

Uruguay's exit from TISA: alliances, campaigns and assessments

1. Chronology

In September 2013, Uruguay applied for membership of the Trade in Services Agreement (TISA). Two years later, in September 2015, it withdrew from the negotiations after participating for only seven months. Why did the Uruguayan government take this decision? To what extent was this decision due to the campaign organised by local social movements, the political discussions within the governing party and the international campaign against the agreement?

In a period of little more than two years, there were at least three stages between the moment that Uruguay decided to join and then withdraw from the negotiations.

Stage 1 (July 2013 – July 2014):

The foreign ministry's decision, contacts with the United States lack of information

The first stage, between July 2013 and July 2014, was characterised by a lack of information and consequently a lack of discussion about the impact that participating in the negotiations would have on the country. The leaders of the governing political party, the Frente Amplio (Broad Front) were in fact unaware that Uruguay had applied to join the talks and had no information about the content of the proposed agreement.¹

The Uruguayan press carried no information about the agreement in this period.

Within the government itself, there are differing accounts about how much information was available to ministers. The then foreign minister, Luis Alfaro, who was in office between March 2010 and February 2015, maintained (2) that the Inter-Ministerial Committee for Foreign Trade

1 La Diaria, 17/7/2014. See <http://ladiaria.com.uy/articulo/2014/7/abiertos-a-todo/>

2 Interview with Almagro, La Diaria, 17/7/2014.

(CIACEX) examined the advisability of joining the talks. Ministries dealing with the country's foreign policy were represented on this committee with the economy and finance ministry being the most influential. According to Alfaro, this committee concluded that it was "timely and advisable to join the negotiations, in order to play a direct role in the talks, influence their outcome and therefore protect Uruguay's interests as much as possible". Alfaro says that these conclusions were presented to a meeting of the Council of Ministers, which decided that Uruguay should join the agreement.³ However, Roberto Kreimerman, who was industry, energy and mining minister at that time, told the author of this report that the last government "did not discuss joining TISA".

Kreimerman said that the foreign ministry, led by Alfaro, consulted the industry ministry (MIEM) about specific issues that were sensitive for Uruguay. Kreimerman said that after a visit by the foreign minister to the United States, he asked for the MIEM's views on the Audio-visual Communication Services Act (LSCA), which at that time had not yet been approved by parliament. This Act, which was finally approved in December 2014, regulates radio and television services. It created a regulatory agency and mechanisms to encourage national production, including an "audience share quota". It also set limits on the concentration of media ownership. The US satellite television company Direct TV took legal action to challenge this provision. The Uruguayan Supreme Court has since ruled on the matter.⁴ "During the visit to the United States, we were asked how we were going to handle the media legislation, whether we were going to implement it," said Kreimerman.

The foreign ministry also consulted the MIEM about its telecommunications strategy. Uruguay's state-owned telecommunications company ANTEL has invested millions on providing fibre optic access to the internet for all homes in the country.

"MIEM's response was that we would continue with our plans to install fibre optics and that we believed this was a job for ANTEL. We said that the LSCA was open and plural and not restrictive legislation. We were also consulted about the ratings quota, which is a condition that agreements

3 There are other versions of the discussion on TISA in the previous government. For example, see <http://ladiaria.com.uy/articulo/2015/4/desayunandose/>

4 For the full ruling, see: http://www.rap.com.uy/spa/resumen/docs/2016/05/Sent_SCJ_79-2016.pdf

like TISA rule out because there has to be a level playing field and it is not allowed to reserve a quota for national productions”, explained Kreimerman.

The former industry minister reiterated that the Council of Ministers did not discuss nor was even informed that Uruguay had joined the TISA negotiations. “But it is clear that the government had done so and there was a lot going on that we did not know about”, he added.

In September 2013, Uruguay applied to join the TISA negotiations. In January 2014, the United States ambassador to the World Trade Organisation (WTO) and other international economic institutions based in Geneva, Michael Puncke, told the Uruguayan mission in Geneva that his country welcomed Uruguayan membership of TISA, subject to approval by the United States Congress. He advised that in its application, Uruguay should express its commitment to not raising matters that had already been negotiated. Later, in February 2014, the United States ambassador again told the Uruguayan mission that his country was favourable to Uruguayan membership. The United States government told the Uruguayan mission that it was particularly interested in two issues. These issues were precisely those mentioned by Kreimerman: cross-border data flows and the audio-visual sector. Puncke told the mission that Uruguay's position on these issues during negotiations for the bilateral Trade and Investment Framework Agreement (TIFA) between Uruguay and the United States would not be consistent with progress made in the TISA negotiations.

In May 2014, Public Services International (PSI) alerted the Uruguayan trade union movement to Uruguay's participation in TISA, through its affiliate, the Federation of OSE Workers (FFOSE). According to Ismael Cortazzo, that same month, the FFOSE leader, interviewed for this report, asked for a meeting with the socialist leader Roberto Conde, who had recently left his post as deputy foreign minister. Conde told her that he had no information about TISA. She then held a meeting with PIT-CNT leaders, none of whom were aware of these developments. FFOSE put the issue on the agenda of the Trade Union Coordinating Forum (Mesa Sindical Coordinadora de Entes, MSCE) of unions of workers in state-owned companies and the MSCE then raised the matter with the PIT-CNT executive secretary.

On 17 July 2014, Alfaro gave an interview to the daily newspaper La Daria, in which he explained that Uruguay had decided to apply to join the TISA negotiations because of the importance of trade in services. He said that the TISA negotiations aimed to “establish a broader, more flexible and predictable trade regime that would be ‘clear enough to allow member states to exercise their

sovereign right to regulate certain sectors”. “In fact, the provisions of the agreement will be subject to general exceptions, security-related exceptions and prudential exceptions for financial services”, said Alfaro.

Stage 2 (July 2014 – May 2015):

International contacts, research and campaigns

In July 2014, WikiLeaks released a document about the TISA negotiations,. It gave clues about how public services would be affected in countries that approved the agreement.

Meanwhile, REDES-Amigos de la Tierra (AT) was already aware of and concerned about the agreement even before Uruguay’s applied to join the talks.

“REDES-AT had been working on the issue of market liberalisation for a long time. First on the WTO, then in the campaign against the FTAA and also on the FTA. A central concern has always been the liberalisation of services”, said Alberto Villarreal, a member of REDES-AT, interviewed for this report. During the WTO negotiations, “there was a moment between the failed Millennium Round in Seattle and the start of the Doha Round of negotiations when it seemed possible that Uruguay would offer its water and other public services in exchange for greater market access for its agricultural and meat products”, and REDES-AT issued an alert about the situation. Along with FFOSE and the Commission for Water and Life, REDES-AT started a national campaign to amend the Uruguayan constitution and ban the privatisation of water for human consumption and sanitation. This proposal was approved and included in the constitution as article 47.

In this process, REDES-AT made international contacts and links that allowed it access to first-hand information about the TISA negotiations from organisations in different countries that were members of the Our World Is Not For Sale (OWINFS) network, which forms part of what Villarreal calls the “alternative world movement”.

Meanwhile, the Centre for Education on Regional Integration (CEFIR) began to go deeper into this issue. A working group called Integration and Development started to meet there. Participants

included Kreimerman, the historian and director of CEFIR Gerardo Caetano, the economist José Manuel Quijano, the former deputy foreign minister, Mujica Roberto Conde, the former Frente Amplio Senator Alberto Couriel and other academics and politicians. The socialist deputy Roberto Chiazzaro, a member of the Chamber of Deputies International Affairs Committee (which he now chairs) also joined the discussion. “The group focused mainly on issues related to Mercosur and the agreement with the European Union, but the group concentrated on TISA once this issue emerged”, said Barreto.

