



ICTSD

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BRIDGES

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International Trade in Endangered Species CITES Struggles with Sustainable Use Issues

Three African nations won a hard-fought victory for their concept of sustainable use of wildlife resources when the Parties to the Convention on International Trade in Endangered Species (CITES) lifted a seven year-old ban on international ivory trade at their bi-annual conference held in Harare, Zimbabwe from 9-20 June 1997. Zimbabwe, Namibia and Botswana had requested that their elephant populations be moved from CITES Appendix I, which prohibits international trade, to Appendix II, which allows regulated and monitored trade (see box on page 2). Two rounds of secret ballot voting were necessary before the proposals were accepted, with some modifications and an 18-month trade moratorium to allow the exporter countries to strengthen controls over ivory stocks and trade. After that, strictly monitored and quota-bound experimental ivory sales may resume, with Japan as the only international trading partner. Income from the sales is to go to conservation programmes and people who share their habitats with elephants. An expert commission set up by CITES in 1994 had earlier concluded that the elephant populations of Zimbabwe, Namibia and Botswana were healthy and did not fulfil Appendix I listing criteria. Those opposing international ivory sales said that the lucrative trade would result in vast increases in poaching throughout African elephant range states. They also cited difficulties in tracking the origin of ivory, as well as insufficient control of stocks and trade.

In contrast, stricter controls will henceforth be established on international trade in sturgeon and sturgeon products, the most important of which is caviar. Except for small amounts of caviar exported by tourists, permits will be required for all cross-border sturgeon trade. CITES management authorities in exporting countries grant these licences once a designated scientific authority has certified that the export does not threaten the survival of the species (see Appendix II in box). Sturgeon stocks are rapidly declining due to unsustainable trading levels, wide-spread poaching and smuggling, pollution and damming of spawning rivers. Russia, Kazakhstan, Azerbaijan and Iran supply about 90% of the world's caviar exports.

Delegates in Harare examined some 75 proposals for listing and de-listing 89 species in the CITES Appendices. Before the Harare meeting, some 600 animal species and 200 plant species were listed in Appendix I; about 2,500 animal and 35,000 plant species in Appendix II and 220 species in Appendix III.

Other highly controversial proposals in Harare included requests to move from Appendix I to Appendix II some stocks of three whale species and Cuban hawksbill turtles (for export of shells to Japan), as well as relaxing export restrictions on the South African white rhinoceros (for export of stockpiled rhino horn). All proposals were narrowly rejected.

A third bid to list big-leaf mahogany in Appendix II failed by seven votes. This time, the largest importer and the second largest exporter - the United States and Bolivia - had requested the inclusion in Appendix II of all neotropical populations of big-leaf mahogany "with an annotation to cover logs, sawn wood, veneer sheets and plywood sheets only." The Appendix II listing would have regulated cross-border mahogany trade through mandatory export permits (Costa Rica placed the species in Appendix III in 1994 to support domestic conservation efforts).

The CITES Secretariat had recommended that Parties accept the proposal, citing "clearly unsustainable" commercial harvesting levels in a number of range states. The Secretariat also noted that "a significant proportion of the mahogany trade from Central America and Amazonia is considered to be from illegal sources. The argument that inclusion of the species in Appendix II would help separate the quantities legally traded from those traded illegally is compelling,

and this separation is essential for the establishment of sustainable management regimes for the species." The mahogany proposal was thought by many to be a test case for CITES, which does not at present cover any heavily-traded species of timber (see related story on page 2).

No case involving trade in CITES-listed species has ever been brought to the dispute settlement mechanisms of either the GATT or the WTO. However, CITES may become more relevant to the international trading system as it moves to regulate trade in mainstream commodities such as timber or commercially-important fish, thus raising again the unresolved issue of whether the World Trade Organization's or the multilateral environmental agreement's provisions will prevail in case of a dispute. If the commercial stakes are high enough, WTO Members may be more tempted to take their complaints to a WTO dispute settlement panel.

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CITES and Mahogany

By Bernardo Ortiz von Halle

There is one major difference between the current proposal to include big-leaf mahogany (*Swietenia macrophylla*) in the CITES Appendix II and the proposals made at the last two meetings of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): this time one of the two proponents, Bolivia, is a major mahogany exporter. Because Bolivia has joined the United States in this third attempt, previous criticisms of the proposal, which were generated by non-range States, are harder to substantiate. Thus, the timber sector has had to find more arguments to discredit the proposal.

Why is the timber industry so reluctant to see mahogany included in a CITES Appendix? First, together with fisheries, it is one of the major industrial sectors that directly exploit wildlife resources. In many countries, the timber industry constitutes the most economically-important sector and can therefore count on political support to efficiently represent and defend its interests. In the last five years, the conservation movement has extended its range of action to address the effects of the timber industry on the conservation of biological diversity. The timber industry is neither accustomed, nor welcoming to new actors who might change the rules of the game. The established rules have generated a very lucrative trade where a resource is harvested for next to nothing and then traded as luxury goods, at high environmental and social costs that are borne by others. These important externalities, as they are called in the jargon of economists, underlie the timber industry.

Second, the tropical timber industry believes that once the door is open for the inclusion of a species such as mahogany in CITES, the road leads directly to a “protectionist”-dominated Convention which will eventually include all commercially-exploited species.

Tree species previously listed in CITES did not cause much alarm because they were commercially-depleted and the CITES listing constituted what was effectively an honourable obituary. In contrast, mahogany - even if commercially-depleted in some of its range state countries - is still a resource that generates significant revenue for a few countries. For instance, Bolivia's gains amount to US\$40 million annually (TRAFFIC 1997), and the mahogany trade there can be expected to be a profitable business for many years.

In addition, the timber sector is concerned that an Appendix II listing is a first step towards the eventual banning of all trade in mahogany by Appendix I listing.

CITES requires the support and input of both exporting and importing countries. Most pressure, however, comes from the importing countries, many of which have domestic legislation for controlling imports of illegal origin as well as imports that have been harvested in an unsustainable manner. CITES authorities in these countries generally have more power and support than their counterparts in producer countries, where the designated authorities often have limited capacities to function effectively.

The timber industry is quick to point out what it perceives as the main flaws of listing big-leaf mahogany in the CITES Appendices:

CITES Appendix I includes species threatened with extinction which are or may be affected by trade. Species or products of species on this list cannot be internationally traded except in extremely rare and specific cases.

Appendix II includes species, which might become threatened if trade in them is not controlled and monitored, as well as species similar in appearance which must be monitored in order to make the trade regulations effective. Control mechanisms include export quotas set by CITES and export permits issued by the government authority in the country of origin guaranteeing that the specimen in question was legally obtained and that its export does not threaten the survival of the species.

Nations can also place species on Appendix III, which essentially helps a country's domestic conservation efforts by requiring importers of the species to demand a certificate of origin and, if the product originates in a country that has placed the species on Appendix III, an export licence.

