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# Principles of World Trade Organisation and Human Right Violations

By

**Shuaib Oniye* and Abdulkareem Abdulfatai****

***Abstract***

*The World Trade Organisation (WTO) is an international organisation that establishes rules for international trade through consensus among its member states. It is a brainchild of the GATT, which was concluded after Second World War, same time the Universal Declaration of Human Right (UDHR) was passed. Despite the role of WTO in the observation of human rights principles enshrined in the UDHR, it has been widely criticised by some international communities for violation of human rights principles subscribed to by the signatory countries. This paper adopts a systematic review of WTO principles and their specific contradictions and violation of UDHR. Against the foregoing backdrop, the paper seeks to do a critique of the applicability of principles of WTO such as non-discrimination, national treatment, anti-subsidy, anti-dumping, and welfare among individuals in developing and least developed countries visa a viz its violation of human rights of the people and citizen rights in those countries. The paper reveals that there are serious and continuous violation of human rights of developing states by those who anchor the establishment of WTO thereby causing threat to the life, property, and economy of the least developed countries. The paper recommends complete overhauling of the process leading to the formation of the WTO with a true and sincere motive on the part of the developed nations and the leadership of the WTO to change their selfish and exploitation tendencies.*

**Keywords:** Human Rights, Universal Declaration, United Nations, World Trade, Organisation.

## Introduction

The creation and development of the Universal Declaration of Human Right (UDHR) stems from the need to have a unified approach to the protection and continuous guarantee to the basic God given right which has been deemed inalienable save for some exception.[1] Given the antecedents of the economic subjugation suffered by the indigenes of African countries and least developed countries through colonialism and the principle under which World Trade Organization was founded, it becomes imperative to ask this important question: *Given the pedigree of economic sabotage in some part of the World, has the World Trade Organization made any headway in levelling the balance vis-à-vis African, least developed countries and European accessibility and enjoyment of the rights as provided for in the Universal Declaration of Human Rights?* The paper will also consider if WTO indeed violate UDHR, highlight the instances of violation of human rights by the

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[1] Robert H, and Makau M, (2001) *Institutional conundrums of an expanded trade regime* Wideneer Law Symposium Journal p. 7

organisation, examine the period of suspension on liberalization negotiation, illegally of the WTO, and the Nigeria stand in the implementation of the principle of WTO. The paper adopts a systematic review approach in examining the Principles of WTO vis-à-vis violation of human rights as contained in the UDHR.

**Conceptual Framework**

The concept of trade and its relationship with human right is not a contemporary issue, but an ancient one which has since been in existence. This observation, which was made by authors of Aaronson, S.A. and Chauffour, J.P [2] was brilliantly and exhaustively put in the following terms:

> The marriage of trade and human right sounds contemporary, but it is in fact ancient. As long as men and women have traded, they wrestled with issues involving human rights. For example, the ancient knew the sea could bring strangers with new goods and ideas, but these same strangers might loot their land or enslave their family. Policymakers soon recognized they would need not rules to govern trade, but rules to ensure that trade advanced human freedoms and opportunities. Policymakers gradually developed new rules to achieve both trade and human rights objectives. For example, in the early nineteenth century, England signed treaties with the U.S., Portugal, Denmark, and Sweden to ban trade in slave. In the late ninetieth century, the US, England, Australia, and Canada banned trade cooperation. In 1919 the signatories of the Treaty of Versailles created the International Labour Organization (ILO); its members agreed that state failure to protect labour rights could distort trade and undermine labour right in other countries. In the 1980's and 1990's the EU, the US, and other developed countries began to incorporate loose and non-binding human rights language in their preferential trade agreement (PTAs). However, Canada, Mexico, and the U.S. were the first countries to include explicit human right provisions in a trade agreement. NAFTA (1993) includes labour rights in a side agreement, as well as the body and side agreements. Today, many of the world's most important trading nations, from Canada and the EU to Brazil and Chile include human right language in their PTAs.[3]

