



INTERNATIONAL CENTRE FOR  
TRADE AND SUSTAINABLE  
DEVELOPMENT

*BRIDGES*

# Weekly Trade News Digest

*September 21, 1998*

*Vol. 2, Number 36*

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### **EU, G-5 CONSULT ON BANANAS**

The EU last week met with officials from the U.S., Ecuador, Guatemala, Honduras and Mexico (G-5) in the parties' first consultations on whether the EU's pending revised banana import regime complies with WTO rules. The G-5 had wanted to launch directly into complaint mode over the EU's proposed regime, but the EU insisted that trade rules dictate a 60-day consultation period prior to a dispute settlement body being set up.

The two sides argued over the scope of a WTO review. The G-5 wants the dispute settlement panel to review both the EU quota and licensing system. The EU argued that the European Commission (EC) has so far approved only the quota system for implementation, therefore the scope of a review could only include that portion of the regime. The licensing system--details of which have yet to be settled internally by the EU, would need to be reviewed separately once adopted by the EC. The issue of scope remained unresolved at the end of last week's consultations.

The WTO ruled last year that the current EU banana import regime violates global trade rules by discriminating, against all other producers, in favour of imports from African, Caribbean and Pacific (ACP) nations, as well as from four Latin American countries (Costa Rica, Colombia, Venezuela and Nicaragua) who, in the early 90s, had agreed to enter into an agreement with the EU that resembled the ACP-EU agreement. The EU has until 1st January 1999 to implement a reformed import regime. Earlier this year the EU adopted a revised quota structure for banana imports. After reviewing the EU's proposed revised regime, the U.S. and Latin American countries called the proposed changes "primarily cosmetic," arguing that the revisions perpetuate the discriminatory nature of the existing EU import regime. The main focus of concern for the G-5 is



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over the yet-to-be-detailed plans around the EU's import licensing system, which had previously reserved a third of licences for ACP producers, who favoured European and ACP distributors over

others, such as the U.S.' Dole or Chiquita. EU ministers won't settle the details of the revised licensing system until this fall, but contend that it will comply with the WTO ruling.

Officials from ACP banana producing nations attended the WTO consultations last week as third parties. According to informed sources, ACP countries argued forcefully that the U.S. assault on the pending EU banana regime is an attack on ACP security and threatens national stability in ACP countries. Also last week, Caribbean leaders announced plans to visit the U.S. to try and dissuade the Clinton Administration from pursuing further WTO action against the EU import regime. Kenny Anthony, Prime Minister of St. Lucia, Kenny Anthony, last week said the Caribbean delegation "will take the region's banana concerns to the highest decision-making levels in the U.S. . . . It is incomprehensible that the U.S., the wealthiest nation in the world, feels it necessary to try to take away the livelihood of Caribbean nations. . . We intend to fight vigorously to ensure that the EU's legal obligations are respected, and that there will continue to be a profitable market in Europe for quality Caribbean bananas."

Prior to last week's consultations, the EC met in Brussels with the so-called "main supplying countries" (specifically, Costa Rica, Colombia, Ecuador and Panama) to discuss a possible bilateral agreement on a banana regime. Terms to be considered under such an arrangement include an understanding on what historical supply-period should be used to establish a baseline for market share (e.g. pre-1992 or post-1996). In absence of an agreement, the parties are also considering country-specific quota terms, based on unspecified 'objective criteria.' The EC Banana Management Committee was to meet separately last week to possibly discuss a draft arrangement for its licensing scheme.

Meanwhile in the Windward Islands, Agriculture Minister Peter Carbon last week launched a programme aimed at improving the quality of regional bananas. The US\$4.5 million programme financed by the EU will fund a price-stability scheme for farmers who follow certain production and packaging guidelines. The programme will also fund capital investment in new equipment, improved irrigation and drainage projects, as well as labour improvements. Bananas constitute a majority of export revenue for the Windward Islands. Officials there blame market uncertainty since the WTO ruling for a 40% drop in regional banana exports last year.