“Like most people, we were not really aware of what was happening when we suddenly received the information. The truth is that we were very concerned about it and we found it scarcely credible”, said Caetano, interviewed for this report. He recalled that they put “all the information they had on the table”, which included PSI documents. “We studied these documents and what the implications were for Uruguay if it signed up to TISA, but we also worked on the hypothesis that we were a country joining a process that had already begun and was still under negotiation. It was absolutely impossible to avoid this fact, because there would already be a price to be paid for joining the negotiations ”, said Caetano.

Barreto and Kreimerman drafted an analysis of the agreement, using material provided by the PSI and WikiLeaks and circulated this analysis within the CEFIR working group. The document warned about the negative impact that the agreement would have on public services in Uruguay and the country's development and sovereignty.

The PIT-CNT was also concerned and began an internal discussion on the issue. In the first half of 2014, the trade union centre's international relations secretary, Fernando Gambera, attended a seminar in Geneva, where PSI members warned him about Uruguay's participation in TISA. “We owe the PSI a debt of gratitude. It’s possible that an individual here might have had some knowledge of the issue but we simply wouldn’t have found out about it. In practical terms, the first contact on this issue was at a seminar in Geneva. PSI colleagues asked me if I was aware that Uruguay was involved in negotiations over a treaty on services, the TISA? Neither myself nor the leadership of the trade union movement had any idea. The truth is that we didn’t know anything about it”, said Gambera, interviewed for this report. After the seminar, the PSI sent documentation

and the PSI in Uruguay, through the FFOSE's leader Ismael Cortazzo, familiarised itself with the scope of the agreement. "Through Ismael and the FFOSE, we began to get to grips with the issue and to learn more about it", recalls Gambera.

With the information provided by the PSI and released by WikiLeaks, the PIT-CNT's executive secretary decided to take action against TISA.

On 20 August 2014, the Confederation of Civil Service Unions (COFE), affiliated to the PIT-CNT and member unions of the Latin American and Caribbean Confederation of Public Sector Workers (CLATE) issued a statement rejecting the agreement. The statement said that TISA seeks "to eliminate or reduce to the maximum international economic borders, the regulatory systems that protect workers' rights and the role of state-owned companies and services", and that this "causes significant losses to national sovereignty and democratic rights".

Meanwhile, the port workers' union leader and PIT-CNT executive committee member Oscar López and Alberto Villarreal of REDES-AT were both on a panel of speakers at the Second International Seminar on Public Enterprises (<http://www.antel.com.uy/siempre/2014/agenda/>) co-organised by ANTEL and the Transnational Institute (TNI) in the Netherlands on 2-3 September. They denounced the threats posed by TISA for state-owned companies in Uruguay and public services in general. Also attending the seminar were the then president, José Mujica, the industry minister, directors of Uruguay's main state-owned companies (ANCAP, UTE, ANTEL, whose then president is now industry minister, OSE, BSE), the PIT-CNT general secretary, Marcelo Abdala and other leaders of the MSCE, which represents PIT-CNT-affiliated unions organising workers in Uruguayan state-owned companies.

After the PIT-CNT executive committee's decision to begin action against TISA, the trade union centre and REDES-AT requested a meeting with the foreign ministry led by Alfaro, with whom it had a "direct line" and "very good relations", said Gambera. The "direct line" as such that managers from different departments in the ministry visited the PIT-CNT offices and made "detailed reports" about the negotiations between Uruguay and third countries and blocs.

On 13 October 2014, a meeting was held at the foreign ministry, where trade union leaders and REDES-AT members expressed their concern to the foreign minister about the agreement's impact on Uruguay. Alfaro said he did not have a lot of information so the trade union leaders provided him with the information they had received through the PSI. The minister said that the government thought it was best to be involved in negotiations from the start in order to be put forward Uruguay's position and also because TISA would have an impact on trade in services in the future, said Cortazzo, interviewed for this report. Alfaro maintained that Uruguay could leave the negotiations at any time if it appeared that they were not taking a direction favourable to the country. The minister told them that the United States was reticent about Uruguay's membership of TISA. A few days later, Cortazzo, Óscar López and Alberto Villarreal travelled to Geneva at the invitation of the PSI, the FES and the OWINFS network for a Global Forum on the WTO's General Agreement on Trade in Services (GATS) and TISA and an international meeting to formulate strategies against TISA on 17-18 October. López, Cortazzo, Villarreal and representatives of the OWINFS network held a meeting there with the Uruguayan ambassador to the WTO, Francisco Píriz, who did not give them any details about the scope of the agreement.

A second meeting was held with the foreign minister on 16 October. A third meeting took place in November and a fourth on 3 February 2015. "At these initial meetings, the foreign ministry's line was as follows: we are finding out what it's all about, we have not yet made any commitments, we haven't signed anything, we are not bound by anything, we simply want to see what it's all about", recalled Gambera. The PIT-CNT and REDES-AT told him it was a very sensitive issue because it dealt with services, especially public services. They reminded Alfaro about the result of the 1992 referendum which repealed legislation passed under the Luis Alberto Lacalle governments that privatised state-owned companies. Alfaro said he would communicate their concerns to Uruguay's permanent representatives at the WTO.

On 4 February 2015, after approval by the United States Congress, Uruguay's request to join the TISA talks was accepted. The report prepared by the presidency of the Frente Amplio in March 2015 stated that on 7 November 2013, one and a half months after applying to join the TISA talks, Uruguay was invited to observe a transparency session with the other negotiators of the agreement and then to hold informal bilateral talks with various delegations. Uruguay formally attended the

negotiations for the first time on 9-13 February 2015 in Geneva.

On 6 February 2015, REDES-AT and PIT-CNT wrote to Alfaro expressing “serious doubts that Uruguay's participation in the TISA negotiations would promote” the government's objective of diversifying production and creating quality jobs. “Rather, it would appear that it will have the opposite effect”, said these organisations. They added that it is “an illusion to think that Uruguay can have a major influence on the TISA negotiations, even less so when the condition for participating in the negotiations is acceptance (without even having seen, studied and assessed) of the texts already approved by current members of TISA”. They recalled that Uruguay was already aware of the contents of the negotiations in December 2014, when it had meetings with state actors involved in this issue to discuss the drafts of what had so far been agreed in the negotiations. They also noted the agreement’s disadvantages: negotiations on the basis of negative lists, commitments to liberalise service sectors that did not yet exist, the prohibition on regulating a posteriori, the prohibition on nationalising sectors after they have been liberalised, etc. Finally, they expressed their “great concern and alarm about Uruguay's involvement in the TISA negotiations” and urged the government “not to make any commitment without first making available the texts of the said negotiations to interested parties and conduct a broad consultation in addition to "state actors with an interest in the issue", in order “to be able to make a proper assessment (directly from the texts) as to whether Uruguay can accept the texts agreed before it joined the negotiations and whether these are in the broadest sense in the national interests and, in particular take into account the interests of workers and the Uruguayan people before Uruguay presents its offer”. They asked for the creation of a working space or group “to have a detailed discussion, with reference to the texts, about the risks and opportunities offered by negotiations that are so sensitive for national development and of very great interest to workers and civil society”.

On 18 March, FESUR and the PSI organised a workshop on TISA and the Role of the Trade Union Movement, with assistance from the PIT-CNT’s International Relations Department. The workshop was attended by PSI’s regional secretary, leaders of all national public sector workers’ unions, the coordinator of FESUR’s trade union programme and members of REDES-AT. This meeting agreed on practical action in the new context after the inauguration of Tabaré Vázquez’s government on 1 March 2015.

On 27 March 2015, a few days after his inauguration as president, Tabaré Vázquez agreed to meet the PIT-CNT. One of the issues raised by the trade union centre was Uruguay's membership of TISA. "I don't know what you are talking about, so I cannot give you a proper response. The way I work is to inform myself about an issue and then respond", he said, according to Gambera. Vázquez looked towards his labour minister designate, Ernesto Murro, and the planning and budget office director designate, Álvaro García, as if to ask them whether they were up to speed on the issue and both of them shook their head. Gambera told the president about the PIT-CNT's concerns on issues such as telecommunications and the prohibition on nationalising services once they had been liberalised. Vázquez shrugged his shoulders, promised to find out about it and then respond.