However, while the main issue discussed above sounds logical, it is crucial to note that the issue creating awareness on Human rights as it specifically relates to the WTO is a fairly recent development. There is little or no doubt that wakefulness or responsiveness to human rights principles has been created precisely in the mid and late 1990s.[4] In 1998 for instance, a coalition of labour and environmental groups had published the fact that the trade negotiators were discussing a Multilateral Agreement on Investment (MAI) at the Organization for Economic Cooperation and Development (OECD) which would have given priority to the rights of foreign Investment., (usually large corporations) over public interest concerns such as workers health and safety or environmental protection.[5]

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[2] The wedding of Trade and Human Right: Marriage of Convenience or Permanent Match? http://www.wto.org/english/res-e/publication-e/wtr/forum> accessed on 15 May 2018

[3] Malloy D.C. and Fennell D.A. (1998) *Codes of ethics and tourism: An exploratory content analysis'* p.453-461

[4] Caroline D, (2009) *The WTO, International Trade and Human Rights* <http://www.3three.org/pdf-3d> accessed on 18 May 2018.

[5] *Ibid*

The MAI negotiations were suspended in early 1998 as a result of civil society criticisms and protest that turned public opinion against the proposed agreement. Although this negotiation grounded to a halt a few months later, several countries including Canada and members of the European Union suggested the WTO as an appropriate forum in which to adopt multilateral rules on investment.[6]

The MAI scare alerted civil society that international trade policy could tempt with human rights; for instance, through restricting government's ability to protect interest. It brought to light the reality that international trade policy was essentially developed amongst rich countries, and in secret regardless of its impact on developing countries or the public interest.[7] Also, the MAI tragedy revealed the influence that civil society groups could exercise on public opinion through publicly exposing public trade policy worldwide.[8] The emergence of the anti-MAI coalition marked the beginning of a broad and visible anti-free trade movement, whose attention soon turned to the WTO as principal potential assailant on democracy and the public interest. In May 1998, as Ministers gathered for the WTO's second Ministerial Conference, thousands of protesters, including grassroots activists, from all continents took to the street to protest against MAI, free trade and WTO.[9] The criticisms were not framed in human rights terms, but some human rights voices joined in. In May 1998, the Committee on Economic, Social and Cultural Rights (CESCR) adopted a statement which called on WTO to consider the human rights impact of trade and investment policies.[10] In August 1998, the UN's Sub Commissioner on Promotion and Protection of Human Rights adopted a resolution, calling for human rights to be recognized as the primary objective of trade, investment, and financial policy. Since then, claims about whether or not the WTO protects or undermines human rights, and about whether the WTO should do more or nothing to promote human right have come from all directions. It does appear, however, that in spite of the fact that the number of participants on this discourse is on the increase, no meaningful progress has been made.[11]

It is of fundamental importance to note that human rights and trade rules, including the WTO rules are based on the same values: individual freedom and responsibility, non-discrimination, rule of law and welfare among individuals.[12] Not only are they based on the same fundamental values; they are also the result of common concerns. It is on record that both human rights and global trade rules were considered a key element of the post-World War II order, a fortification against totalitarianism.[13] It is no coincidence, therefore that the seeds of the multilateral trading system were planted at the same time as the Universal Declaration of Human Right was being drafted in the mid-1940s.[14] At this point one would ask; does the WTO violate provisions of the UDHR? In answering that question, we shall take a close look at the provisions of the UDHR with a view to ascertaining the

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[6] *Ibid*

[7] 'World Trade Organization: History and Present Status 'http://www.wto.org/english/thewto-e/whatis-e/r.htm> accessed on 7 June, 2017

[8] *Ibid*

[9] 'Objectives and Organization of WTO' <http://www.3three.org/pdf-3d> accessed on 7 June, 2013

[10] *Ibid*

[11] *Ibid*

[12] DG P.L, (2010) *Towards shared responsibility and greater coherence; Human Right, Trade and Macroeconomic Policy* <http://www.3three.org/pdf-3d> accessed on 15 May, 2013.

[13] *Ibid*

[14] Prabash R, (2015) *A brief History of World trade organisation* <http://www.infochangeindia.com/index.2>accessed on 7 June, 2018.

extent of conformity of the activities of the WTO such as process of negotiation and the application of her rules to the said provisions. Bearing in mind the purport of the UNDR which is clearly displayed in its preamble, it is a doubtful whether the WTO has acted or been acting in tune with the ideals of the UDHR.

