
The FfD Chronicle

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TAX DEMOCRACY IS COMING

The charter of the United Nations does not begin with “We the Member States of the United Nations”. It begins with “WE THE PEOPLES”! This reflects the important fact that the UN is an institution created by and for the peoples of the world.

The UN deals with global issues that have very direct impacts on the daily lives of people around the world – from human rights to development, environmental crises, equality and now also, finally and at long last, tax! The legitimacy of the UN to make decisions on these global issues is strongly linked to the fact that Member States of the UN have long recognized the democratic rights, value and crucial role of civil society in the UN processes, and this civic space is vital to preserve and promote.

Thanks to its democratic culture, the UN is a vibrant and colorful space where we as civil society can do our job, namely highlight problems, present solutions and – very importantly – hold governments to account! In the newly born UN tax negotiations, we have so far only used a very limited number of the many tactics that we usually have in the UN toolbox, and to those of you who are new to the UN, we want to provide this little “introduction to UN democracy”.

Newsletters

As a civil society newsletter, the FfD Chronicle has “sister-publications” in many other UN processes. The most famous one is the “ECO” which gets published on a daily basis in the UN climate and biodiversity negotiations. It provides our analysis, response and comments on the negotiations, and we know that many delegates value it highly as a source of information and inspiration – but also daily entertainment (we do our very best to be both sharp and funny).

Interventions from the floor

As you will have heard by now, we make interventions from the floor. Just like delegations, we do this to influence the negotiations and do our best to promote an ambitious and effective outcome. We want to be relevant to the discussion, and therefore it is a great advantage for us to be able to respond during the negotiations, as opposed to at the end when the discussion is over and delegates have already packed up their bags and started leaving the room.

We therefore warmly welcome the suggestion that the Chair made when he asked whether the Member States would allow him to give the floor to observers as we appear on the list of requests for the floor, rather than always bumping us to the very end of the list. It was therefore extremely concerning to us when France immediately announced opposition to the Chair’s proposal. It was also outright shocking to see an EU Member State, which normally prides itself of being a strong defendant of democracy, take this very undemocratic stance.

Applause!

Applause is a common feature in UN negotiations – in fact, the whole room applauded when a consensus agreement was reached during the organizational session of the tax negotiations in February. We – as civil society – also do it in response to the negotiations. Those who attended the FfD Forum just last week will know that economic justice discussions often come with frequent applause (much more than we have seen in the UN tax negotiations so far). And those of you who have – for example – attended the UN climate negotiations will also know that governments who block those negotiations can actually expect to face “booing” in the negotiation room.

While we can understand that governments might feel envious of the delegations that get more applause than they do, we would like to remind everybody that democracy is a full-time commitment – it is not something you can switch off as soon as you disagree with civil society. And tying the hands of civil society (literally!) is highly undemocratic and undermines the civil space at the UN. Similarly to the case of France, it was highly surprising and concerning to see that the concerns about applauding was raised by an EU Member State – namely the Netherlands. As the delegate announced that she was “not used to applause”, we were left wondering whether this might also be related to the fact that Netherlands continues to be one of the world’s largest conduits of the world, and thus a major concern in relation to international tax abuse.

Campaigning

One thing you have not yet seen in the tax negotiations is campaigning, but we include it here because it is an important part of the civil space at the UN. Those of you who have been at the climate negotiations will know the “Fossil of the Day”, which is awarded by civil society to governments that play an unhelpful role in the negotiations. Similarly, the biodiversity negotiations come with the “Captain Hook Awards” for biopiracy.

Public debate

And of course – the transparency of the UN negotiations creates the space for a very important public debate. As we take the floor at the UN, the world can watch us live on UN Web TV. Journalists, social media users and commentators can follow what we do and respond. But given that the UN negotiations result in decisions that impact people all around the world, it would be highly undemocratic to do it any other way, and public debate should not only be acceptable to governments, but in fact highly appreciated – even when it includes criticism.

Is the UN tax negotiation just a special case?

We have heard some delegations argue that the tax negotiations might just be a special case that warrants less democracy than usual at the UN. To this we would argue: Quite the contrary! Tax is a core element of democracy, and international decisions on tax have very direct impacts on people. Some have also argued that the fact that we are now negotiating a convention and protocols makes it a special case. To that, we will simply stress that all of the examples mentioned above refer to negotiations about legally binding agreements.

The dark and undemocratic past of global decision-making on tax

As civil society, we are very aware that global decision making on tax has – until now – been taking place in a forum where the level of democracy, transparency and participation is very far behind the levels we know from the UN. At the OECD, the negotiations take place behind close doors, and civil society is not only banned from the room, but in fact from the entire building. We have been left in the dark in terms of what our governments have been saying on our behalf, and completely unable to keep them to account.

Time to walk the talk on democracy!

To the delegations that took an active role in limiting the space of civil society yesterday, we want to say: It is not too late to show that you are the defenders of democracy that you claim to be. Tax is a core issue of democracy, and observers – as well as the public – have a strong interest and right to follow the intergovernmental UN tax negotiations. We – as civil society – have done our homework and come to these negotiations with strong analysis, specific proposals for solutions, and a strong commitment to hold governments to account and work for a successful outcome – namely a fair, effective and ambitious UN Framework Convention on Tax. Stop preventing us from doing our job!



The Climate Action Network-International presents the Fossil of the Day Awards at the COP28 climate summit.

JOIN OUR SIDE EVENT TODAY

UN committee on tax convention: end of week reflections from civil society

**3rd May, Friday, CR-6, 1:30 pm - 2:30 pm NY
(in-person only)**