- lack of information on the status of the species to prove it is threatened;
- non-fulfilment of the criteria for an Appendix II listing;
- adequate national legislation regulating trade pre-empts the need for international legislation;
- domestic trade is increasing, not international trade, therefore CITES cannot help; and
- a CITES listing would create a serious trade barrier, discouraging consumer interest in mahogany products altogether.

Based on documented scientific evidence, conservationists argue that the species is in rapid decline. Commercial extinction will occur in a few years if nothing is done to ensure sustainable harvesting and re-investment in the resource and its habitat.

Much effort has been put into alleviating the timber sector's fears concerning CITES, specifically in relation to an Appendix II listing. Such a listing would provide a system for verifying the legal origin of products and would create an appropriate framework for developing sustainable use practices. Conservationists have insisted that a CITES listing would

be in the best interest of the sector because it would help ensure the permanence of a valuable resource that is of strategic importance to many economies. These arguments do not appear to be sufficient to counter the short-term gains derived from well-entrenched unsustainable practices that do not depend upon re-investment of the industry's profits in proper management practices.

The implications of the debate over the listing of big-leaf mahogany extend well beyond the context of CITES. It highlights the tropical timber export industry's lack of interest in making conservation a high priority, a move which would reflect the long-term interests of the people, the species and the industry itself.

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The CITES Conference of the Parties rejected the proposal to include mahogany in Appendix II by seven votes. See cover story.

From the North Cape to the Cape of Good Hope

A Free Trade Area Between Europe and Africa

By Christian Friis Bach

Europe stands at the threshold of the 21st century with a historical opportunity to create a long-term, visionary strategy for future trade cooperation with developing countries.

The Lomé Convention, which covers the EU and 70 countries in Africa, the Caribbean and the Pacific (ACP), is to be revised from the year 2000. In the Mediterranean area, a process has been initiated towards an overall free trade area. The Generalized System of Preferences (GSP) will be further debated and revised over the coming years, and for a number of country groups, including the less developed countries and the countries in South America and Central America, new initiatives are under way.

The present system of preferences is based more on historical coincidences than on economic and political arguments. In addition, the system is limited by rules of origin and quantitative, geographical and temporal restrictions - hardly a proper foundation to base investments. These restrictions make it something of a weary journey between rules, clauses, tariffs, formulae and footnotes. Patchwork initiatives based on the current time-limited framework would do little to solve these problems.

In the short-term, EU trade preferences need to be simplified and reoriented to make them more consistent with aid objectives and requirements. This involves targeting the most comprehensive preference agreements towards the poorest developing countries, and completing and implementing the association agreements with the Mediterranean countries. The rest of the developing countries should be offered preferences under an improved and uniform Generalized System of Preferences (GSP).

For all three groups of agreements the system must be simplified so that quota and time restrictions are abolished and rules of origin are eased. In addition, the preferences must be improved for agricultural products, in particular fruit, vegetables, sugar and other temperate agricultural products, fishery products and, in the short-term, clothing and textiles and, in the long-term, services. At the same time the preferences should be extended to include the numerous non-tariff barriers. Finally, the tariff preferences should be made binding and indefinite so that they can provide a fertile soil for investments.

These changes should be implemented by the year 2000.

In the long-term, a stronger political vision is needed to get Africa back on a viable path of optimism and economic growth. One element in such a vision could be the creation of a free trade area from the North Cape to the Cape of Good Hope. The magic of the year 2000 provides the right occasion to begin this effort and the year 2020 could be a target year for full implementation.

This vision would be preferable from a political viewpoint. Currently, the interest of EU member states to engage with Africa is eroding. A free trade area is perhaps the only way that we can revitalise the political interest and commitment to renewed cooperation between African and European countries, just as the integration of Central

European countries in the EU has drawn our attention to their problems.

A free trade area would have clear technical advantages. Unlike the Lomé Convention, it would be consistent with WTO rules and be based on a familiar concept rather than vague preferential agreements. It would also have beneficial economic effects if properly addressed.

Trade barriers should be brought down in three steps:

The first step should be to remove the existing trade barriers in the EU on products of particular interest to African low-income countries - especially agricultural products, fish and possibly even certain services. Removing these barriers would only have a minor effect on European producers. In fact, the combined GDP of all African countries is less than that of Spain, and total exports from Africa are only slightly higher than Spain's. Creating a free trade area from the North Cape to the Cape of Good Hope would thus be equivalent to including another Spain in the free trade area (EU plus EFTA) comprising most of Western Europe. But while Spain only has around 40 million inhabitants, more than 700 million people in Africa could benefit.

The second and perhaps most important step towards a free trade area would be to bring down trade barriers among African countries. If African industrialisation is to gain speed, regional competition and cooperation between equally-positioned firms must be strengthened. It is also necessary to create a larger home market to create a demand side pull for African industrial products. Development economists from Lewis to Nurkse have for centuries, and almost unanimously, called for trade liberalisation among countries in the South. This has resulted in very little progress. A vision of a European/African free trade area could have this strategy as an important pillar.

Finally, the third step would be bringing down trade barriers in African countries towards Europe. This could prove difficult as trade liberalisation in developing countries is currently meeting resistance due to experiences with unemployment and impoverishment of small-scale farmers. This resistance occurs primarily because of a misplaced belief that free trade can solve all problems. This is certainly not the case, and for Africa free trade could even add to some problems. Free trade must be supported by a range of other policies. There is nothing inherently wrong with free trade, but it must not lead to "laissez-faire economics". Free trade must go hand in hand with "welfare economics" and be combined with a much more active state: redistribution, environmental policies, infant industry protection, targeted industrial policies and investments in human capital, agriculture and infrastructure. This burden should be borne jointly by Africa and Europe. The slogan should not be "trade, not aid" but "more trade and more aid".

Consequently, trade liberalisation in Africa should be coupled with other policies, and take place in a selective manner. However, all evidence from East Asia shows that an important part of successful

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Trade Will Be an Issue at Kyoto Climate Talks

Trade-related issues are likely to emerge as significant factors at the third meeting of the Conference of the Parties to the Framework Convention on Climate Change next December in Kyoto. The last Conference of the Parties appointed an Ad Hoc Working Group on the Berlin Mandate to elaborate a draft protocol or other legal instrument to strengthen the Framework Convention by providing binding greenhouse gas reduction targets and timetables for achieving them.¹ This working group will meet again from 28 July to 7 August to consider a negotiating text by the Chairman, entitled *Proposals for a Protocol or Another Legal Instrument (FCCC/AGBM/1997/3/Add.1)*. The 128-page document includes a timid start for a section on "Policies and Measures", consisting of 11 proposals and 7 more miscellaneous suggestions for inclusion in the protocol as means to reach the targets set. These have so far been hardly discussed. Some countries favour mandatory policies and measures while others would prefer a "shopping list" approach consisting of an array of measures that could be taken to reduce greenhouse gas emissions but leaving countries free to choose the their own mix.

