THE WORLD TRADE ORGANISATION AND HUMAN RIGHTS: THE ROLE OF PRINCIPLES OF GOOD GOVERNANCE

J Denkers and N Jägers

Summary

The present article attempts to determine the role of principles of good governance in the discussion regarding the World Trade Organisation (WTO) and its human rights accountability. It shows that the WTO as an organisation cannot be compared to other international organisations that are more autonomous such as the International Monetary Fund (IMF) or the World Bank. This does not mean, however, that the WTO has no autonomous powers at all. This contribution attempts to make clear what these activities are and how they may affect the protection of human rights. The implementation of good governance principles in international organisations can be considered a sine qua non for the realisation of human rights. Therefore, it will be examined what role the principles of good governance plays within the WTO. More specifically, the focus will be on how the good governance principles of transparency and participation can contribute to sensitising the organisation for human rights considerations.

Keywords: World Trade Organisation, WTO dispute settlement mechanism, good governance, human rights, non-governmental organisations.

* Jeroen Denkers, LLM, and Dr Nicola Jägers both work for the Centre for Transboundary Legal Development, Tilburg University, the Netherlands. This article emanates from the summer/winter course on Good Governance held in Tilburg in January 2007. This course is a cooperative initiative between North-West University in South Africa and Tilburg University, the Netherlands.