"U.S., EU consult on banana dispute, fail to resolve larger fight," *INSIDE U.S. TRADE*, September 18, 1998; "European Communities-Regime for the importation, sale and distribution of bananas," *WORLD TRADE ORGANIZATION*, September 9, 1998; "Caribbean leaders to appeal to US on bananas," *JOURNAL OF COMMERCE*, September 16, 1998; "Parties to banana dispute will hold talks, forestalling test of recourse mechanism," *INTERNATIONAL TRADE REPORTER*, September 16, 1998; "U.S., Latins give in to EU on WTO dispute settlement rules," *INSIDE US TRADE*, August 28, 1998; "EU banana regulations- update," *EUROBAN*, September 15, 1998; "EC \$12 million for recovery plan," *THE HERALD* (St. Vincent & The Grenadines).

## **WTO TBT, SPS COMMITTEES MEET**

Last week, the WTO Committee on Sanitary and Phytosanitary Measures met, as did the Committee on Technical Barriers to Trade.

**COMMITTEE ON TBTs**

During the TBT Committee Meeting, the U.S. and Canada complained against a new EU regulation requiring labels for products made from genetically modified organisms (GMOs). The U.S. and Canada--major producers of GMO products such as corn and soya beans--argued that the EU labelling scheme lacked an adequate scientific basis and would constitute a technical barrier to trade. The U.S. and Canada argued that GMO products were equivalent to those produced with conventional crops with respect to safety. The EU argued that GMO crops are not equivalent since they stem from genetically modified DNA and protein, and that that European consumers want to know if their food contain GMOs. Other major agricultural exporters including Argentina and Brazil voiced support for the U.S.-Canadian position. Switzerland and Japan expressed support for the EU law. The issue is likely to be referred to the WTO Dispute Resolution Body for review.

Two other complaints were discussed at last week's TBT Committee: Canada's about Dutch proposals to trace wood products, and an EC complaint against Brazil and Egypt concerning textiles and baby bottles. Canada contends that the Dutch government is making a unilateral interpretation about what products come from sustainable forests, and that the draft measures would discriminate against countries such as Canada that maintain primary-growth forests.

It is also worth noting that the U.S. raised the issue of document de-restriction in the TBT Committee, saying that information technology could be used to facilitate access to TBT Committee documents. India and Brazil, inter alia, urged that the matter be discussed at this week's WTO General Council meeting.

**SPS COMMITTEE**

The SPS Committee met 15-16 September. Most of the substance of its discussions took place in informal sessions during the week the Committee met. In different informal sessions, the Committee discussed adoption of guidelines regarding the appropriate level of sanitary or phytosanitary protection against risks to human, animal and plant life or health pursuant to Article 5.5 of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement); review of the implementation of the SPS Agreement; requests for observer status; and the relationship of the SPS Agreement's provisions with the trade provisions of the biosafety protocol currently being negotiated in the context of the Convention on Biological Diversity.

Significant progress was made on the review of the SPS Agreement's implementation, called for by the SPS Agreement itself to be completed by the end of 1998. The WTO secretariat will submit its draft report on the review to the next session of the SPS Committee, in November, and it is expected that the report could be adopted by the Committee's March 1999 meeting.

A number of regional organisations such as the European Free Trade Agreement (EFTA) asked to be granted observer status at the SPS Committee. Although their requests were discussed, no new organisations were admitted as observers by the September meeting.

In the formal meeting, Committee members almost exclusively discussed bilateral issues, such as measures taken to tackle BSE (mad cow disease), and a number of countries' complaints about EU modifications to its regulations on aflatoxin, the cancer-causing fungus found in a number of commodities.

"EU proposes co-ordination with U.S. on food safety," REUTERS, September 15, 1998; "US, Canada question EU rules on genetically altered product labels," JOURNAL OF COMMERCE, September 18, 1998; ICTSD Internal Files.

### **APEC MEETING CASTS DOUBT ON FAST TRACK FREE TRADE**

Officials from the Asia Pacific Economic Co-operation (APEC) forum met September 13-15 in Malaysia to discuss a regional free trade package due for consideration by APEC leaders at a November summit. APEC ministers agreed last year to fast track liberalisation of at least 9 of 15 sectors by 1999, including telecommunications, environmental goods and services, chemicals and the energy sector. Officials closed the summit amid doubts that a free trade package would be ready for November. "It involves so many economies, so many sectors, so many items, domestic sensitivities, it will be a difficult process," one trade official said.