Although few governments have tabled proposals under Policies and Measures so far, many more are expected to do so as the Kyoto meeting approaches. Thus, the negotiating text to be presented to the Conference of the Parties in December is likely to contain a substantive, and probably highly-contentious, "Policies and Measures section". Among others, these might include various forms of energy taxes using border tax adjustments to alleviate competitiveness concerns, tradable CO₂ permits, technology transfer (with its links to the WTO TRIPs Agreement), reducing or eliminating energy subsidies, and joint implementation. Most of these are controversial enough in the industrialized countries which will be bound by the protocol, but will draw even stiffer opposition from some developing countries. The small section on Policies and Measures of the current negotiating text already includes proposals reflecting their concerns, such as: "Policies and measures to address climate change under this instrument shall not be harmful to the development of the developing country Parties, particularly oil exporting developing countries. [...] The introduction of new or increased oil taxation shall be ruled out."

Another sector that might be targeted for trade-related measures is the fast-growing international electricity trade. Here the way the energy was produced (for instance, hydro power versus coal) could become a determining factor if energy taxes based on carbon content - even in the production process - gain acceptance.

Means to reduce greenhouse gas emissions include various forms of energy taxes using border tax adjustments to alleviate competitiveness concerns, tradable CO₂ permits, technology transfer, reducing or eliminating energy subsidies, and joint implementation.

Removing energy subsidies seems an attractive and non-trade distorting way to reduce emissions. However, the sharp rise in production costs experienced by some industries after the removal might induce "carbon leakage" or migration of "dirty industries" to countries where energy remains subsidized and cheap. Even in the case of a mandatory Annex I-wide phase-out of subsidies, developing countries would remain vulnerable to increased CO₂ emissions caused by migrated industries.

Joint implementation has been controversial throughout the Climate Convention's history. This approach would permit a country (usually industrialized) to meet its greenhouse gas reduction target by assisting another country (usually developing or in

transition) in diminishing its emissions. Joint implementation experiments have also included various kinds of assistance to forest conservation (carbon sinks) in other countries to offset domestic industry emissions.

Voluntary eco-labelling schemes are among the least controversial measures governments are likely to table - yet it is evident from more than two years of WTO debate on the issue that such schemes are far from being universally accepted as benign. Those watching the WTO/MEA interface, will do well to keep an eye on the Policies and Measures section of the emerging Berlin Protocol.

¹ The proposed protocol will only apply to the 36 developed countries listed in Annex I of the United Nations Framework Convention on Climate Change. The European Union is expected to propose a 7.5% cut (from 1990 levels) in greenhouse gas emissions by 2005 and 15% by 2015. Neither the U.S., which favours tradable emission permits and joint implementation as means to achieve cuts, nor Japan have yet come forward with quantified reduction targets.

For more information contact: Michael Williams, Information Unit for Conventions; tel: (41-22) 979-9242/44, fax: 797-3464, e-mail: mwilliams@unep.ch. Please note that official documents and other materials are available on the Internet at <http://www.unfccc.de>.

28 July-7 August Seventh Meeting of the Ad Hoc Working Group on the Bonn Berlin Mandate

20-31 October Eighth Meeting of the Ad Hoc Working Group on the Berlin Bonn Mandate

1-12 December Third Meeting of the Conference of the Parties to the Kyoto U.N. Framework Convention on Climate Change

CITES, continued from cover page

A CITES listing does not guarantee a species' survival or recovery, nor is it always the most appropriate means to protect endangered species. Trade measures imposed by CITES may be effective when commercial over-exploitation makes previously abundant species scarce. However, CITES refers only to cross-border trade which, in spite of the double control exercised by both the exporting and the importing country, is not easy to monitor - large-scale smuggling in listed species is well-documented. Strictly enforced national legislation may be required to curb domestic sales, which in the case of mahogany, for instance, are significant and growing. Many

countries report gross violations of national legislation; in Bolivia, for example, illegal mahogany trade is thought to equal trade in legally-harvested and certified trees. Finally, when species become threatened due to habitat loss rather than commercial exploitation, international trade restrictions only have a marginal impact.

The CITES Secretariat can be contacted at: CITES, C.P. 456, Geneva Executive Centre, 1219 Châtelaine (Geneva), Switzerland; tel: (41-22) 979-9139/40; Internet: <http://www.unep.ch/cites.html>.

These web sites also contain much useful CITES-related information: <http://wildnetafrica.co.za/cites/news.html> and <http://www.wcmc.org.uk:80/>

Committee on Trade and Environment Meets

The WTO Committee on Trade and Environment met for the first time this year from 21-22 May under the chairmanship of Ambassador Björn Ekblom of Finland. Members discussed market access-related issues of items two, three, four and six of the CTE work programme (the programme and schedule of meetings are available as Trade and Environment Bulletin No. 17 from the WTO Information and Media Relations Division or the WTO web site - see addresses on back page. The schedule was also published in the previous issue of this newsletter).

Under item 2 on environmental policies with significant trade measures, the US made a presentation of environmental reviews of trade policy. India talked about the need for more work on relevant trade and environmental principles under this item as well as a cross-cutting issue.

Under item 3(a) on charges and taxes for environmental purposes, several countries commented on the importance of environmental taxes and border tax adjustment. Members asked the Secretariat to prepare further studies on different taxes, especially following the climate change meeting in Kyoto in December 1997 (see related article on page 4). The main problem was the issue of rebates and adjustment for taxes applied to non-product related PPMs. Discussions under 3(b) on packaging, labelling and recycling focused on how to measure the trade impact of eco-labelling, with reference to the work of OECD in this area. Several members also requested to expand work to packaging, recycling requirements and standards, and technical regulations.

Under item 4 on transparency, the CTE looked at options for the creation of a database containing all WTO notifications of trade-related environmental measures, a CTE recommendation that was adopted by the Singapore Ministerial Conference. Options include an electronic delivery system building on the work of the WTO home-page system, among others. Questions were raised concerning the classification of environmental measures, with a sense that it should be left to the Secretariat.

Item 6 on environmental benefits of removing trade distortions and subsidies formed the main part of meeting, but discussions on a background note by the Secretariat on different sectors will continue at the next CTE meeting from 22-24 September since not all speakers had a chance to talk. The U.S. and New Zealand both presented papers on the fisheries sector under item 6.

A summary of the meeting will be published as a Trade and Environment Bulletin. Copies will be available from the WTO Information and Media Relations Division or the WTO web site - see addresses on back page.

An open-ended informal meeting was held on 12 June. Minutes were not available when this publication was printed.