For the avoidance of doubt, the preamble of the UNDR is reproduced hereunder.

> Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Whereas disregard and contempt for human right have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world acts which human being shall enjoy freedom of speech and from fear and want has been proclaimed as the highest aspiration of the common people, Whereas it is essential, if man is not compelled to have recourse, as a last resort, to rebellion against tyranny and oppression that human rights should be protected by the rule of law, Whereas it is essential to promote the development of friendly nations. Whereas the people of the United Nations have in the Character reaffirmed their faith in Fundamental Human Right, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standard in larger freedom, Whereas member state have pledged themselves to achieve in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms, Whereas a common understanding of these rights is of the greatest importance for the realization of this pledge.
>
> Now therefore, the UN General Assembly proclaims this Universal Declaration of Human Right as common standard of achievement for all people, and all nations, to the extent that every individual and every organ of the society, keeping this declaration constantly in mind, shall strive by teaching an education to promote respect for this right and freedoms, and by progressive measures national and international, to secure their universal and effective recognition and observance both among the people of the member states themselves and among the people territories under their jurisdiction.[15]

From the picture of the preamble stated above, it is important to emphasise that the WTO is a brainchild of the GATT. The GATT had come into beginning as an aftermath of the Second World War whereof victor nation had decided at the US congress to curb the economies causes of war by establishing international economies institution (The GATT Inclusive).[16] It is curious to observe at this juncture that this corresponds with the time when the Universal Declaration of Human Right was passed. It only follows, by *pari*

[15] See http://www.eduhi.at/dl/Universal -Declaration-of Human Rights.pdf> accessed on 13 June, 2013.

[16] See <http://www.aic.ucdavis.edu/oa/Smith.pdf> accessed on 13 June, 2013

*ratione* that the philosophy behind the enactment of the UDHR should have permeated the GATT and ultimately, the WTO. However, it is regrettable to note that the WTO, at the risk of being pedantic has continued to violate the UDHR.

**Analysis Of World Trade Organisation Principles**

The famous principle of WTO is Most-favoured-nation (MFN): treating other people equally Under the WTO agreements, countries cannot normally discriminate between their trading partners. Grant someone a special favour (such as a lower customs duty rate for one of their products) and you have to do the same for all other WTO members. The MFN rule requires that a product made in one member country be treated no less favourably than a like (very similar) good that originates in any other country. Thus, if the best treatment granted a trading partner supplying a specific product is a 5 percent tariff, this rate must be applied immediately and unconditionally to imports of this good originating in all WTO members. The MFN treatment obligation requires a WTO Member that grants certain favourable treatment to another country, to grant that same favourable treatment to all other WTO members.[17] A WTO member is not allowed to discriminate between its trading partners by giving some countries more favourable treatment than others in terms of, for example, market access or the application of domestic regulation.[18] In general, MFN means that every time a country lowers a trade barrier or opens up a market, it has to do so for the same goods or services from all its trading partners whether rich or poor, weak or strong.

Another principle of WTO is national treatment which requires that foreign goods, once they have satisfied whatever border measures are applied, be treated no less favourably, in terms of internal (indirect) taxation than like or directly competitive domestically produced goods.[19] National treatment ensures that liberalization commitments are not offset through the imposition of domestic taxes and similar measures.[20] The requirement that foreign products be treated no less favourably than the one domestically produced products gives foreign suppliers greater certainty regarding the regulatory environment in which they must operate.

**World Trade Organisation Principles and Human Rights Violation**

One of the obvious WTO's violations of the UDHR is its lack of transparent and democratic decision-making process as well as the lack of representation of public interest. In respect of transparency and participation issue, the *ad hoc* briefing by WTO has been tagged the only formal relations with Non-Governmental Organization (NGOs).[21] The Secretariat does not have an NGO liaison unit which organizes briefings and other public event for NGO's, provides information and arranges for NGO's attendance of Ministerial Meetings. The WTO's arrangement for NGO's remain *ad hoc* and the arrangement could be reversed at any time.[22]

