

Unofficial Translation

**First National Health Assembly
Agenda 3.4**

**Revised Draft Resolution 1/4
12 December 2008**

Participation of the People's Sector in Free Trade Negotiation Policies

The First National Health Assembly

Having considered the report on Participation of the People's Sector in Free Trade Negotiation Policies Issue,

Concerned about the lack of clarity, transparency and participation from stakeholders in the negotiation of foreign trade agreements affecting the people's well-being, while study and research processes in preparation for and assessment of free trade agreements are lacking in independence and well-roundedness,

Concerned about the impacts of free trade area agreements on the agricultural system, natural resources, biodiversity, the public health service system, the employment system (Women's Network), health policies, health risk factors and the Thai people's access to essential medicines,

The National Health Assembly hereby issues the following resolutions:

1. The National Health Assembly is urged to
 - 1.1 Set up a mechanism in the form of a "Committee to Monitor International Trade Negotiations Likely to Have Positive and Negative Impacts on Health and Health Policies" with a view to encourage and support all sectors concerned to monitor international trade negotiations and examine both positive and negative impacts of the agreements that are put in force, so that recommendations can be made to develop, improve and remedy the situation. This mechanism shall be independent from the mechanism responsible for trade negotiation.
 - 1.2 Promote and support the participatory process of the people's sector in the drafting of the law on procedures and methods for preparing international agreements pursuant to Section 190, Paragraph 5, B.E. 2550 (2007) while providing a process for hearing the opinions and proposals of the people's sector and taking them into account.
2. All State agencies, academia, professional organizations, the private sector, and civil societies in all sectors, as well as member partners of the National Health Assembly are urged to:

- 2.1 Actively participate in the drafting of the law on procedures and methods for preparing international agreements pursuant to Section 190, Paragraph 5, B.E. 2550 (2007), focusing on mechanism for hearing from stakeholders in a fair and transparent manner and pressing for responsible government agencies to organize public hearings for the government version of the draft law on procedures and methods for preparing international agreements pursuant to Section 190 as soon as possible.
- 2.2 Support the work of the Monitoring Committee created by the National Health Commission under Resolution 1.1.
- 2.3 Support the appointment of stakeholders' representatives from all sectors with the National Economic and Social Development Board proposing candidates for such appointments and with the National Economic and Social Development Board acting as observer and monitoring and reporting negotiation outcomes.
- 2.4 Support the use of various forms of information dissemination media to allow the majority of the people to have access to free trade negotiation information, from the setting up of negotiation frameworks and negotiation results to the ratification process in order to provide true participation for the people's sector.
3. Agencies responsible for trade negotiation, especially the Ministry of Commerce, the Ministry of Foreign Affairs, the Ministry of Public health, the Ministry of Labour and the Ministry of Education as well as relevant faculties of Medicine, Nursing, and Pharmacy are urged to:
- 3.1 Organize at least two public hearings and comprehensive impact assessment studies, one to prepare the framework for international agreements and the other to hear the opinions of the people and assess impacts before Parliamentary approval for ratification by the government or before the agreements become binding. An independent organization, such as the Monitoring Committee created by the National Health Commission under Resolution 1.1, the National Human Rights Commission, or the National Economic and Social Advisory Council, is to be entrusted with hearing the people's opinions and reporting them as well as reporting the agreements' impact on the country and the people and disseminating the information to the public before the drafting of the approval contract.
- 3.2 Set measures to prevent, avoid and handle the positive and negative effects of the enforced agreement with a clear timeframe and names of responsible agencies and submit them to Parliament before the negotiation and before the signing of the agreement. In this connection, interested parties, especially those affected negatively, shall participate in the deliberation;
4. The Secretary-General of the National Health Commission shall monitor the implementation of this resolution and report to the Third National Health Assembly in 2010.