For more information contact: Scott Vaughan, WTO Trade and Environment Division, tel: (41-22) 739-5091; fax: 739-5620; e-mail: scott.vaughan@wto.org; Internet: <http://www.wto.org>

NGO Symposium on Trade and Environment

The third - and most successful to date - NGO consultation in GATT/WTO history took place from 20-21 May 1997. Far better attendance by government delegates and much less acrimonious exchange were the key differences between this meeting and its two predecessors. Informal discussions with delegates and WTO Secretariat members revealed that scepticism about the usefulness of meetings between the WTO and civil society has diminished substantially.

Views differed on the purpose and form of such meetings. Many deplored the lack of focus of NGO interventions, saying that citizens' organizations could not hope to contribute to CTE's work unless the meeting agenda was much more clearly bound to the CTE programme of work. Others, however, found that the NGO Symposium - although organized by the WTO Trade and Environment Division - served as a general airing of views between civil society and WTO diplomats. The latter found that it would be inappropriate for NGOs and delegates to enter into detailed discussion on sectoral or technical issues and welcomed the opportunity to hear a broad range of views on a large array of issues. Several commentators expressed their appreciation of NGO expertise and the quality of the speakers, as well as the "more mature" positions of many participants compared to similar meetings in 1994 and 1996. Government delegates also said that while CTE meetings were not open to the public, NGOs could try to influence negotiations there by making their research and position papers available to delegates. A point made forcefully by several delegates was that representativeness and a North-South balance were essential to gatherings such as these. They also thought it was very important to equitably cover all items on the CTE's programme of work even if it meant a crowded agenda.

In response to criticism about lack of focus, many NGOs said that since they only had one opportunity a year to make themselves heard by trade delegates and Secretariat members, it was not possible to stick to narrowly limited technical questions. Indeed, so far only the Division on Trade and Environment has ever organized NGO consultations, and it seems most unlikely that other WTO Committees or Divisions will follow suit, with the only possible exception of the Committee on Trade and Development. As a first, the High-Level Meeting on Integrated Initiatives on Least Developed Countries' Trade Development next October will be preceded by an NGO Symposium.

As the May symposium covered all items on the CTE work programme, the WTO does not plan to hold NGO consultations in connection with the two remaining CTE meetings this year.

A comprehensive summary of the symposium is available in electronic format from the International Institute for Sustainable Development (IISD) at <http://www.iisd.ca/linkages/>, or as hard copy from IISD, 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba, Canada, R3B 0Y4; tel: (1-204) 958-7700; fax: (1-204) 958-7710; e-mail: reception@iisdpost.iisd.ca

The WTO will also publish a report of the meeting as a Trade and Environment Bulletin. Copies will be available from the WTO Information and Media Relations Division or the WTO web site - see addresses on back page.

STOP PRESS - On 26 June, WTO and UNCTAD were to hold a special review meeting on the preparations for the High-Level Meeting on Integrated Initiatives on Least Developed Countries' Trade Development, scheduled for 27-28 October 1997. Members of the two organizations were expected to finalize arrangements for the October event, as well as agree on the modalities for non-governmental input/participation in the High-Level Meeting. In fact, only the WTO Sub-Committee on Least Developed Countries met on 26 June to discuss the issues. UNCTAD is expected to consider the matter in the very near future. See update on page 6.

STOP PRESS: High-Level Meeting Update

The WTO Sub-Committee on Least Developed Countries met on 26 June to review arrangements for the High-Level Meeting on Integrated Initiatives on Least Development Countries' Trade Development, scheduled for 27-28 October 1997. The June review meeting was initially scheduled as a joint WTO/UNCTAD event, but at the time of this writing UNCTAD Members had not yet discussed the WTO Sub-Committee's recommendations.

Reportedly, there still is some disagreement among WTO Members over the balance between the two main themes of the October conference, i.e. market access and the development of an integrated programme of trade-related technical assistance involving the WTO, UNCTAD, the International Trade Centre, the World Bank, the International Finance Corporation, the International Monetary Fund and the U.N. Development Programme. The technical assistance programme will be based on comprehensive need assessments conducted by least developed country governments (see also cover story in BRIDGES #1). A check-list has been sent to these governments to facilitate the preparation of the need assessments. At the October meeting, some eight to twelve countries are expected to "show-case" their trade-related technical assistance needs during roundtable sessions attended by representatives of all the agencies involved as well as bilateral donors. According to an UNCTAD spokesman, it is not yet clear how the countries profiled during the October session will be chosen. Another series of "thematic" roundtables will take place simultaneously with the trade-related technical assistance sessions to cover some of the broader issues that hinder least developed countries' trade development. (All least developed countries, whether WTO members or not, have been invited to attend.) The High-Level Meeting will be followed by other roundtable sessions as more countries complete their need assessments.

The WTO Sub-Committee also discussed NGO participation. It now seems likely that a limited number of NGOs will be invited to attend the High-Level Meeting as non-speaking observers at the plenary sessions, but they will have no access to the roundtable sessions (reportedly, business representatives will be invited to the latter). There will be no parallel NGO event during the October conference, although attending NGOs will have access to a room where they can hold their own meetings (these arrangements are commonly referred to as "Singapore rules").

However, a separate one and a half-day NGO Symposium is jointly planned by the WTO and UNCTAD Secretariats in late September (dates have not yet been set) to provide civil society input to the deliberations in October. The organizers are also encouraging NGOs to provide support to their governments as they prepare the technical assistance need assessments. Some 20-25 NGOs, mainly from least developed countries, will be invited to the Symposium, but other groups may also attend provided they have a specific interest in least developed countries and trade and development issues. The exact number and balance of the Symposium participants have not yet been determined. Funding will be made available to a limited number of least developed country NGOs.

Organizers hope the Symposium will be "business-like" and produce a concrete outcome that can be included in the background documentation provided to governments for the High-Level Meeting. Topics examined at the Symposium will therefore parallel those of the governmental meeting: market access, supply capacity, the integrated technical assistance programme, and the creation of an "enabling environment."

For more information contact Peter Pedersen at the WTO, tel: (41-22) 739-5848, fax: 739-5777; or Andrew Whitley at UNCTAD, tel: (41-22) 917-5809, fax: 907-0057.

New WTO Working Groups**Working Group on the Relationship between Trade and Investment**

The first meeting of the WTO Working Group on the Relationship between Trade and Investment was held from 2-3 June 1997. The Working Group, open to all WTO Members and chaired by Ambassador D. Tulalamba of Thailand, heard initial general statements as well as presentations by UNCTAD, the World Bank and the OECD on their trade and investment-related work.

Investment was one of the "new issues" introduced in Singapore for possible consideration by the WTO, particularly in view of the Multilateral Investment Agreement that at the time was thought to be nearly concluded between OECD countries. The negotiations have since been delayed, but at their 1997 Ministerial Meeting in late May, OECD governments expressed their determination to conclude the Agreement in time for the 1998 Ministerial Meeting. The OECD Agreement will be a free-standing international treaty open to both OECD countries and non-OECD countries, but some observers say that the OECD will eventually seek to enforce the treaty through the WTO. Several citizens' organizations have started a campaign against the Agreement.