In April 2015, on Radio Oriental's programme *En Perspectiva*, the new foreign minister, Rodolfo Nin Novoa, said that TISA had not been discussed at transition meetings with the previous government. "This was a gap in the transition, not attributable of course to any desire for secrecy, but just because it was very recent. We were a bit surprised", he said. He also said it was necessary to be in TISA so as not to remain "outside a discussion" conducted by countries that "account for 70% of international trade". He also felt that "not being in it is worse, it means losing access to markets". He maintained that participating in the negotiations "did not mean that the country was making any commitments" and that the country could decide not to accept the agreement any time it liked. That same month, Uruguay had to present its offers and list of exceptions at the negotiations on TISA, but did not do so.

On 23 April 2015, 18 trade unions, including unions representing public sector workers, metalworkers and construction workers, held a partial general strike supported by the PIT-CNT, with about 10,000 workers taking action. TISA was one of the main points on the list of demands. "Nobody is in a position to say that Uruguay will benefit and be made the queen of the TISA parade. We must not be so naive. We must understand that the big companies that sank the planet in 2008 are there", said the metalworkers' leader, Marcelo Abdala at the rally. "No TISA. Uruguay must not enter an agreement that serves the interests of big business and is against the public interest", he said. TISA was also a main point on the list of demands at the traditional 1 May rally on International Labour Day.

On 12 May, the PSI, FESUR, PIT-CNT and REDES-AT organised a regional seminar entitled:

“TISA, the risks of false short cuts: let us look to the South”. Speakers included the former deputy foreign minister, Roberto Conde, Kreimermann, the PSI’s regional secretary, Jocelio Drummond, Gambera and Villarreal. The seminar was also attended by leaders of national trade unions, the Trade Union Confederation of the Americas (TUCA) and the Southern Cone Trade Union Centres Committee and regional officers of the global union federations IndustriALL and UNIGlobal.

On 21 May, the group of academics working on this issue for CEFIR and other intellectuals, trade union leaders and key political figures in the Frente Amplio, signed a public letter rejecting TISA. “The letter came about because of ignorance of the issue, Uruguay’s ignorance as a country. Many of the us understood the agreement’s negative consequences, the implications of plurilateral negotiations and the interests of the industrialised countries. In relation to practical questions, the agreement is also very bad”, said Kreimerman, the former industry minister.

In the letter, the signatories maintained that signing up to the agreement would involve “drawing back from the state’s role as the motor of development, which would damage state-owned companies”. They questioned why the agreement did not recognise the “major asymmetries between the countries”, “the secret nature of the negotiations” and the “lack of information and citizen participation.” It all added up to “very anti-democratic practices, while the big companies from the industrialised countries decide what issues should be on the agenda and control and guide the negotiations and impose the major decisions”. They concluded that Uruguay had “little to gain from the agreement and a lot to lose” and recommended “a genuine and detailed debate on the issue”. Finally, they asked Uruguay to abstain from submitting lists of exceptions at the next round of negotiations. Signatories to the letter included Kreimerman, Caetano, the former social development minister in José Mujica Daniel Olesker’s government, the rector of the University of the Republic, trade union leaders and Frente Amplio parliamentarians Alejandro Sánchez (then president of the Chamber of Deputies), Constanza Moreira, Roberto Chiazzaro and Macarena Gelman.

Stage 3 (May 2015 – September 2015):

Frente Amplio makes a political decisions to leave TISA

At a cabinet meeting on 4 May 2015, President Tabaré Vázquez informed his ministers that he wanted the Frente Amplio to have a “political discussion” on the issue and stated that the final decision on the matter would be a political one.⁵ The president informed the Frente Amplio of this decision.

The Frente Amplio then organised a series of meetings with government ministers to ask them for their opinions about the agreement. The academics who were working with CEFIR on this issue were also invited to these meetings. At these meetings, the labour and social security minister, Ernesto Murro; the livestock, agriculture and fishing minister, Tabaré Aguerre; and the industry, energy and mining minister, Carolina Cosse, and others criticised the agreement.

The agriculture minister expressed his concern about TISA’s impact on information services that formed part of strategic policies, such as the traceability of cattle and also the impact of intellectual property provisions on agricultural research.⁶

The industry minister also questioned several points of the agreement, according to Frente Amplio leaders.⁷ She said that the liberalisation of services proposed in the TISA negotiations would not help the country. She said it would only benefit 6% of the so-called global services. In Uruguay, most of these global services are in free trade zones and involve small companies that will never be able to compete on an equal footing with transnational companies, said the minister, who also ruled out any liberalisation of the telecoms sector.

The labour and social security minister warned that TISA might violate the international labour treaties to which Uruguay is party.

After the ministers had given their views, it was the turn of the Frente Amplio politicians. The *Compromiso Frenteamplista* faction, to which the deputy president, Raúl Sendic, belongs decided

5 As reported by the weekly, *Búsqueda* (7/5/2015). Vázquez made no public statement to this effect.

6 According to the 18 June 2015 edition of the weekly, *Brecha*.

7 In interview with *La diaria* (10/5/2015).

on 26 June that it was not useful for Uruguay to continue participating in the negotiations. A few days later, he made a statement in which he said that the aim of this type of agreement is “to provide an international legal framework that allows multinationals to overrule national legal frameworks that protect the sovereignty of states to choose policies and strategies to promote their development plans”.

A few days later, on 5 July 2015, the Uruguayan Communist Party (PCU) rejected TISA because “it involves a form of international integration that increases dependency and endangers historical conquests”, and called on Uruguay to withdraw from the negotiations.

In this context, the Uruguayan government decided against submitting offers and lists of exceptions at the TISA negotiating round scheduled for the beginning of July.

Meanwhile, statements against the agreement and leaks continued. On 3 June 2015, WikiLeaks published 17 secret documents about TISA that concluded the agreement was seeking to deregulate health, water, financial, telecoms, transport and other services. The documents revealed, for example, the proposed restrictions on government control and safeguarding of personal data of their citizens; the obligation for signatories to grant foreign providers of financial services equal treatment with national providers; the commodification of health and environmental services; the establishment of private trade tribunals to rule on aspects of state regulation. In Uruguay, the information released by WikiLeaks was reported in all the national media, including newspapers, digital portals, radio and television.

On 23 June, the Board of Directors of the University of the Republic of Uruguay (UDELAR) came out against Uruguay continuing to participate in the negotiations on TISA. It stated that “it had tried without success to obtain official information about the characteristics and general aims” of TISA. It denounced “the secrecy of the negotiations, which makes it difficult to disseminate any of its proposals”, and “expressed the firm opinion that the country should play no further part in negotiations on these agreements until a full public discussion of its characteristics and content could be had”. The UDELAR’s statement was based on a report prepared by the Doctor in Political Science, Lincoln Bizzozero. This report said the fact that TISA did not specifically include education left this “as a service more liable to be negotiated and end up having consequences for all states that sign up to TISA”. “The fact that state regulation of health or formulation of education

guidelines may be constrained will not only limit state sovereignty with regard to its capacity to frame public policies, but will also mean that services may not be accessible to all citizens as opposed to the current universalization of some basic services”, argued Bizzozero.

In July 2015, the PSI and OWINFS invited Uruguayans to attend a seminar on TISA, with the participation of experts who had been asked to analyse the documents released by WikiLeaks. The two Uruguayans were Barreto and the economist Pablo da Rocha, of the Cuesta Duarte Institute, the PIT-CNT’s training and research organisation.