Meetings of the trade and investment committee yielded many reservations toward a liberalisation agreement at this time. Taiwan expressed concern that opening its fishing sector would hurt the livelihood of 300,000 people working in that sector. Discussions on the energy sector revealed a division between developed and developing economies. Energy exporters in mostly developed economies want to eliminate tariffs on a broad range of items related to energy infrastructure development, including tariffs on bulldozers, shovels and buckets. "The hidden aspect of the fast-track sectors is that most of the co-ordinators are from the exporting economies. Developing economies are quite frustrated. They feel they are being pushed by the exporting countries," one official said.

Malaysia, which last month bucked international financial trends and placed strict restrictions on foreign exchange and capital movements, up-valuing the ringgit exchange rate and pegging it against all other international currencies, confirmed its commitment to APEC liberalisation. "The fact is, that [capital controls] is an action taken unilaterally by Malaysia. And it is in our agenda. . . that our commitment to APEC remains the same," a senior Malaysian official said last week.

APEC members include Australia, Brunei, Canada, Chile, China, Hong Kong, Indonesia, Japan, South Korea, Malaysia, Mexico, New Zealand, Papua New Guinea, the Philippines, Singapore, Taiwan, Thailand and the U.S.

"Malaysia committed to liberalisation in APEC: official," AGENCE FRANCE-PRESSE, September 12, 1998; "APEC officials fear delays over free-trade package," INTERNATIONAL HERALD TRIBUNE, September 16, 1998.

### **EU, S. AFRICA MEET ON FREE TRADE AGREEMENT; SADC OFFICIALS DISCUSS FREE TRADE**

EU officials were optimistic that the end was in sight as they headed into the 21st round of trade talks with South Africa last week in Brussels. The EU and South Africa have tried for four years to conclude a free trade agreement that would incorporate about 90 percent of trade between the two sides. An EU negotiator said last week that both sides already agreed on 85 percent of the text in the agreement.

The remaining 15 percent have been characterised as more "political" than technical in nature. Specifically, the EU and South Africa have remained apart on opening up EU markets to South African agricultural goods such as canned fruits and juices. Negotiators were expected to consider an option which would grant South Africa limited access to the EU market. Also at issue is a clause that would tie EU-South African trade to commitments on human rights, democracy and the rule of law. The free trade agreement is linked with reaching separate agreement on fisheries, which would allow EU vessels to ship in South African territory. Mr. Lowe said the EU is adamant that agreement on the broad free trade accord be linked to agreement on fisheries.

In other news, South African Development Community (SADC) officials met last week in Mauritius for a two-day summit, at which leaders called for a stable financial environment within the region in order to achieve sustained economic growth. SADC executive secretary Kaire Mbuende said that SADC countries must achieve annual growth of at least 8.1 percent to lift the region out of poverty. Mr. Mbuende called on SADC members to boost intra-regional trade. The SADC two years ago signed a free-trade agreement geared at eliminating trade tariffs within eight years from ratification (which has yet to happen). SADC 14 member States include Angola, Botswana, Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe.

"EU, South Africa continue trade talks," JOURNAL OF COMERCE, September 15, 1998; "Lome: South Africa edges toward EU pact," FINANCIAL TIMES, September 17, 1998; "EU hopeful of success in South Africa trade talks," REUTERS, September 14, 1998; "SADC say economic stability key to growth," REUTERS, September 13, 1998.

## **INDIA OPPOSES MILLENIUM ROUND, FARMERS CALL FOR WITHDRAWAL FROM WTO**

Last week the Indian government rejected calls for a so-called "Millennium Round" of global trade talks. The EU in June called for a "comprehensive new round of liberalising negotiations," to begin toward the end of 1999. India and most other developing nations are opposed to a new round of global trade talks, preferring to wait until the impacts of the Uruguay Round Agreements are fully assessed. Further, developing economies are eager to see developed economies such as the EU and U.S. follow through on WTO commitments to liberalise their own markets, especially with respect to textiles--an important source of export revenue for many developing economies.