The Working Group's broad mandate is to "examine the relationship between trade and investment," "on the understanding that the work undertaken shall not prejudice whether negotiations shall be undertaken in the future." At their first meeting, participants identified four broad areas for future discussion:

- the implications of investment on development and economic growth;
- the relationship between the economy and trade and investment;
- a stock-taking analysis of existing international instruments on investment; and
- possible future issues:
 - identification of possible overlaps and conflicts in existing international agreements;
 - identification of rights and obligations in existing international agreements; and
 - the relationship between international cooperation on investment policy and international cooperation on competition policy.

Reportedly, the United States and the European Union wanted the group to first look into the ways investment policies affect world trade, whereas most developing countries wished to focus on how investment could benefit their development efforts. Developing countries emphasized that development issues should play a part in all aspects of WTO work on investment. The question will be revisited at the group's next meeting in early October (the exact date is not yet set). Another meeting is tentatively scheduled for November or early December. The Working Group will report to the General Council in late 1998.

WTO's current investment-related provisions are mainly contained in the following agreements: the General Agreement on Trade in Services, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), the Agreement on Trade-Related Investment Measures, the Agreement on Subsidies and Countervailing Measures and the Plurilateral Agreement on Government Procurement.

Working Group on Trade and Competition Policy

The Singapore Ministerial Meeting also established a working group to “study issues raised by Members relating to the interaction between trade and competition policy, including anti-competitive practices, in order to determine any areas that may merit further consideration in the WTO framework.” This group, chaired by Mr. Frédéric-Yves Jenny of France, will meet for the first time from 7-8 July 1997. Members are expected to start identifying issues to be discussed during the group’s mandate and establish a provisional meeting schedule. Representatives of UNCTAD, the World Bank and the OECD will present their work related to competition policies.

According to the Singapore Ministerial Statement, “It is clearly understood that future negotiations, if any, regarding multilateral disciplines in these areas, will take place only after an explicit consensus decision is taken among WTO Members regarding such negotiations.”

For more information on both Working Groups above, contact: Mark Koulen, WTO Intellectual Property and Investment Division, tel: 739-5224, fax: 739-5790.

Working Group on Transparency in Government Procurement

The Working Group on Transparency in Government Procurement, chaired by Ambassador Werner Corrales Leal of Venezuela, held a procedural meeting in May. Participants heard presentations on the World Bank’s and the OECD’s activities with respect to transparency in government procurement. At its first substantive meeting, on 21 July, the group will start identifying issues and priorities.

For more information, contact: Vesile Kulaçoğlu, WTO Intellectual Property and Investment Division, tel: 739-5187, fax: 739-5790.

Negotiations Resume in Financial Services

The WTO Committee on Trade in Financial Services has agreed on a tentative timetable for concluding negotiations on liberalizing trade in financial services. Bi-lateral negotiations between countries will take place between June and December. The deadline for submitting initial offers is mid-July. Draft Schedules are due to be submitted by 10 November, and final Draft Schedules by 1 December. On 16 October, the Committee is scheduled to hold its first informal meeting to draft a Protocol, another drafting meeting will be held on 14 November, and 12 December has been set as the date for adopting the Protocol on Trade in Financial Services. The Committee is chaired by Mr. Yoshio Okubo of Japan.

Contact: Masamichi Kono, WTO Trade in Services Division, tel: (41-22) 739-5590, fax: 739-5771, e-mail: masamichi.kono@wto.org

India’s Balance of Payment Dispute

India proposal for a nine year phase out period for lifting restrictions on imports was rejected as “unacceptable” by the major trading powers on the WTO Balance of Payments (BOP) Committee. India contends that since opening up its economy in 1992, its trade deficit has deepened, as imports have doubled and exports have not kept pace. Pakistan, Brazil, Nigeria, Egypt, Cuba and Peru offered support to India on this issue. The U.S., EU, and Japan are pushing for an end to India’s import regime, saying they are hurt by Indian restrictions on industrial and consumer goods. Australia, Canada and New Zealand take issue with India over restrictions on agricultural imports.

Dispute Settlement Corner**Shrimp Turtle Panel News**

All parties to the “shrimp-turtle dispute” have now submitted their initial briefs to the dispute settlement panel examining the WTO-compatibility of a U.S. import ban on “certain shrimp and shrimp products.” The dispute opposes India, Malaysia, Pakistan and Thailand to the United States. Fifteen other countries and the European Union are acting as interested third parties in the case.

The panel, which consists of Michael Cartland of the U.K., Kilian Delbrück of Germany and Carlos Cozende of Brazil, held its initial meeting from 19-20 June. It heard the complainants and the defence, as well as interested third parties present their positions. The next meeting, where rebuttals will be presented, is likely to take place in early fall, but no date has yet been set. The final panel report is not expected until December.

The dispute concerns a U.S. import ban on wild-caught shrimp from countries lacking what the U.S. considers effective measures to keep marine turtles, which are endangered species, from drowning in shrimp nets (in the United States, shrimp nets must be equipped with devices that allow sea turtles and other large animals to escape). Citing violations of several WTO provisions, the complainants are particularly concerned about the unilateral nature of the trade measure which seems to require other countries to conform to U.S. domestic legislation. The ban also seems to contravene previous WTO interpretations that production and processing methods are not valid reasons for product differentiation.

In related news, the U.S. Congress voted on 21 May to implement the 1991 GATT ruling which found the U.S. import ban on non-dolphin safe tuna incompatible with WTO provisions. The panel report was never adopted because Mexico agreed to drop the case. Senate action on the bill (H.R. 408) started on 19 June.

**EU Banana Panel Decision Appealed**

On 11 June, the European Union appealed against the WTO ruling that various aspects of its banana import licensing system were contrary to WTO provisions. A WTO dispute settlement panel report circulated last month found in favour of the U.S., Ecuador, Guatemala, Honduras and Mexico who contended the EU banana import regime unfairly discriminated against their producers and banana marketing companies. The WTO Appellate Body must rule on the appeal within 90 days.

**Indonesian Car Panel Likely**

At the Dispute Settlement Body’s next meeting on 25 June, the European Union will request a dispute settlement panel to rule on Indonesia’s “national car policy”, which it claims discriminates against existing or planned auto-assembly investments in Indonesia by companies other than the country’s “national car maker” Timor Putra Nasional. Indonesia defends the privileges enjoyed by Timor Putra as infant industry protection allowed by the WTO to developing countries. The EU contends that the policy is contrary to a number of WTO provisions and, in particular, the Agreement on Trade-Related Investment Measures. The U.S. and Japan, who have also held inconclusive consultations with Indonesia, may join the dispute at a later stage. It will be the EU’s second request for panel and WTO rules require the automatic establishment of panels at the second request.