On 22 July 2015, REDES-AT and the PIT-CNT prepared a document entitled: “The TISA and the threats it poses”. They sent a copy to the Frente Amplio, which was in the middle of an internal discussion about TISA. The document listed some threats that the authors believed were posed by the agreement, such as negotiations on the basis of negative lists, the “lock-in” clause, which limits the capacity to regulate services after they have been agreed; the “ratchet” clause, which means that once a sector is opened up, it cannot be nationalised; the inclusion of new disciplines subject to greater liberalisation and deregulation than those in GATS; the harm to sensitive sectors such as the financial and telecoms sectors. “In addition to the massive risks to the capacity to develop our country, remaining at the negotiating table would mean legitimising a negotiating method that is in direct contradiction with the need to build the power and autonomy of the global South, especially in Latin America. To remain at the negotiating table would require the government to distance itself from its commitment to the Uruguayan people who voted for its programme”, said the organisations.

Using this document, members of REDES-AT held meetings between the last week of July and 4 September to lobby leaders and parliamentarians of the governing Frente Amplio and other sectors, including the majority faction of the MPP led by former president and now senator José Mujica (including deputies Alejandro Sánchez, Daniel Caggiani and Lilián Galán), of the Socialist Party (including deputy Chiazaro), deputy president Raúl Sendic’s *Compromiso Frenteamplista* (including Sendic himself as president of the Senate and former leader of ANCAP and senator Leonardo de León, former leader of ALUR), former senator Enrique Rubio’s *Vertiente Artiguista* and *Casa Grande* (including its most prominent member, senator Constanza Moreira).

On 27 July, at a debate entitled “Where Is Mercosur Going”, organised by the coordinator of the Progressive Bench of PARLASUR and the MERCOSUR High Commissioner, the three main Uruguayan speakers (Gerardo Caetano / CEFIR, Fernando Gambera / PIT-CNT and Caggiani, deputy president of PARLASUR) emphasised the threat to Mercosur posed by TISA and Uruguay’s participation in the negotiations.

On 4 August, after the appearance of foreign minister Nin at the International Affairs Committee of the Chamber of Deputies, Viviana Barreto (member of REDES-AT and CEFIR) and the economist José Manuel Quijano analysed the minister’s words in a note for the weekly publication “Voces” 8, in which they refuted point by point some of the foreign minister’s statements, for example, that TISA was “government policy”, and his interpretation of the need to submit negative lists at the next round of negotiations of the agreement.

Meanwhile, on 6 August, the PIT-CNT held a 24-hour general strike with rejection of TISA as one of the main points on its list of demands.

The Frente Amplio scheduled a national plenary for 5 September 2015 in order to adopt a position on TISA. A few days before the plenary, more factions published statements against the agreement to add to those already made by *Compromiso Frenteamplista* and the Communist Party. Local Frente Amplio groups also held many discussions and debates on TISA on 25 August (Local Groups Day). These meetings heard invited speakers from the PIT-CNT, REDES-AT and a wide range of interested political and social forces interested in debating TISA

On 29 August, after discussing a report produced by the organisation’s international relations department, the national executive of the Popular Participation Movement (MPP), the majority faction in the Frente Amplio, called on Uruguay to withdraw from negotiations on TISA. This decision was especially based on an assessment of Uruguay’s international position, its links with

8 “TISA: el Ministro en el Laberinto”, the weekly Voces (20/8/2015).

the region and the need to “maintain sovereignty and state-owned companies”.⁹

On 3 September 2015, the national executive committee of the Socialist Party, led until a few years ago by President Tabaré Vázquez, came out against TISA and recommended that the government “decide on a politically convenient moment to withdraw from the negotiations”. Among other points, the committee said that TISA “increases the risks of liberalisation, privatisation and deregulation of essential activities, some of which would change from being basic needs to commodities” and “would inhibit and make it more difficult to implement the country’s development agenda as set out in our programme”.

On the same day, another Frente Amplio faction, *Casa Grande*, announced its position. It said that TISA’s provisions, notably that “the state’s role must be minimised and focus on liberalising and deregulating services” were contrary to the Frente Amplio programme.

On 5 September, the Frente Amplio’s National Plenary passed a resolution stating the “inconvenience of continuing to participate in the TISA negotiations”, given the party’s vision “for the integral development of the nation, as set out in its programme of government, constitution and statutes”. The resolution was approved by 117 votes to 22. The factions that voted in favour of continuing the negotiations were those in the “Liber Seregni Front”, which includes the factions to which foreign minister Nin and economy minister Danilo Astori belong.

On 7 September, after a session of the Council of Ministers, the tourism minister, Liliam Kechichian, announced the government’s decision to withdraw from the TISA negotiations following the decision made by the Frente Amplio plenary. “In essence, we decided on the basis of the resolution passed by our political party”, said Kechichian.

2. Factors that determined Uruguay’s withdrawal from TISA

When examining the factors that influenced Uruguay’s decision to withdraw from TISA, it is

⁹ According to MPP deputy, Julio Battistoni, interviewed by *La Diaria*, 31/8/15.

useful to distinguish between “structural factors” and “current factors”. Structural factors include, for example, the country’s history and the characteristics and influence of its social and political organisations. These factors are not necessarily replicated in other countries because they are related to the country’s structural circumstances, history and organisations.

However, “current factors” are related more to the dynamics of the links and processes and may therefore may be similar to those operating in other contexts.

A. Structural factors

1. The Uruguayan people’s tendency to support state-owned companies: commitment to the public sector

José Batlle y Ordóñez was the most influential president in Uruguay’s history. He championed a radical brand of secularism and introduced laws that were advanced at that time that recognised the rights of workers and women. He was also a passionate advocate of the state’s role in the economy. He nationalised the Banco República in 1911 and the railways, creating the State Railways Administration in 1915. The presidency of this key figure in the Colorado Party helped to sow the seeds of a strong “statist culture” in Uruguay, which continues today.¹⁰ In 1992, when all other countries in the region were privatising essential public services in accordance with the neoliberal model they were pursuing, Uruguay held a referendum on whether to allow the elimination of state monopolies such as in the insurance sector and joint ventures between state-owned companies and private companies in other cases, such as in the telecoms industry. Thanks to these referenda in defence of state-owned companies, among other factors, in Uruguay, more so than in any other Latin American country, state-owned companies are still an important part of the country’s economy.

This “statist culture” influenced social action and the Frente Amplio’s position against TISA, says

¹⁰ For example, see “Ciudadanía y nación en el Uruguay del centenario (1910-1930). La forja de una cultura estatista”, by Gerardo Caetano. Available at: http://www.iai.spk-berlin.de/fileadmin/dokumentenbibliothek/Iberoamericana/39-2010/39_Caetano.pdf

Kreimerman. “State-owned companies play a crucial role in the country’s development model”, he affirmed. He said that Uruguay “believes in regulation” and that issues such as public procurement were an important factor for some people with greater technical knowledge of specific aspects. “Another factor was the belief that this was a continuation of what the major multinationals want, that is, to have international trade rules rewritten for their benefit. There were also fears about issues such as health, education and the environment”, summarised the former industry minister. “Uruguay is a country that is careful to defend the sovereignty of public goods”, said Mario Piacenza, director of international relations at the agriculture ministry and interviewed for this report. Barreto maintained that the danger that TISA might have posed for state-owned companies was “the key to raising awareness”, especially because they felt that privatisation of public services would represent a “backward step” for Uruguay.

“When you dig a little, you find that most of our people understand the idea of sovereignty”, said the government’s national labour director, Juan Castillo, interviewed for this report. “I do not know any other country in the world that has defended itself against government attempts to privatise state-owned companies in this way, with 73% rejecting privatisation in a referendum. We can say that three quarters of Uruguayans defend the role of the state-owned companies”, said Castillo.

Gambera said that support for state-owned companies is also present among private sector workers, who “feel that state-owned companies, especially the most productive and strategic ones, such as ANTEL, ANCAP, UTE and OSE, are part of a development model that should be preserved”.