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[17] Das, B.L., The World Trade Organisation: A Guide to the Framework for International Trade (Third World Network, 1999)
[18] Also the TRIPS Agreement provides in Article 4 for a MFN treatment obligation
[19] Feliciano, F. and Van den Bossche, P., The Dispute Settlement System of the World Trade Organization: Institutions, Process and Practice, in Blokker, M. and Schermers, H. (eds.), Proliferation of International Organizations (Kluwer Law International, 2000), 297-350
[20] The TRIPS Agreement provides in Article 3 for a national treatment obligation
[21] Caroline D, *The WTO, International Trade and Human Rights': Human Rights*<http://www.3dthree.org/pdf-3d> accessed on 15 May, 2013.
[22] *Ibid*

Secondly, the attitude of the WTO in favouring developed countries to the detriment of developing countries by channelling its efforts towards promoting the former's selfish Trade interest contravenes the non-discriminatory principle embedded in the UDHR.[23] For instance, the WTO Director-General called a meeting of ambassadors during which he is reported to have pressured several developing countries to agree to waken the Trade-Related Intellectual Property Rights (TRIPs) and public health mandate in order to give comfort and accommodate the United States and the Pharmaceutical Research and Manufactures of America (PhRMA).[24]

As Zagel[25] notes, the right to health was encroached upon by the *Thai Cigarette case*, the *Hormones Beef case a*nd the *Asbestos case* as well as by the TRIPs agreement which impedes poor people from access to affordable medicine, namely generic drugs which are produced, imported or sold without respecting existing intellectual property rights as protected under the TRIPs Agreement. Furthermore, human rights policies of WTO members are also impaired by WTO principles and obligations. The Burma law enacted by the US State of Massachusetts to pressure Burma to improve Human right conditions through restrictions of economic relations with Burma was at issue before the WTO because it violated the non-discrimination principle enshrined in the WTO Agreement of Government Procurement (GPA).

In other words, the process of actual creation of the WTO following the Final Act Uruguay Round is illegal. Namely a dictatorial intergovernmental body has been casually installed in Geneva, empowered under international law with the mandate to police country level economic and social policies, derogating the sovereign rights of National governments. Similarly, the WTO almost neutralizes with the stroke of the pen the authority and activities of several agencies of the United of the Nations including the United Nations Conference on Trade and Development (UNCTAD) and the International Labour Organization (ILO). Moreover, apart from the violation of international law, WTO rules provide legitimacy to trade practices which border on criminality, including intellectual piracy by MNCs, the derogation of plant breeders' rights, not to mention genetic manipulation by the biotechnology giants, the patenting of life forms including plants, animals, micro-organism, genetic material and human life forms under the TRIPs agreement.

In the sphere of financial services, the provision of the GATS provide legitimacy to large scale financial and speculative manipulations directed against developing countries which are often conducive to the demise of country-level monetary policy, and the WTO Dispute Settlement Procedure upholds the legitimacy of these various manipulative procedures. It is also important to note that the absence of internal transparency and lack of participation of WTO members in the affairs of the WTO which excludes member governments from key decision making raises human rights issues as guaranteed by the UDHR. In theory, the WTO is democratic as each member has an equal vote. In reality however, developing countries have difficulty in participating as equal in the WTO. One obvious reason for this is the lack of capacity. Many of the poorest countries are not able to have WTO

[23] *Ibid*
[24] *Ibid*
[25] Zagel, G.M: (2010) *WTO and Human Right: Examining Linkages* The Georgia Journal Of International And Comparative Law P. 201

representative in Geneva.[26] Others only have one part-time delegate to cover the whole breath of WTO issues, and only a handful of trade policy staff in their capital. In contrast, Japan, for instance has a total of 23 delegates in its Geneva mission; the US has 14, as well as large and well-resourced trade office in Tokyo and Washington DC respectively.[27] Given this ugly and realistic scenario, the question is: where then is the spirit of equality of all nations and freedom from discrimination, enshrined in the UDHR which member states of the WTO have sworn to uphold?

The poor countries are obliged to make concession in order to trade with richer countries. When reluctant to do so, they are subjected to arm, twisting, bullying on the part of the economically powerful. [28] This means that in practice, WTO rules are weighted in favour of the rich, and do not necessarily reflect the long-term interests of the poor countries and their inhabitants. Indeed, some WTO supporters agree that during the negotiation creating the WTO, developing countries undertook to substantially more obligation than the developed countries did. This shows the lack of sufficient political will on the part of developed countries.