The Threat of Green Protectionism

By Walden Bello

Many Southern environmentalists seek a harmonious relationship between environment and development, and they see a serious threat to sustainable development emanating not only from unilateral trade measures like the shrimp ban (see box) but also from a whole set of environmental measures that, while taken for a good cause, become de facto a form of "green protectionism."

Continually rising environmental product standards in the North have detrimental effects on Third World producers. For instance, a study on the impact of such measures on Indian industry done by the United Nations Conference on Trade and Development (UNCTAD) found that in the leather-tanning and textile industries, which are key export earners, the costs of the eco-friendly dyes required to meet international standards are approximately three times higher than the costs of the dyes currently being used.

New packaging laws aimed at reducing the quantity of packaging, as well as promoting its recovery and recycling, are also likely to have a negative impact. Simply getting information on and understanding packaging requirements in different Northern markets is difficult and costly. Meeting new rules on recycled or recyclable content for packaging often adds significant costs, especially when Southern producers have to import green packaging material to be able to export their goods to certain markets.

The reduction of market access posed by packaging requirements is already very real for some countries. In Thailand, for instance, exports of frozen fishery products have been negatively affected, and other sectors dependent on significant quantities of plastic and non-biodegradable matter for packaging are likely to suffer as well.

"Ecolabelling" - or specifying the environmentally relevant contents or production method of a product - is also perceived as posing new threats to market access although most significant eco-labelling programs in the North are still voluntary. This is especially the case in premium markets made up of environmentally-discriminating middle class consumers. To compete, Southern producers find that they must invest significant amounts in raw materials, new chemicals, new production processes, and testing and certification. For Indian leather products, the cost of testing and certification alone is said to be as high as 33 per cent of the current export price.

Thailand and other Asian countries need to take the trend toward higher environmental product standards and ecolabelling in the North seriously since according to UNCTAD, 60 per cent of Asia's manufacturing exports originate in areas where new environmental requirements are emerging.

Governments must pay special attention to the needs of their small and medium entrepreneurs. As a study of the secretariat of the WTO's Committee on Trade and the Environment has underlined, while the big Southern manufacturers might have the capital and technological capabilities to adjust to higher environmental standards, small and medium enterprises, who have neither the cash nor the technological sophistication, will face difficulties.

Needed: An Environmental Marshall Plan

Most Southern environmentalists are not opposed to raising environmental product standards in the North. In fact, they support it. But in order to prevent this trend from turning into de facto green protectionism that discriminates against developing country producers, they underline the importance of positive measures, such as technology transfer aimed at upgrading and rendering the production processes in the South more environmentally-friendly.

This would include loosening patent and copyright rules so as to facilitate the adoption, at low or reasonable prices, of Northern-owned eco-friendly technology—something that Northern corporations may be loath to do. However, support does not only mean transfer of packaged technology, it can also come in the form of financial assistance for indigenous research and development activities in the South aimed at developing appropriate technologies that meet higher environmental standards. Such measures would not only benefit developing country export-ers, say Southern environmentalists, but they would have the effect of generalizing higher environmental industrial standards and production processes in Southern countries, where old industrial technologies have contributed significantly to making cities such as Bangkok, São Paulo and Manila ecological disaster areas.

The problem is: Are Northern countries willing to come up with the resources to facilitate this environmental upgrading of industry in the South? Many Southern

environmentalists are skeptical, pointing to the fact that at the United Nations Conference on Environment and Development in Rio in 1992, the North promised billions of dollars in environmental aid for the South, part of which was meant to support the spread of environmentally-friendly industrial technology. Very little, if any, of this aid has materialized, they emphasize.

Very little, too, has come as a result of the Montreal Protocol of 1987, which promised assistance to Southern countries to ease their transition from the production and use of CFCs and other ozone-depleting substances.

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Asian and other Southern environmentalists are concerned that sea turtles are indeed in danger of extinction and deep-sea shrimp fishing without turtle excluder devices does contribute seriously to their decimation, but they are greatly bothered by the US move to apply its domestic law to activities that take place outside its jurisdiction. The US ban, to them, seeks to achieve a fine objective with the wrong approach—unilateralism. Instead, both wild-caught and aquaculture shrimp should be made subject to regulation through multilateral environmental agreements (MEAs) negotiated among countries. Trade restrictions should be paralleled by positive moves that compensate the affected producers and provide for technology transfer that would assist them to shift to more sustainable production and processing methods.

Five Years After Rio: Where Do We Go from Here?

By S. Ananthakrishnan

Nineteen-ninety-seven is an interesting year: 50 years since decolonisation, 25 years since the Stockholm Conference on the Human Environment, ten years since the commissioning of the Brundtland report and five years since the Earth Summit in Rio. The road to sustainable development is a long one, optimists maintain; others fear it may be a dead end. Optimists stress several positive developments over these years, highlighting improvements in health, education, food production and industrial output in many parts of the developing world. The gap between rich and developing economies, however, remains as deep as ever.

Everyone talks about interdependence, the planet earth being linked by a global trading system, global information superhighways, global financial systems, global companies and global networks. Make use of the opportunities provided by globalization, proponents urge. And yet there is clear evidence that globalization also leads to the marginalization of the most impoverished in the South, as well as to new forms of poverty in the North.

The Stockholm conference in 1972 achieved a recognition of the intrinsic relationship between environment and economic development. The Brundtland report put sustainable development on the international agenda. In spite of the numerous documents that were adopted and signed prior to and during the Rio conference, many feel that the Earth Summit has not led to the fundamental change of course that was promised. Developing countries in particular have been disappointed to note that the new and additional resources and easier access to new technologies necessary for sustainable development have not materialized. Many countries in the North are cutting their development assistance, claiming that foreign direct investment is the solution to development problems. Total official development assistance by the countries of the OECD Development Committee has decreased sharply in real terms, from US\$ 62 billion in 1992 to about US\$ 50 billion in 1996. The share of ODA committed to sustainable development and poverty alleviation remains at a very low level, a meager 0.38 percent of GNP.

The United Nations General Assembly is now reviewing the progress made since Rio in order to chart a realistic course for the future. The review coincides with a time when the UN system is under tremendous pressure while institutions for trade and finance find themselves strengthened further, highlighting the empowerment of the private sector and the weakening of the public sector. It is at this juncture that we face challenging times for the third sector, composed of the civil society, organized as NGOs, community based organizations or peoples' organizations.

Non-governmental organizations play a key role in raising issues that are of concern to people and to sustainable development. Many of these have contributed to social change; there are thousands of examples of NGO contributions to people-oriented environment/development work. The Chipko movement and the Green Belt movement are two examples. Mighty organizations, such as the World Bank, have been forced to rethink their strategies. Governments and

international institutions are changing policies because of NGO involvement either at the grassroots level or through policy lobbying, or a mixture of both.

The process leading towards the Earth Summit and its aftermath have been greatly influenced by the NGO sector, not least in the language of the documents churned out by the UN system and of many governmental reports. The notions of poverty alleviation, gender equity, transparency, right to food as a human right, right to shelter etc. are now standard terms thanks to NGO efforts. NGOs have local, national, regional and international roles, and no activity at any of these levels could be considered as unnecessary or unimportant. The issues of global governance are linked to local empowerment. Global governance issues like climate change, biodiversity, ozone depletion and trade and environment cannot be separated from local issues such as people's involvement in forest management, indigenous peoples' rights to land or demands for military spending cuts. However, the real challenge facing NGOs is their ability to carry the message across to the public and translate international processes and declarations to local reality, both in the North and in the South.

Everyone talks about the planet earth being linked by a global trading system, global information superhighways, global financial systems, global companies and global networks. And yet there is clear evidence that globalization also leads to the marginalization of the most impoverished in the South, as well as to new forms of poverty in the North.

Ways now exist to participate in the UN system, for instance through NGO networks that monitor post-Rio processes, such as the NGO Steering Committee for the Commission on Sustainable Development (CSD), or RIOD for the desertification convention. In connection with the Earth Summit +5 process, NGOs have identified the following priority areas for future action:

- the disappointing private sector follow up-of Agenda 21;
- consumption and production patterns;
- finance, including new financial mechanisms, the informal sector and debt issues;
- trade and sustainable development, including transnational corporations;
- international cooperation on poverty and the feminization of poverty indicators;
- the role of the UN as a policy body; and
- oceans and forests.

NGOs also face challenges outside the UN agenda. These challenges oblige us to constantly innovate and change. Economic globalization in particular has created problems that require innovative solutions. We must encourage global governance structures to come up with ways to fully integrate international financial institutions and the WTO in the UN process. As envisaged in the UN charter, the United Nations should be the center for the political coordination of development issues.

Furthermore, NGOs need to assess the effectiveness of their participation in international processes. Following UN and government agendas, as well as preparation for meetings, can shift priorities away from real issues.

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International Treaty on Trade in Pesticides Nears Conclusion

Delegates met for the third time from 26-30 May 1997 to negotiate an international treaty that would formalize and possibly expand the application of the current voluntary "prior informed consent" or PIC procedure concerning international trade in hazardous chemicals and pesticides. The PIC procedure or the future convention are not aimed at banning trade in these products. They are information-sharing mechanisms, intended to enhance participating countries' ability to make informed decisions on the import of potentially hazardous chemicals. The procedure also facilitates the dissemination of these decisions to other countries. According to UNEP, which administers the PIC procedure jointly with FAO, "the aim is to promote a shared responsibility between exporting and importing countries in protecting human health and the environment from the harmful effects of certain hazardous chemicals being traded internationally."

The convention negotiations, due to be completed by the end of the year, have obvious bearing on the domestically prohibited goods issue debated at the WTO. The future convention's links to the WTO have been discussed both under the so-called "GATT-saving clause," which specifies that nothing in the convention would alter the rights and obligations of Parties under other agreements, and in connection with the non-discriminatory application clause.

The scope of the future convention has been one of the main problems in the negotiations so far: the European Union reportedly would like to expand the convention's scope beyond the current voluntary scheme which covers a relatively small number of chemicals that are either banned or whose use is severely restricted in the exporting country. However, the EU did not garner significant support from developing countries who felt the administrative and logistical burdens of implementing even a relatively narrow convention were considerable.

The respective responsibilities of exporting and importing countries also caused debate, with the U.S. clearly favouring putting the onus

on the importer, while developing countries in general, often supported by the EU, wished to make the exporter responsible in cases where the importing country has not communicated its import decision on the chemical in question.

The report of the third session of the International Negotiating Committee is available as document UNEP/FAO/PIC/INC.3/L.1 and Add. 1 and Add. 2. The proposals made for the draft articles to be included in the PIC convention, still heavily bracketed, will be consolidated by the secretariat and circulated to delegates before the Committee's fourth meeting from 23-27 October 1997 in Brussels. A diplomatic conference for the adoption of the International Legally-Binding Instrument for the Application of the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade will take place in December in Rotterdam, possibly preceded by a short final negotiation session.

A comprehensive summary of the session is available in electronic format from the International Institute for Sustainable Development (IISD) at <http://www.iisd.ca/linkages/http://www.mbnet.mb.ca/linkages/>, or as hard copy from IISD, 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba, Canada, R3B 0Y4; tel: (1-204) 958-7700; fax: (1-204) 958-7710; e-mail: reception@iisdpost.iisd.ca

Another round of international negotiations on chemicals management will start early next year with the objective of developing an international legally-binding instrument on persistent organic chemicals (POPs).

For more information on the prior informed consent procedure and the forthcoming POPs negotiations, contact: UNEP Chemicals (IRPTC), 15 chemin des Anémones, Case postale 356, 1219 Châtelaine, Geneva, Switzerland; tel: (41-22) 979-9111, fax: (41-22) 797-3460, e-mail: IRTPC@unep.ch, Internet: <http://irptc.unep.ch/>

From the North Cape to the Cape of Good Hope, continued from page 3

infant industry protection and selective industrial policies consists of phasing out protection from world markets. It is also important to realise that the current protectionism in Africa is not predominantly shaped by appropriate industrial policies or protection of the environment, the poor or the rural population. Protectionism in Africa is often shaped by political interest, urban bias, and rent-seeking activities. There is nothing visionary in protecting these policies because of an ideological distaste towards the concept of free trade.

To conclude, Europe should formulate a vision of a free trade area from the North Cape to the Cape of Good Hope, giving priority to social and environmental development and recognizing the need for an active State and the different requirements and possibilities of African countries.

A free trade area from the North Cape to the Cape of Good Hope could revive some of the optimism in Africa and revitalise political interest and commitment to the enormous task of getting the continent on the right track.

Christian F. Bach is Chairman of MS Denmark and Assistant Professor at the Institute of Economics of the University of Copenhagen (email: cfb@econ.ku.dk). This article is based on a discussion paper published by the Danish North/South Coalition and MS Denmark. The full paper is available from: MS Denmark, Borgergade 14, DK-1300 Copenhagen K, Denmark; tel: (45) 33 32 62 44; fax: (45) 33 15 62 43; e-mail: ms@ms-dan.dk; Internet: <http://www.ms-dan.dk/> and <http://www.ibt.ku.dk/www/samf/oko/persons/okocfb/publicat/cape/cape.pdf>

The Threat of Green Protectionism, continued from page 8

It is clear, however, that without the equivalent of an environmental "Marshall Plan," higher environmental product standards in the North will, in fact, result in de facto green protectionism, with tremendous negative consequences on the well being of developing countries that are increasingly following export-oriented development strategies.