2. Uruguay’s membership of Mercosur

Uruguay joined Mercosur in 1991, along with Brazil, Argentina, Paraguay and Venezuela. This customs union project introduced a Common External Tariff and made it compulsory for members to negotiate as a bloc with third countries and blocs. Any bilateral initiative had to be referred to Mercosur and approved by its members.

The historian, Gerardo Caetano, thinks that this was one of the factors that influenced the

government's decision to withdraw from TISA. The structural factor of belonging to a bloc combined with current factors that included the fact that in 2015, none of the Mercosur countries was in TISA and "progressive" governments were in power in Brazil and Argentina. These governments were less aligned with neoliberal economic policies.

Caetano affirmed that Brazil and Argentina felt that Uruguay's membership of TISA was "very bad news". "To the extent that the first summit of Mercosur presidents to take place in Brasilia after it became known that Uruguay had joined TISA was a difficult meeting. Uruguay was criticised for starting negotiations in secret while not informing its partners", said the historian. Caetano said that the Uruguayan delegation attended this summit with the intention of justifying its position, complaining that many rules were not being complied with and calling for "flexibility" to negotiate with third countries and blocs. However, it did not get this far because of the atmosphere at the meeting and the recriminations against it. "What we know is that Brazil and Argentina strongly criticised Uruguay at the summit meeting in Brasilia. This took the Uruguayan delegation by surprise", said the historian.

Kreimerman believes that "no sector of the left considered moving away from Uruguay's traditional multilateralism and much less leaving Mercosur". "Because it was clear that neighbouring countries were not thinking along the same lines", he stressed.

3. Unity of the left, democratic decision making structures and the trade union movement

The National Workers' Convention (CNT) was formed in 1966. It united various trade union currents into one organisation. After the Uruguayan dictatorship (1973-1985), there were a few attempts to create trade union centres opposed to this trade union centre, then called PIT-CNT, but those currents have always been in a small minority. The PIT-CNT therefore has a key role in the country's labour and political life.

Another feature of Uruguayan politics is the unity of the left, starting with the founding of the Frente Amplio in 1971. At the moment, some elements of the left such as Popular Unity (Unidad Popular) are breaking away from the Frente Amplio, but these are in a small minority. The Frente

Amplio's decision making mechanisms, where issues are discussed, voted on and respected ensures that the coalition generally takes a majority decision. This was precisely what happened at the plenary that discussed TISA. Although some factions were against withdrawing from the negotiations, the coalition agreed to withdraw from the agreement and President Tabaré Vázquez respected this decision. Kreimerman thinks that the Frente Amplio's democratic and participatory structure, in the form of its local committees, was an indispensable platform for disseminating information about TISA for use in the debates with party activists, with the participation of people who were conversant with the issues.

Similarly, the PIT-CNT's decision to oppose TISA guaranteed that the country's most powerful unions, such as those representing construction and metalworkers and public sector workers, would take action.

4. Close communications between the Frente Amplio and the trade union movement

The PIT-CNT forms part of the Frente Amplio's social support base. Some former trade union leaders even occupy key positions in the government. Trade union leaders are also often members of the decision-making bodies of the political factions that make up the Frente Amplio. These close links allows information to flow freely. The PIT-CNT's thinking influenced the positions later adopted by the various factions in the left wing coalition.

“Obviously, we lobby political forces, including deputies, senators, political leaders, through meetings with the presidency of the Frente Amplio and through organisational links to some of our leaders”, said Gambera.

5. The PIT-CNT's political influence and the majority position on the left

The PIT-CNT has a high membership rate compared to other centres elsewhere in Latin America. This factor, combined with the fact that the country only has one trade union centre, increases its political influence. 22% of Uruguayan workers are members of a trade union.

Meanwhile, the Frente Amplio is in its third consecutive term of office since 2004 and won 48% of votes in the most recent elections. This strong trade union movement and the biggest political party were both opposed to TISA.

B. Current factors

We will divide current factors into those that were the product of social action and those that resulted from specific political circumstances unrelated to social action.

I. Specific political circumstances

1. Differences between Frente Amplio leaders; the change in government

Several interviewees for this report agreed that Tabaré Vázquez's decision to refer consideration of participation in the TISA negotiations to the Frente Amplio plenary was "crucial". "It was significant that the president resolved to refer an executive decision to the plenary. This was the deciding factor. President Vázquez decided on this course of action because of the sensitive nature of the issue and the lack of a political consensus. Moreover, discussing it behind closed doors was problematic from the democratic point of view", said Piacenza.

However, several interviewees indicated that a key factor in Uruguay's withdrawal from TISA was that Tabaré Vázquez's government was faced with making a decision on a policy that was adopted by the previous government led by José Mujica. Although both leaders are members of the same political coalition and communicate freely on various issues, the differences between them are well-known. They are the most popular politicians in Uruguay. Together with the economy minister, they are the Frente Amplio's three main leaders.

"Once he became aware of the issue (TISA), Vázquez avoided responsibility, and I think this is explained more than anything else by his differences with Mujica. He said: 'I am the heir, let the party decide'", said Caetano. He also thinks that Vázquez could have been irritated by the fact that the previous government had not told him about joining TISA at the transition meetings. "Some people had doubts about what Tabaré Vázquez would do. Vázquez was absolutely clear – he would accept the position taken by his party. It was not a question of ideological conviction. He thought: 'I inherited this, don't tell me, don't do this to me. Faced with such an important decision, I will accept the decision taken by the governing party on this crucial issue'", said Caetano. At the same time, the ministers in the Vázquez government's cabinet were not chosen on the basis of their

leadership of party factions, so the way found to ensure the decision represented the will of the party was to refer the issue directly to the Frente Amplio for consideration.

Barreto agrees with the assessment that the government wanted to differentiate itself from the previous government. “One factor that came into play was that the previous government got us involved in TISA and this was important insofar as the Tabaré Vázquez government cast a critical eye over some aspects of the previous administration. If it had not been for this, things may not have turned out the way they did”, he said.

“The government washed its hands of the matter, because it was the previous government that initiated the process (joining TISA)”, said Gambera.

2. Configuration of forces within the Frente Amplio

At the Frente Amplio plenary, the factions that opposed bilateralism or the variant of “open regionalism” as a way of Uruguay finding its place in the international economy were in the majority. “It helped that the more revolutionary sectors of the left are still influential”, said Castillo, who is also leader of the Communist Party. “Most Frente Amplio factions do not like this type of agreement”, said Caetano. “The speeches made by ministers emphasised different issues and some of them argued very forcefully. For example, Murro on labour issues. The Frente Amplio’s programme is very different”, agreed Socialist Party deputy, Roberto Chiazaro, interviewed for this report. Opposition to playing this type of role in the international economy was reflected in the discussions on the party’s programme at recent congresses. This became evident during voting at the plenary with 139 votes in favour of ending participation in the TISA negotiations and only 22 in favour (members of the Liber Seregni Front).

Caetano thinks that the Frente Amplio was “the most influential player” in getting Uruguay to withdraw from the TISA negotiations. “If the Frente Amplio had not acted, it could have got through, anything could have got through. Because the cabinet is very strange, it does not represent the governing party. The correlation of forces in the cabinet bears no resemblance to the electoral map and popular feeling. Moreover, the president has a very vague idea about these issues. He thinks we should increase trade”, said Caetano.

3. Lack of technical specialists in international trade negotiations; impossibility of deciding on offensive interests and adequately formulating defensive interests

When it joined the TISA negotiations, Uruguay did not have experience in negotiating on trade in services other than at the WTO. In addition, some technical personnel representing the government in the negotiations on TISA were not clear about why Uruguay had decided to get involved in the negotiations.

“The strategic importance of getting involved was not at all clear. There was no discussion about joining and no logical analysis to back up the idea of joining”, said Piacenza. He said it was clear to Uruguayan government representatives and other technical personnel involved in analysing the TISA negotiations that the agreement was in the interests of industrialised countries. Unlike talks at the WTO, where all the issues were on the table, the issues under negotiation at TISA were ones that developed countries were interested in and these were in areas where they had a “strong position” (services, intellectual property). The issues left off the agenda were the ones they did not want to negotiate, such as agricultural subsidies. “We started to form a negotiating group with those interests and suddenly we were in there. It is in agriculture that Uruguay has a real offensive interest. It was as if (by joining TISA) we forget our aims and let our other problems continue without a solution”, said Piacenza.

He said that once the technical personnel started to analyse the issues under negotiation at TISA, they came up against the problem of negative lists. “We looked a bit more closely at the issue of services, we looked at the risks. We are not used to negotiating on services, we are more used to negotiating on goods, more tangible things. With negative lists, you have to decide what to leave aside and if you forget something, you’ve blown it”, said Piacenza. In this context, the negotiators were “massively ignorant of the services” that came under each heading “One positive externality is that it made us research the services associated with production. Many of the negotiators did not even know they existed even though they are crucial for the development of agricultural production”, said Piacenza.

At the same time, some clear risks to Uruguay emerged in the agricultural sector. For example, liberalisation of services might affect all the state information services that have a role in production. “Our strategy is to add information to our products. The information is a service. The

production-related information services that we deploy are particular to our country, so that increasingly demanding consumers can differentiate our product from other products. The databases, certifications and irrigation are services. No studies had been made about protection or offensive interests, there was absolutely no analysis of what we could gain and what we could lose. There was a high risk of losing out”, said Piacenza. He added that the government evaluated the “sovereignty issues”, such as preservation of its regulatory policy in the telecoms sector, where “there was a chance that the package would involve changing domestic rules, which would represent a direct loss of sovereignty, without having a clear idea of what we could gain”.

It seems that Uruguay was thinking hard about its defensive interests but was not clear about its offensive interests, said Piacenza. Moreover, there was no assessment of the impact. “What had already been agreed (TISA) would require some changes in legislation and would affect some public services. A minimum sense of responsibility demanded that we needed to be clear about what we wanted to get out of the negotiations or that we needed an analysis that would have indicated strategically what it would have been useful for us to do. That did not happen, and therefore it was very risky. When you run a risk, you generally do so if you have a chance of winning something. With TISA, we were clear about the risks, but were not clear about mitigation measures, and we had no idea about gains. It was therefore rather vague and we didn’t know what we were doing there”, said Piacenza.

The MGAP director believes that those who advocated continuing in the negotiations did not have “strong, solid and convincing arguments other than making the general point that 80% of trade in services was being negotiated there”.

Kreimerman agrees with Piacenza that it was clear that dependent countries “were at a disadvantage” and that TISA was going to be a similar mechanism to other agreements on industrial issues that sought a reduction in tariffs and other protectionist measures so that the most competitive could take control of the market, but this time for services. There was also the “feeling” that right from the start the discussion had been “incomplete and biased”, said Kreimerman. “Of course, if you are at a ministry, you are concerned about the issues that your ministry is supposed to deal with, the ones that have a direct impact on you, such as telecoms, but

this agreement addressed many more issues. Moreover, the mechanisms were very complex that made it difficult to deliver on almost any issue, because of the use of negative lists and the implications in terms of the restrictions on regulation that countries were going to have to abide by. The definition of services is so broad that it includes practically all the country's economic, social and productive life", said the former defence minister.

Caetano agreed that one of the factors that influenced Uruguay's withdrawal from the negotiations was the "great uncertainty, almost irresponsibility with which Uruguay had entered the negotiations" and the fact that "Uruguay does not have negotiators capable of dealing with this". "One of the arguments made by those who were discussing this issue was that we should continue negotiating as a way of training negotiators, but if you train your negotiators in live negotiations, they will destroy you", said the historian.

II. Factors resulting from social action

1. Building international networks

The link between local organisations and international networks and organisations was crucial for obtaining information about TISA and understanding its scope. The PSI and REDES-AT played a key role in this, both being members of the international network of civil society organisations, Our World Is Not For Sale (OWINFS), which groups social movements, organisations and academics and which Villarreal calls the "other world movement".

There are many experts on international trade issues in this network and they are able to obtain and analyse information. "These networks gave us access to information that is not available because these are secret negotiations. The network we are now part of picks up the leaks that always occur. Not only do we get access to information but also to analysis of the documents. If you are not an expert, you miss out on the details. And this network has the best experts in the world on these issues", said Villarreal. The PSI forms part of this network and played a "crucial role" on this issue, because "it leads the way when the issue is public services", said the member of REDES-AT.

Villarreal said that the work of this international network “was a crucial factor in alerting organisations in our country, providing practical information and making information available in Spanish; the main language used in the negotiations and in analysis of them is English”. At the same time, the network allowed organisations in other parts of the world to follow what was happening in Uruguay. “There were demonstrations against TISA in Geneva. We communicated what was happening here on to the international scene and so the entire world knew that Uruguay was going to withdraw from the negotiations”, recalled Villarreal.

2. Social action and the creation of a broad local alliance to oppose TISA

The PIT-CNT came out against TISA and organised massive street demonstrations against the agreement. It held a partial general strike on 23 April and included the issue in the list of demands made public at the 1 May rally and at the 24 hour general strike of 6 August. The debate was therefore no longer being conducted behind closed doors, it was not out in the open.

“The main reason why Uruguay withdrew from TISA was the campaign, not only in the streets, but together with others, such as the Vivian Trías Foundation, the Friedrich Ebert Foundation, organising seminars, bringing intellectuals together. This all helped to bring the issue to the attention of the general public. Our main role was to get the issue out into the open. The main criticism was that the negotiations were being conducted in secret, which was very different from the usual story about negotiations requiring a certain level of discretion. The main factor was bringing the issue to people’s attention and this brought a certain amount of pressure to bear on the people who were going to make the decision”, said Gambera.

“The social organisations played a decisive role in the struggle, by publicising documents and promoting debate”, agreed Castillo. “The PIT-CNT, as workers, were the ones who understood most clearly the impact that indiscriminate trade liberalisation would have on jobs and therefore their struggle”, said Chiazzaro. “I think the PIT-CNT’s commitment to the issue was decisive. You have to bear in mind that doesn’t happen with all international policy issues. It was a case of *deja-vu* for them, with echoes of the fight against FTAA and the free trade agreement with the United

States”, said Barreto.

There was a broad alliance against the agreement, composed of the trade union movement, political factions, social organisations and academics. The participation of many actors and the diversity of the alliance consolidated the image of broad opposition to the agreement. “The fact that important people from a range of sectors expressed unequivocal opposition made a big impact”, said Kreimerman.

At the same time, the informal working group that had formed around CEFIR turned into a factory of ideas on the issue, said Chiazzaro. The group generated a large part of the thinking that was used in the social and political discussions against the agreement. Gambera pointed out that an important factor was “the preparation, work and commitment of academics and thinkers, who produced documents and studies”, because this “broadened the basis of support” of opposition to TISA. “This dispelled the idea that opponents of the agreement were a bunch of cave dwellers who did not understand and that those in favour of the agreement were enlightened. They said we didn’t understand the first thing about it and were leading the country over a cliff while they were in favour of progress for the country. This factor overcame the unreal polarisation”, said the trade union leader.

3. Dissemination of information (versus “secrecy”) and the inappropriateness of the agreement

The interviewees all said that the dissemination of information about the scope of the agreement was crucial for facilitating opposition to TISA, especially in the case of Frente Amplio factions.

It was crucial, precisely because the TISA negotiations were conducted in secret. “It is not by chance that these agreements are reached secretly. These agreements are not democratic and are negotiated behind closed doors. The result is a *fait accompli* and parliament is left with the task of saying yes or no and it is a big call to say no”, said Caetano.