Under WTO rules, the banks and MNCs can legitimately manipulate market forces to their advantage leading to the outright re-colonization of national economies. In other words, the WTO articles leading provide legitimacy to global banks and MNCs in their quest to destabilize institutions, drive national producers into bankruptcy and ultimately take control of entire countries. Moreover, the Agreement formally instates a "triangular division of authority" between the WTO, and its sister organizations the IMF and the World Bank in a system of surveillance" of developing countries' economic and social policies. This means that enforcement of IMF-World Bank policy prescription will no longer hinge upon the ad hoc country-level loan agreements (which are not "legally binding" documents). All the main clause of the IMF's deadly "economic medicine" will eventually become permanently entrenched under the Seattle Millennium Round. Countries will not only be bonded by external debt, but they will also be permanently enslaved by an international body controlled by the world's largest business syndicates.

To put in clear terms, a careful analysis displayed above shows a far cry of the WTO's non-compliance with its own objectives as well as the spirit and amendment of the UDHR which guarantees a level playing ground for all people and nations irrespective of their origin, race, or tribe. I hasten to state at this juncture that the Declaration, in clear terms provides as follows:

> Everyone is entitled to all the right and freedom set forth in this Declaration, without distinction of any kind such as race colour, sex, language, religions, political or other opinion, national or social origin, property, birth, or other status. Furthermore, no distinction shall be made on the basis of political, jurisdictional, or international status of the country or territory to which a person belongs, whether it is independent, trust, and non-self-governing or under any limitation of sovereignty.[29]

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[26] Prabash R, 'A brief History of WTO': <http://www.infochangeindia.com/index 2> accessed on 7 June, 2013.
[27] *Ibid*
[28] *Ibid*
[29] Article 2 of the Universal Declaration of Human Rights'.

All are equal before the law and are entitled without any discrimination to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.[30]

In addition, the Declaration, in succinct terms provides for the participatory every member states as follows:

> Everyone has a right to take part in the government of his country, directly or through freely chosen representatives. Everyone has the right of equal access to public service in his country. The will of the people shall be the basic of the authority of government; this will shall be expressed in periodic and genuine elections which shall be universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures[31]

On the pains of emphasis, the lack of transparency, participation, and democracy of the WTO as well as its inherent discriminatory disposition is in sharp contrast with the human rights principles which require participation, protection of the most vulnerable as enshrined in the UDHR. To put in proper perspective, the WTO violates the provisions of the UDHR as highlighted above. Little wonder that a writer[32] succulently and correctly puts the position in the following words:

> ...the article of WTO are not only in contradiction with pre-existing national and international laws, but they are also at variance with The Universal Declaration of Human Rights. Acceptance of the WTO as a legitimate organization is tantamount to an "indefinite moratoriums" or repeal of the Universal Declaration of Human Rights.

The above quoted statement of Michael Chosudiousky that the acceptance of the WTO as a legitimate organization is tantamount to an indefinite moratorium will lead my discussion to examine the suspension on liberalization negotiations.

**The Suspension of Liberalization Negotiations.**

More than 1200 groups and organization from more than 85 countries have called for suspension of further liberalization under WTO auspices including the holding of an Audit to be undertaken on the impact of globalization.[33] Their consensus statement (Statement from Members of International Civil Society Opposing a Millennium Round) oppose(s) any further liberalization negotiations, especially those which will bring new areas under the WTO regime, such as investment, competition policy and government procurement.[34] They commit themselves to campaign to reject any such proposals. They also oppose the

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[30] Article 7 of the UDHR.
[31] Article 21 of the UDHR'
[32] Michael C, (2000) *World Trade Organization: An illegal Organization that violates the Universal Declaration of Human Rights* http://www.derechos.org/inizkor/doc/articulors/chossudovskye.htm>accessed on 16 June, 2018.
[33] Malloy D.C. and Fennel D.A. (1998) *Codes of ethics and tourism: An exploratory content analysis,* (Tourism Management, Vol. 19 No.5, pp.453-461.
[34] 'AFL-CIO, make the Global economy Work for Working families' <http://www.wslc.org/wto/index.htm>(October) accessed on 22 June 2018.

Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement.[35] They call for a moratorium on any new issues or further negotiation that expands the scope and power to the WTO. During this moratorium there should be a comprehensive and in-depth review and assessment of the existing agreements. Effective steps should then be taken to change the agreements. Such a review should address the WTO's impact on marginalized communities, development, democracy, environment, health, human rights, labour right and the rights of women and children. The review must be conducted with civil society's full participations.[36] The Statement constitutes an important step in challenging the official Agenda. It is based on a carefully worded consensus of a large number of individual organizations.

Yet this important Statement in demanding a suspension on further liberalization negotiations, fails to question the legitimacy of the WTO as an institution. Indeed, this issue should have been included explicitly in the Statement.

**Effect of Nigeria's Membership of World Trade Organization**

Nigeria is doubtless, one of the members of the WTO, having joined the global body since its inception in 1995.[37] One thus wonders whether Nigeria's membership of WTO has been of any good to the country bearing in mind that it is tainted with illegally and known for its violation of the Universal Declaration of Human Rights. Ever since then, it is gratifying to note that is has exposed the country to the global market scene.[38] However, what is crucial question here is that if at all Nigeria has derived any benefit, whether it is anything worthwhile for Nigeria to continue to parade itself as a member of the WTO. According to the President of West Africa Traders Association (FEWATA), Nigeria's membership of the WTO has not been beneficial as the country did not take close look at the agreement in the first place. He says that:

> *"We didn't look at the books; we didn't look at the content of agreement; and essentially, that was a period in the history of this country when Nigeria was regarded as a parish state under the Abacha administration, Parish in the sense that Ken Saro Wiwas of the world were killed and the whole world was saying look Nigeria, we cannot do anything with you any longer. So, in trying to belong the issue of WTO came up and it was grabbed immediately without looking twice. Nobody was given opportunity to look at the contents of the WTO agreement, in terms of write-ups, in terms of anything. If you take a look at what we have gone through and what we have to sell at the international market, the agreement has not been beneficial to the economy."*[39]

It is worthy to note that the prospects of Nigeria's membership of the WTO are bleak. Nigeria does not really have anything to benefit from the WTO. In fact, Nigeria's continued membership of this organization further undermines its prospects of looking inwards and

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[35] Michael C. *World Trade Organization (WTO): An illegal organization that violates the Universal Declaration of Human Rights'.*
[36] *Ibid*
[37] <http://www.wto.org>thewto>members> accessed on 16 July, 2018.
[38] 'In some quarters, the objectives and functions of the WTO have been described as a blessing rather than a curse'.: <http://www.allafrica.comstories> accessed on 16 July 2017.
[39] Tola Akinmiutimi 'National Mirror's Interview session' with, President of the Federation of West African Association at http://www.nationalmirroronline.net/interview.html > accessed in July, 2013.

developing and organized strategy that would develop its trade industry. It has been stated in this paper the WTO pretends to be interested in the economic development of developing countries when in reality, its efforts are channelled towards providing, market for the developed country and further protecting their economic interests. It is interesting at this stage to expect what African countries stand to gain because for the first time in the history of the organisation, a citizen of Nigeria ( Dr. Ngozi Okonjo Iweala) became the president of the organisation Therefore, no matter what benefit can be ascribed to Nigeria's membership of this body, there is no contention in the fact that Nigeria stands at a disadvantageous and perilous state and will continue to have its national laws[40] derogated if its membership of the global body persists.

## Conclusion and Recommendation

To cap it here, there is need to emphasis the point that any attempt to perceive the WTO as a legal body is a ploy to cloth the global organization in borrowed robes. Its objectives of meeting the needs and yarning of the less developed and developing world in terms of enhancing their economic development by raising standards of living is nothing but a sham. What is more, the purported non-discriminatory principles of the WTO and in fact, its undemocratic tendencies are clearly at variance with the UNDHR. Given this hard and true picture of the global body, it is seriously doubtful if anything good can emanate from the organization. Doubtless, unless there is a complete overhaul of the entire process leading to the formation of the WTO and a true and sincere motive on the part of the developed nations and the leadership of the WTO to change their selfish and exploitation tendencies, then the organization would continue to remain a charade.



Content Act has been said to breach Nigeria's obligations to the WTO.: