They have actively engaged in various projects, including performances in the townships of Khayelitsha and Soweto. The band draw inspiration from the rich history of South African jazz and use their art to ignite conversations, empower communities and spark positive transformation. Their commitment to social engagement and uplifting narratives reflects the enduring spirit of activism within the country's music scene.

The hit 'uThixo Ukhona', for example, embodies the very essence of spirituality, awakening and resilience within the black community. It stands as a testament to the strength of collective action,

inspiring hope in the face of oppressive systems. This captivating curation beautifully showcases the range of black experiences, drawing attention to the injustices while evoking deep emotions and traumas. This powerful piece serves as a poignant reminder to persevere in a world seemingly filled with hardships, offering solace and gentle encouragement.

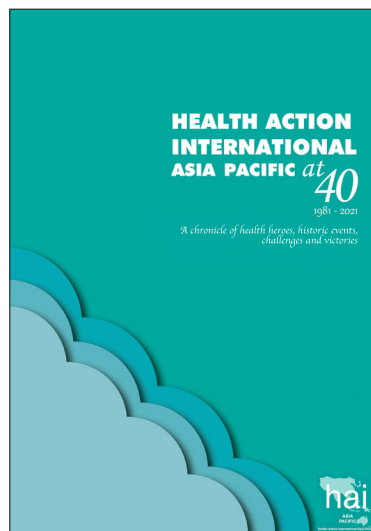
With each release and live performance, iPhupho L'ka Biko continue to inspire hope, encouraging listeners to rise above adversity and work towards a more just and equal world. ♦

Nkanyiso Ngqulunga is a social activist, columnist and legal researcher. This article is reproduced from Africa Is a Country (africasacountry.com) under a Creative Commons licence (CC BY 4.0).

Health Action International Asia Pacific at 40 (1981-2021)

A Chronicle of Health Heroes, Historic Events, Challenges and Victories

*Prepared and edited by
Beverley Snell*



Published by Third World Network, Health Action International Asia Pacific, International Islamic University Malaysia, Gonoshasthaya Kendra, and Drug System Monitoring and Development Centre

This book commemorates the 40th anniversary of Health Action International Asia Pacific (HAIAP), an informal network of non-governmental organisations and individuals in the Asia-Pacific region

committed to resistance and persistence in the struggle for Health for All Now.

HAIAP is the regional arm of Health Action International – upholding health as a fundamental human right and aspiring for a just and equitable society in which there is regular access to essential medicines for all who need them. HAIAP works with governments, academic institutions and NGOs at community, national and regional levels on issues such as promoting the essential medicines concept, equitable and affordable access to essential medicines, rational use of medicines, ethical promotion and fair prices. While promoting awareness of the impact of multilateral agreements, particularly TRIPS and GATT, on access to affordable healthcare and essential medicines, HAIAP advocates for poverty eradication and action on other priority themes relevant to countries in the Asia-Pacific region.

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The Oppenheimer paradox: The power of science and the weakness of scientists

The fate of J. Robert Oppenheimer, 'father of the atomic bomb' and subject of a major new Hollywood film, offers a signal illustration of the complex, often contested intersection between science and society.

Prabir Purkayastha

THE new blockbuster film *Oppenheimer* has brought back memories of the first nuclear bomb dropped on Hiroshima. It has raised complex questions on the nature of the society that permitted such bombs to be developed and used and the stockpiling of nuclear arsenals that can destroy the world many times over. Did the infamous McCarthy era and hunting for reds everywhere have any relationship with the pathology of a society that suppressed its guilt over the bombing of Hiroshima and Nagasaki, substituting it instead with a belief in its exceptionalism? What explains the transformation of Oppenheimer from 'hero' of the Manhattan Project that built the atomic bomb, to a villain and then forgotten?

I remember my first encounter with American guilt over the two atom bombs dropped on Japan. I was attending a conference on distributed computer controls in Monterey, California, in 1985, and our hosts were the Lawrence Livermore Laboratories. This was the weapons laboratory that had developed the hydrogen bomb. During dinner, the wife of one of the nuclear scientists asked the Japanese professor at the table if the Japanese understood why the Americans had to drop the bomb on Japan. That it saved a million lives



J. Robert Oppenheimer.

of American soldiers? And many more Japanese? Was she looking for absolution for the guilt that all Americans carried? Or was she seeking confirmation that what she had been told and believed was the truth? That this belief was shared even by the victims of the bomb?

This is not about the Oppenheimer film; I am only using it as a peg to talk about why the atomic bomb represented multiple ruptures in society. Not just at the level of war, where this new weapon changed the parameters of war completely. But also the recognition in society that science was no longer the concern of the scientists alone but of all of us. For scientists, it also became a question that what they did in the laboratories had real-

world consequences, including the possible destruction of humanity itself. It also brought home that this was a new era, the era of big science that needed megabucks!

Strangely enough, two of the foremost scientists at the core of the anti-nuclear bomb movement after the war also had a major role in initiating the Manhattan Project. Leo Szilard, a Hungarian scientist who had become a refugee in England first and then in the United States, had sought Einstein's help in petitioning President Roosevelt for the United States to build the bomb. He was afraid that if Nazi Germany built it first, it would conquer the world. Szilard joined the Manhattan Project, though he was located not in Los Alamos but in the University of Chicago's Metallurgical Laboratories. Szilard also campaigned within the Manhattan Project for a demonstration of the bomb before its use on Japan. Einstein also tried to reach President Roosevelt with his appeal against the use of the bomb. But Roosevelt died, with Einstein's letter unopened on his desk. He was replaced by Vice-President Truman, who thought that the bomb would give the United States a nuclear monopoly and therefore help subjugate the Soviet Union in the postwar scenario.

Turning to the Manhattan Project. It is the scale of the project that was staggering, even by today's standards. At its peak, it employed 125,000 people directly, and if we



Hiroshima after the bombing.

US National Archives

entirely for propaganda purposes.

While the American people were given these figures as serious calculations, what was completely censored were the actual pictures of the victims of the two bombs. The only picture available of the Hiroshima bombing – the mushroom cloud – was the one taken by the gunner of the *Enola Gay*. Even when a few photographs of Hiroshima and Nagasaki were released months after the nuclear bombings, they were only of shattered buildings, none of actual human beings.

The United States, basking in its victory over Japan, did not want it to be marred by the visuals of the horror of the nuclear bomb. The United States dismissed people dying of a mysterious disease, what the US knew was radiation sickness, as propaganda by the Japanese. To quote General Leslie Groves who led the Manhattan Project, these were ‘Tokyo Tales’. It took seven years for the human toll to be visible, and only after the United States ceased its occupation of Japan. Even this was only a few pictures, as Japan was still cooperating with the United States in hushing up the horror of the bomb. The full visual account of what happened in Hiroshima had to wait till the sixties: the pictures of people vaporised leaving only an image on the stone on which they were sitting, survivors with skin hanging from their bodies, people dying of radiation sickness.

The other part of the nuclear bomb was the role of the scientists. They became the heroes who had shortened the war and saved one million American lives. In this myth making, the nuclear bomb was converted from a major industrial-scale effort to a secret formula discovered by a few physicists which gave the United States enormous power in the postwar era. This was what made Oppenheimer a hero for the American people. He symbolised the scientific community and its godlike powers.

include the many other industries which either directly or indirectly produced parts or equipment for the bomb, the number would be close to half a million. The costs were huge, \$2 billion in 1945 (around \$30-50 billion today). The scientists were an elite group that included Hans Bethe, Enrico Fermi, Nils Bohr, James Franck, Oppenheimer, Edward Teller (the villain of the story later), Richard Feynman, Harold Urey, Klaus Fuchs (who shared atomic secrets with the Soviets) and many more glittering names. More than two dozen Nobel Prize winners were associated with the Manhattan Project in various capacities.

But science was only a small part of the project. The Manhattan Project wanted to build two kinds of bombs: one using uranium 235 isotope and the other plutonium. How do we separate fissile material, U 235, from U 238? How do we concentrate weapons-grade plutonium? How to do both at an industrial scale? How do we set up

the chain reaction to create fission, bringing sub-critical fissile material together to create a critical mass? All these required metallurgists, chemists, engineers, explosive experts, and the fabrication of completely new plants and equipment spread over hundreds of sites. All of it was to be done at record speeds. This was a science ‘experiment’ being undertaken, not at a laboratory scale, but on an industrial scale – hence the huge budget and the size of the human power involved.

The US government convinced their citizens that the Hiroshima and Nagasaki bombings led to the surrender of Japan. Based on archival and other evidence, it is clear that, more than the nuclear bombs, the Soviet Union declaring war against Japan was what led to its surrender. They have also shown that the number of ‘one million American lives saved’ due to Hiroshima and Nagasaki, as it avoided an invasion of Japan, had no basis. It was a number created



Ed Westcott/US Department of Energy

A billboard in Oak Ridge, Tennessee, 1943. Oak Ridge was the site of many facilities under the Manhattan Project that developed the first nuclear weapons.

And also the target for people like Teller, who later on combined with others to bring Oppenheimer down.

But if Oppenheimer had been a hero just a few years back, how did they succeed in pulling him down?

It is difficult to imagine that the United States had a strong left movement before the Second World War. Apart from the workers' movements, the world of the intelligentsia – literature, cinema and the physicists – also had a strong communist presence, as can be seen in *Oppenheimer*. The idea that science and technology could be planned, as Bernal was arguing in the UK, and should be used for the public good was what the scientists had embraced. That is why the physicists, at that time at the forefront of the cutting edge in the sciences – relativity, quantum mechanics – were also at the forefront of the social and political debates in science and on science.

In this world of science, a critical worldview collided with the new world where the United States should be the exceptional nation and the sole global hegemon. Any weakening of this hegemony could happen only because some

people, traitors to the nation, gave away 'our' national secrets. Any development anywhere else could only be a result of theft, and nothing else. This campaign was also helped due to the belief that the atom bomb was the result of a few equations that scientists had discovered and could therefore be easily leaked to enemies.

This was the genesis of the McCarthy era, a war on the US artistic, academic and scientific community. A search for spies under the bed. The military-industrial complex was being born in the United States and soon took over the scientific establishment. It was the military and the energy – nuclear energy – budget that would henceforth determine the fate of scientists and their grants. Oppenheimer needed to be punished as an example to others. The scientists should not set themselves up against the gods of the military-industrial complex and their vision of world domination.

Oppenheimer's fall from grace served another purpose. It was a lesson to the scientific community that if it crossed the security state, no one was big enough. Even

though the Rosenbergs – Julius and Ethel – were executed, they were relatively minor figures. Julius had not leaked any atomic secrets, only kept the Soviet Union abreast of the developments. Ethel, though a communist, had nothing to do with any spying. The only person who did leak atomic 'secrets' was Klaus Fuchs, a German communist party member who escaped to the UK, worked in the bomb project first in the UK and then in the Manhattan Project as part of the British team there. He made important contributions to the nuclear bomb triggering mechanism and shared these with the Soviet Union. Fuchs's contribution would have shortened the Soviet bomb by possibly a year. As a whole host of nations have shown, once we know a fissile bomb is possible, it is easy for scientists and technologists to duplicate it, as has been done by countries as small as North Korea.

The tragedy of Oppenheimer was not that he was victimised in the McCarthy era and lost his security clearance. Einstein never had security clearance, so that need not have been a major calamity for him either. It was his public humiliation during the hearings, when he challenged the withdrawal of his security clearance, that broke him. The physicists, the golden boys of the atomic era, had finally been shown their true place in the emerging world of the military-industrial complex.

Einstein, Szilard, Rotblatt and others had foreseen this world. They, unlike Oppenheimer, took to the path of building a movement against the nuclear bomb. The scientists, having built the bomb, had to now act as conscience keepers of the world, against a bomb that could destroy all humanity. A bomb that still hangs as a Damocles sword over our heads. ♦

This article was produced in partnership by Newsclick (<https://www.newsclick.in>) and Globetrotter (<https://globetrotter.media>). Prabir Purkayastha is the founding editor of Newsclick, a digital media platform. He is an activist for science and the free software movement.