“We were very surprised that Alfaro entered these negotiations and that he did so in such utter and complete secrecy. When we found out about it, Uruguay was already in there. The Frente Amplio

didn't know anything about it. I asked three or four people and nobody knew anything about it", said Chiazzaro. Later, when "it began to rain information", "it made a big impact on us", he said. "It was the first time that we understood the significance of the fourth generation agreements. They are very dangerous and we had no idea how this might turn out", said the socialist deputy.

"The secrecy was a really important factor", said Kreimerman. "The country withdrew because there was a discussion about what we knew and the consequences. The key point was that there was a discussion about TISA, because after this discussion, the only possible outcome for most countries would be to get out", added the former minister. Making possible a discussion on the agreement was therefore crucial.

The dissemination of information about the agreement in Uruguay took place through two channels and in two ways. First, the newspaper *La Daria* started reporting on the growing debate about TISA in July 2014 but increased the coverage in 2015, with reports appearing nearly every week. It also published drafts of the agreement, including versions released by WikiLeaks and others obtained from sources in the Uruguayan government.¹¹ "La Daria was a major contributor in terms of making general information available to the left", said Kreimerman. Other media, such as the weekly *Brecha* and some radio programmes also regularly reported on the issue. However, the rest of the printed press and television did not give much attention to the issue in terms of providing information, although they did publish editorials questioning the opposition to the agreement.¹² These editorials supported the proponents of staying in the negotiations, which included almost all the opposition parties (Partido Nacional, Partido Colorado and Partido Independiente) and business organisations, such as the National Chamber of Commerce and Services, the Chamber of Free Trade Zones and the Uruguayan Chamber of Information Technologies.

Another channel for the dissemination of information was more personalised, through the local branches of the Frente Amplio. The first-hand information known to an increasing number of key members of the Frente Amplio who attended CEFIR meetings, such as Chiazzaro, Kreimerman

11 For example, see *La Diaria* editions of 7/4/2015, 17/4/2015, 14/5/2015 and 19/5/2015.

12 For example, see the *El País* editorial "La izquierda reaccionaria", 1/6/2015, at <http://www.elpais.com.uy/opinion/editorial/izquierda-reaccionaria.html>

and Conde, reached many party members through meetings organised by local branches of Frente Amplio to discuss the issue, prior to the plenary called to make a decision. Speakers at these meetings were precisely those key figures and members of PIT-CNT and REDES-AT. Chiazzaro recalled that they went round the whole country, visiting Frente Amplio committees and coordinators. “The surprising thing was that we had some very interesting discussions. We thought it was going to be a difficult issue to understand, but people quickly realised what was at stake”, said Chiazzaro.

However, the dissemination of information about the agreement would not have had such an impact if it had not been so clear that TISA would be damaging for Uruguay. In other words, “right” was on the side of those who opposed the agreement, and therefore the information about the TISA negotiations did no more than strengthen the position of those who wanted Uruguay out. “It helped those of us who had a critical view, we had information about what we were opposing”, said Barreto. “When it comes to discussions on international policies, people are always ready to label 'opponents as demagogues, romantics, ideologues'. And the others claim to be educated and have technical information at their disposal. In the case of the discussion on TISA, it was clear that things were not like that. Those who were advocating that Uruguay should continue in the negotiations never at any time based themselves on the content of the actual agreement. In fact, they often did not have the information, they had not taken the trouble to read the documentation. Nin made mistakes when making a presentation to parliament”, said Barreto. “Except for the argument that it was best 'to be involved so we could see what was going on', there weren't really many more arguments”, said Kreimerman.

Caetano made the same point. He said the most coherent arguments were those offered by opponents of the mega-agreement. “TISA forms part of a business liberalisation offensive that aims to conclude bilateral and plurilateral agreements outside the WTO with conditions that are much more burdensome for developing countries, on key issues such as goods, services and investment. The issue of investment has increased in importance in recent years, with emerging competition on this issue between the United States and the Asia-Pacific countries. TISA therefore forms part of this onslaught. And being involved in TISA was not cost-free in terms of national interests”, said Caetano.

3. Comparison with other campaigns

The campaign against TISA had some points in common with other campaigns on the country's place in the international economy. For example, with the regional campaign against the Free Trade Area of the Americas (FTAA) between 1994 and 2005, and with the resistance to the signature of a free trade treaty between Uruguay and the United States in 2006. The resistance to TISA in Uruguay can be interpreted as the result of an accumulation of decades of political and social campaigning, of studying the risks of specific international trade systems that benefited multinational companies, limited the regulatory power of states and harmed the interests of workers.

In the first place, the social actors that participated in the resistance against the free trade agreements and the mega-agreements were practically the same in all cases: most of the Uruguayan political left, the trade union movement, social and environmental organisations like REDES-AT. The alliance between these actors just fell into place in the case of TISA, because it was built over a period of at least 20 years.

In the case of the campaign against the FTAA, as described by the Doctor in Political Science, Gonzalo Berrón 13, already since 1997 a continent-wide opposition alliance to the 'free trade' promoted by the United States as a form of economic imperialism was under construction. "The Continental Social Alliance and then the Continental Campaign Against the FTAA was the American expression of an innovative form of social action in terms of structure and organisation, and fundamentally characterised by its opposition to so-called 'neoliberal globalisation', both at home (where many of these movements and organisations during this period organised resistance to privatisation, deregulation, economic liberalisation and the various forms of flexibilisation and precarisation of work) and internationally, which helped to raise awareness of the need to build resistance beyond national borders", said Berrón.

13 In the article "De la lucha contra el ALCA a la integración de los pueblos: movimientos sociales y procesos de integración", 2007, at: <https://www.tni.org/es/art%C3%Adculo/de-la-lucha-contra-el-alca-a-la-integracion-de-los-pueblos-movimientos-sociales-y-procesos>.

Juan Castillo was a trade union leader in the struggle against the FTAA. Interviewed for this report, he said that the FTAA allowed the social movements “what they had never previously had: unity, coordination and structures that did not previously exist, in which the trade union movement joined other sectors of society”. “We got to know the leader of the landless, the leader of the indigenous peoples, people who worked in technical institutes, and were able to develop a common vision that allowed us to organise major protests in favour of common and central lists of demands”, recalled Castillo. He said that this period witnessed the emergence of left wing leaders that would go on to lead “progressive governments”: Evo Morales, Rafael Correa, Luiz Inácio Lula da Silva.

In the case of TISA, although resistance from social movements led to Uruguay’s withdrawal from the negotiations, it was a national effort that had the support of international organisations such as the PSI and OWINFS, but was not a regional campaign.. Castillo thinks that the conditions do not exist today for reviving a continental alliance with the same characteristics, even though over the past year there have been strong moves to revive the network, led by some of the regional social movements that gave life to the alliance at that time, such as the TUCA, the CLOC, the World Women’s March, ATALC and Jubilee South, which organised the Continental Day for Democracy and Against Neoliberalism, held on 4 November.

“It’s possible that there might be more problems these days. The situation is different now, the situation in the respective countries is different. In the 2000s, all America was governed by the most reactionary right-wing political forces. We had to focus on maintaining our rights or recovering rights that were taken away, and also fight privatisation. The popular movement was hit hard. The trade union movement got going again thanks to the initiative of the social movements. It was not us that led from the start, it was just that we threw our weight behind all this work”, recalled Castillo. Meanwhile, the World Social Forum provided the continental social alliance with “an institutional framework”. “That’s where these majorities expressed themselves, we made links, it was a way of connecting the social and popular struggle with academia, with intellectuals. I don’t think that we could have defeated the FTAA without the strong social wave of action that took place in America. I think that it was the greatest leap forward in terms of class consciousness in America in recent times, there had never been a moment like this before”, said Castillo.

The former trade union leader said that imperialism “realised that neoliberal ideas dominated

America and wanted to use the FTAA put a straitjacket on us so as to have the entire America as its backyard”. “We succeeded in our fight to defend public freedoms and national sovereignty. It set the scene for the emergence of progressive leaders and governments in America”, he said.