Dr. Walden Bello is co-director of Focus on the Global South, a program of policy research and analysis of the Chulalongkorn University Social Research Institute in Bangkok and a professor of sociology and public administration at the University of the Philippines. The study this article is based on, entitled "The 'Shrimp-Turtle Controversy' and the Rise of Green Unilateralism" is available from Focus on the Global South, c/o CUSRI, Wisit Prachuabmoh Bldg., Chulalongkorn University, Phayathai Rd., Bangkok 10330, Thailand; tel: (66-2) 218-7363/7364/7365; fax: 255-9976; e-mail: admin@focusweb.org; Internet: <http://focusweb.org>

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As the U.N. Secretary General, Kofi Annan, reminded the World Economic Council, only very few developing countries benefit from private investment or technology transfer as a result of the globalization of the economy. One hundred of the world's nations are worse off than they were 15 years ago. The increasing inequality between and within countries is a serious threat to stability. If the system cannot create wealth and justice it will not survive.

S. Ananthakrishnan is the Director of the Norwegian Forum for Development and Environment.

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The International Centre for Trade and Sustainable Development was founded in September 1996 as a link between the trade, environment and development communities. It seeks to facilitate access of interested non-governmental organizations to the multilateral trading system, to promote understanding of the issues at stake, and to keep all concerned informed about developments and events concerning sustainable development and international trade.

ICTSD organizes regular dialogues between trade officials and non-governmental organizations in order to promote mutual understanding and interaction. It also sponsors research into trade and sustainable development issues and is establishing a comprehensive documentation centre. Databases of literature and people/organizations working in the field are under development.

In addition to this newsletter, the Centre produces other publications designed to bridge communication gaps between the various actors involved in trade and sustainable development issues. Please contact us if you would like to obtain copies.

BRIDGES Weekly Trade News Digest

A weekly service summarizing trade news of relevance to the environment and development communities. Sources: main stream and specialized press. Intended to keep non-trade specialists informed about sustainable development-related issues in the trade world. Available by ☐ e-mail ☐ fax ☐ mail.

BRIDGES Executive Summaries

Periodical briefing papers on issues of actuality or useful background knowledge (for example, a WTO dispute, report or agreement). Designed for the general public. Summaries are already available on the shrimp-turtle dispute and the report of the WTO Committee on Trade and Environment to the Singapore Ministerial Meeting. Available by ☐ e-mail ☐ fax ☐ mail.

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Occasional booklets designed to further public participation in the multilateral trading system. A Handbook for Obtaining Documents from the World Trade Organization and an Introduction to the WTO Decision on Document Derestriction have already been published in collaboration with CIEL. A new release entitled Why the World Trade Organization Needs Environmental NGOs by Daniel Esty was published in May. Available by ☐ mail.

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June 24	WTO Committee on Market Access Contact: Yvette Davel, tel: 5113, fax: 5770
June 25	WTO Dispute Settlement Body Contact: Paulo Barthel-Rosa, tel: 5191, fax: 5761
June 25-26	WTO Trade Policy Review Body (Cyprus) Contact: Peter Tulloch, tel: 5089, fax: 5765
June 26	WTO Sub-Committee on Least Developed Countries: Special Review Meeting on the High-Level Meeting on LLDC Trade Contact: Peter Pedersen, WTO, tel: 5848, fax: 5777
July 7-8	WTO Working Group on Trade and Competition Policy Contact: Mark Koulen, tel: 5224, fax: 5790
July 15	WTO Council for TRIPs Contact: Matthijs Geuze, tel: 5418, fax: 5790
July 16	WTO General Council Contact: Paulo Barthel-Rosa, tel: 5191, fax: 5761
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July 28- 7 Aug. Bonn	7th Meeting of the Ad Hoc Working Group on the Berlin Mandate (in preparation for the Kyoto conference on Climate Change in December) Contact: Climate Change Secretariat; tel: (49-228) 815-1000; fax: 815-1999; e-mail: secretariat@unfccc.de; Internet: http://www.unfccc.de
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PUBLICATIONS

Appleton, Arthur E. (1997) "GATT Article XX's Chapeau: A Disguised "Necessary" Test? The WTO Appellate Body's Ruling in United States - Standards for Reformulated Conventional Gasoline," Review of European Community and International Environmental Law Vol. 6 No. 2

OECD. (1997) "OECD Economic Outlook No. 61" ISBN 92-64-15376-4. The publication appraises current trends and projections for the next 18 months. Available from OECD distributors.

Tarasofsky, Richard. (1997). "The Relationship Between the TRIPs Agreement and the Convention on Biological Diversity: Towards a Pragmatic Approach," Review of European Community and International Environmental Law Vol. 6 No. 2

WTO. (1997) "Trade Policy Review of Fiji." Available from WTO Publications Services (see box for address); tel: 5208; fax: 5792; e-mail: publications@wto.org

The WTO Information and Media Relations Division produces the "WTO Focus" newsletter (tel: 5111; fax: 5458) for general WTO news and the "Trade and Environment Bulletin" (tel: 5007; fax: 5019), specializing in CTE-related information.

DOCUMENTS/RESOURCES

European Communities - Regime for the Importation, Sale and Distribution of Bananas - Panel Report. Available from the WTO as document WT/DS27/R/. The EU's Appeal Notification is available as WT/DS27/9.

Report of Sixth Session of the Ad Hoc Working Group on the Berlin Mandate, entitled "Proposals for a Protocol or Other Legal Instrument". Available as document FCCC/AGBM/1997/3/Add.1 from: Climate Change Secretariat, P.O. Box 260124, D-53153 Bonn, Germany; tel: (49-228) 815-1000; fax: 815-1999; e-mail: secretariat@unfccc.de; Internet: <http://www.unfccc.de>

The International Institute for Sustainable Development (IISD) reports in detail on all UN negotiations processes initiated at the Rio Earth Summit. It has recently started to cover international trade negotiations and events as part of its Sustainable Developments series. These reports and other relevant materials are available in electronic format at <http://www.iisd.ca/linkages/>, or as hard copy from IISD, 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba, Canada, R3B 0Y4; tel: (1-204) 958-7700; fax: (1-204) 958-7710; e-mail: reception@iisdpost.iisd.ca

A new web site related to the Convention on International Trade in Endangered Species (CITES) has been set up at <http://www.wcmc.org.uk:80/>. Southern perspectives on CITES and related matters, including a "Summary of the Southern African Position with Regard to the U.S. Endangered Species Act" can be found at <http://wildnetafrica.co.za/cites/news.html>

All WTO meetings take place in Geneva. See also WTO Web site <http://www.wto.org> for changes in the meeting schedule.

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