These progressive governments came to power and the situation is different today, said Castillo. The progressive sectors are no longer in government in the case of Argentina and Brazil. In Uruguay, Castillo thinks that many sectors of the Frente Amplio are content to conform. “There are a lot of problems. The first is that we have made the right, the dominant class and imperialism want to win once and for all. It would be a grave mistake to trust them too much and to forget where we came from. This is a movement, but I am not happy and ready to conform. We are not yet the dominant class, anywhere in America, except for in Cuba”, he said. He added that sectors of the Uruguayan left that are currently in the government believe that the alliance with other social sectors was “temporary” and that they “broke with” this alliance when they achieved their objective of forming a government. “Why aren’t we fighting together in Uruguay, and yet we were doing so until the end of the 1990s? Are some of us happy with what we’ve got now?”, he asked.

At the FTAA summit in Miami in 2003, it became clear that the project promoted by the United States did not have enough support in Latin America. Once it had lost the initiative, and certainly in 2005, the United States forcefully promoted bilateral free trade agreements with all the countries in the region. Uruguay followed this tendency and seriously started to negotiate a free trade agreement in 2006, although there had already been an attempt to do the same during Jorge Batlle’s government, as described by Porzecanski in his book.¹⁴

In the case of opposition to the FTA with the United States, there was not such an explicit campaign against it as there has been with TISA. In any case, the main opponents of TISA also opposed the FTA: several factions of the Frente Amplio and the PIT-CNT. However, unlike the fight against TISA, the decision to not sign an FTA with the United States was taken by the government led by Tabaré Vázquez, mainly on the basis of technical objections made by

14 For more on this, see *No voy en tren: Uruguay y las perspectivas de un TLC con Estados Unidos (2000-2010)*, by Roberto Porzecanski, Debate, Montevideo, 2010.

government ministries, when it became known that the United States was not prepared to sign an FTA that differed in format from the one it had concluded with Peru.

One of the main opponents of the agreement was the then foreign minister, Reinaldo Gargano and his deputy, Roberto Conde. In August 2006, when expressing his intention to sign the agreement with the United States, Vázquez had made a statement that has gone down in history in Uruguay: “Sometimes, the train only passes once”. That same day, asked about those words, Gargano replied: “The train only passes once, yes, but some people lie down in front of the train but the train carries them forward”.

One of the proponents of the FTA with the United States within the government was economy minister Danilo Astori (in 2015, he wanted Uruguay to stay in the TISA negotiations). All opposition parties, most business organisations, with the exception of manufacturing companies, were also in favour. In Mercosur, Argentina and Brazil made clear objections to Uruguay’s proposed breakaway to sign a bilateral FTA with the United States.¹⁵

As with TISA, intellectuals wrote an open letter against the treaty. Many of the names were the same, including Roberto Conde, Alberto Couriel, Gerardo Caetano and José Manuel Quijano. Once again, there was not a lot of information available about the process, but there was one difference: the format of the FTAs that the United States had signed with other countries in the region was known and it could be assumed that the proposed treaty with Uruguay would follow suit. Some of the issues that caused concern about the FTA being negotiated with the United States were practically the same as in the case of TISA, including the restrictions on public procurement and the obligation to give equal treatment to investors, which meant in practice the end of the monopolies administered by state-owned companies.

4. Conclusions

The process of applying to join and then withdrawing from the TISA negotiations can be divided into three stages. The first stage was conducted in secret and the issue hardly appeared in the press. The government met social organisations but did not inform them about the agreement, and argued that it did not have any information. Local organisations only received information from the PSI

and documents released by WikiLeaks.

The second stage witnessed social action against the agreement, led by the PIT-CNT and, in particular, public sector unions. The position taken by these actors was based on information provided by the PSI, documents released by WikiLeaks and information published in the local media. It all pointed to the conclusion that the TISA negotiations would have a major impact on public services in Uruguay and on the state's regulatory powers. Organisations like REDES-AT and CEFIR played a key role during this stage of the campaign. In particular, CEFIR was the focus for a group of intellectuals to get together and feed arguments to opponents of the agreement. These same intellectuals later joined some Frente Amplio leaders in writing an open letter against TISA.

The central point of the third stage was the Frente Amplio's political decision, after President Tabaré Vázquez had resolved that it should be the left wing coalition that should settle the argument about whether Uruguay should stay in the negotiations. In this context, there were open discussions at local Frente Amplio branches and committees, thanks to the national structure of the party, which allowed a democratic discussion to take place. In June and July, there were the first announcements by Frente Amplio factions against the agreement. *Compromiso Frenteamplista* and the Communist Party announced their opposition to continuing with the negotiations. Closer to the date set for the Frente Amplio plenary called to resolve the issue, came announcements against TISA from the Popular Participation Movement, the Socialist Party and *Casa Grande*. Finally, the plenary resolved to withdraw from the negotiations and President Vázquez adopted the same position as his party.

Structural and current factors influenced this outcome, with the campaign lasting a relatively short period (February – September 2015).

Structural factors included the “statist culture” that still prevails in Uruguay, public support for state-owned companies and services and the importance and role played by state-owned companies in Uruguay. Uruguay's continued membership of Mercosur (supported by most sectors of the Frente Amplio) also had an influence. Moreover, Mercosur membership brought with it conditions

regarding other trade negotiations with third countries and blocs. Another feature of Uruguayan politics is the unity of the political left and the trade union movement, which gives greater political weight to decisions taken by both the Frente Amplio and the PIT-CNT, which, in this case, were the strongest opponents to TISA. In addition, they have a good image and are closely linked.

Current factors also played a role in the decision to withdraw from the negotiations, especially the political circumstances. For example, the fact that entry to TISA was requested by the previous government led by José Mujica, had the effect of making it easier for President Vázquez to take the decision to withdraw, despite the fact that both presidents belonged to the same political party, the Frente Amplio.

Another factor was the correlation of forces within the Frente Amplio, where a majority of sectors were in principle reticent about accepting the proposed modalities for Uruguay's role in the international economy. This facilitated the plenary's decision to withdraw.

There were also reasons related to the country's capacity to negotiate. Technical personnel at different ministries did not understand why Uruguay had joined the TISA negotiations and were unable to identify the country's offensive interests at the talks. However, they were clear about the risks. Moreover, Uruguay did not have negotiators specialised in this type of mega-agreement, given that traditionally, Uruguay had negotiated on goods and had much less experience in negotiating on services.

Finally, there was a broad-based and large social campaign that encouraged the country's withdrawal from the negotiations, supported by international networks and organisations that were already consolidated prior to discussion of the agreement and which provided information and training to local organisations. At the national level, a broad alliance opposing the agreement was formed, which included the trade union movement, most sectors of the left, social and environmental organisations, intellectuals and academia. The campaign facilitated the dissemination of information about the risks posed by the agreement, which effectively countered the prevailing secrecy. One important factor is that, unlike the rest of the region, Uruguay still has independent media that are strong without being massive, especially among intellectuals,

academia and Frente Amplio activists. These media include La Diaria, which is the national newspaper with the second largest circulation (Monday to Friday) and the weekly Brecha.

Ultimately, the most effective campaign tactic of opponents to TISA was to end the secrecy of the negotiations, provide detail and discuss what was being negotiated and what the implications were for states and workers. If information is disseminated through many channels, it becomes more effective: mass media, street demonstrations, seminars on technical issues, debates among political committees/groups. And they sowed seeds on fertile ground: Uruguay's "statist culture", meant there was greater potential for the campaign.

The key is who is taking the decisions. In the case of Uruguay, it was crucial that this decision was not left solely to the government and was referred to the party, which took a position based on extensive and open discussions.

In conclusion, various factors played a part in leading Uruguay withdraw from the TISA negotiations. Some of these factors could be replicated with enough effort and social action. However, others are a product of the country's political history and dynamics and are outside the control of organisations.