Also last week, Indian farmers' groups called on the Indian government to withdraw from the WTO, saying unrestricted imports were harming India's agricultural sector. The Joint Action Forum of Indian People Against World Trade Organisation and Anti-People Policies (JAFIP), a grouping of 55 organisations, told the press last week they would not be deterred from their goal. "We would like to warn the government that Indian farmers will break all rules that might come in the way of this surrender to the WTO," one farm leader said. Farm leaders complained that since joining the WTO, domestic subsidies to the agricultural sector have been cut drastically, affecting farmers' ability to secure bank loans and credit for basic inputs including seed, fertiliser and pesticides. According to government data, growth in India's food grain output declined from an average 3.54 percent in the 1980s to an average 1.73 percent thus far in the 1990s. At the same time, agricultural exports' share of total exports has grown from 14.7 percent to 17.7 percent since India joined the WTO in 1994. "Export-oriented agricultural production has been initiated in the country, although the Indian products are meted out a step-motherly treatment in the imperialist markets and

compulsory food grain imports is a conditionality imposed under the WTO," a JAFIP statement said. JAFIP planned a mass rally in New Delhi for last week, which they anticipated at least 100,000 farmers from across India would attend.

"India rejects EU plan for fresh WTO talks on trade," AGENCE FRANCE- PRESSE, September 11, 1998; "Indian farmers attack WTO import rules," REUTERS, September 15, 1998.

## **ENVIRONMENTAL NGOS INVITED TO RESPOND TO PLANNED TRANSATLANTIC PARTNERSHIP**

The European Commission (EC) last week approved a proposal from EU External Relations Commissioner Sir Leon Brittan calling for increased U.S.-EU co-operation on a number of bilateral and multilateral trade issues. In its proposals for a "Transatlantic Economic Partnership" (TEP), the European Union's Executive Commission called, inter alia, for the U.S. and the EU to adopt closer scientific co-operation and better information-sharing. This hopefully would reduce potential for damaging trade disputes such as those over growth hormones in beef and genetically modified crops, which have dogged EU-U.S. relations recently. A Commission official said that the Commission's draft action plan would promote the idea that scientists in the food safety area should work closely together and that there should be an "early-warning dialogue to avoid many of the disputes we've been involved in." The proposal also called for increased EU-U.S. co-operation with respect to trade and environment linkage, and recommended increased EU-U.S. dialogue on the environment, labour and electronic commerce.

The TEP is a watered-down version of the New Transatlantic Marketplace that was shot down by French opposition earlier this year. Once passed by the Commission, the action plan goes to EU member governments, which must give authority for negotiations with the U.S. to begin.

The European Environmental Bureau (EEB) has contacted NGOs to inform them about the process and content of Environmental Citizen's Organisations (ECOs) involvement in the TEP and invite them to put forward questions and suggestions for responses to the TEP. The EEB aims to organise a draft EU ECO response to the TEP by the end of September. On the American side, the National Wildlife Federation (NWF) is co-ordinating US ECO input into the TEP process. John Audley has prepared a strategy paper on the opportunities for environmental advocacy created by ECO participation in the new transatlantic agenda. Interested groups should contact Eugene Malachy Clancy (EEB Global Unit, tel: (32) 2 289 1094, fax (32) 2 289 1098.

"EU proposes co-ordination with U.S. on food safety," REUTERS, September 15, 1998; "Brittan bid to revive plan for US partnership," FINANCIAL TIMES, September 15, 1998; "EU moves ahead with U.S. trade initiative," REUTERS, September 14, 1998; ICTSD Internal Files.

## **WTO GENERAL COUNCIL - TRANSPARENCY/NGO PARTICIPATION TO BE DISCUSSED IN OCTOBER**

The WTO General Council met in informal session on 18 September. A number of issues, such as the role of private sector and NGOs in the WTO, development questions, and the role of the trading system in helping to turn the current economic crisis around, were discussed. The issue of

transparency and NGO participation was not raised. WTO members are not expected to focus on this issue before the Informal General Council meeting scheduled for 12 October.

BRIDGES Weekly Trade News Digest will keep readers informed of developments in this respect.

### **WTO APPELLATE BODY - DELAYED SHRIMP-TURTLE REPORT**

On 9 September, the WTO Secretariat circulated a communication from the Chair of the Appellate Body to the Chair of the Dispute Settlement Body, to inform the DSB of the reasons for the delay in issuance of the Appellate Body report on the US appeal of the shrimp-turtle case.

The relevant paragraph of the communication reads as follows: "The United States notified the Dispute Settlement Body of its decision to appeal certain issues of law covered in the Panel Report and equal interpretations developed by the Panel on 13 July 1998, with the result that the 60-day period will expire on Monday, 14 September 1998. Due to the time required for finalisation and translation of the Report, the Appellate Body will not be able to circulate its Report by 14 September 1998. We estimate that the Appellate Body Report in this Appeal will be circulated to WTO Members by 12 October 1998."

BRIDGES Weekly Trade News Digest will keep readers informed of developments, as well as of the decision of the Appellate body.

### **IN BRIEF - UNCTAD RELEASES TRADE AND DEVELOPMENT REPORT; OIL INDUSTRY CHALLENGED.**

UNCTAD has released its 1998 Trade and Development Report, which focuses on the international financial systems. In particular, the Report offers an in-depth analysis of the causes and consequences of the current financial crisis, and a fresh approach to development prospects in Africa and the kind of policy measures and institutional reforms which might help to revitalise investment and sustain growth across the region. In the report, UNCTAD has also warned that a global economic recession is imminent and can only be averted by changes in the economic policies of leading world economies. The report questions neoliberal prescriptions for tackling the financial crisis, recommending instead that unilateral debt moratoriums be declared by countries whose currencies have come under speculative attack. The report is available on UNCTAD's website: <http://www.unctad.org/en/pub/> "UNCTAD advocates policy changes to avert global recession," PANAFRICAN NEWS AGENCY, September 16, 1998; "Finance: UNCTAD suggests debt moratoriums against speculation," IPS, September 16, 1998; ICTSD Internal Files.

Challenging oil industry leaders (who were gathered for the 75th anniversary Congress of the World Energy Council), Rainforest Action Network and Project Underground released a report last week assessing the threat of new petroleum exploration to the climate, the environment and indigenous peoples. Coinciding with the release of the new report, a global campaign was launched against new oil exploration. "End New Oil Exploration, World Energy Council Told", ENVIRONMENT NEWS SERVICE, September 15, 1998.



**EVENTS & RESOURCES****• EVENTS****WTO Meetings:**

COMMITTEE ON REGIONAL TRADE AGREEMENTS, 23-25 September. For information, contact Richard Eglin, tel: (41) 22 739 5148

SPECIAL SESSION OF THE WTO GENERAL COUNCIL, 24-25 September. For information, contact Paulo Barthel-Rosa, tel: (41) 22 739 5095

**Other Meetings:**

EUROSITE 1998 ANNUAL MEETING: WHO SHOULD MANAGE NATURE? Governmental organisations, non-governmental organisations or the private sector?, 30 September-3 October 1998, Bratislava, Slovakia. For information, contact: EUROSITE, programme and development office, Postbus 1366, 5004 BJ TILBURG, The Netherlands; tel: (31) 13 467 8638; fax: (31) 13 463 4129; email: [eurosite@kub.nl](mailto:eurosite@kub.nl)

GLOBAL CONCERNS FOR FOREST UTILISATION - SUSTAINABLE USE AND MANAGEMENT, 5-8 October 1998, Miyazaki, Japan. For information, contact: Kiyoshi Yukutake, Miyazaki University, Faculty of Agriculture & Forest Economics, 1-1 Gakuen Kibanadai Nishi, Miyazaki 889-21, Japan; tel: (81)985 582 811; fax: (81) 985 582 884; web: [www.miyazaki-u.ac.jp/FORESEA](http://www.miyazaki-u.ac.jp/FORESEA)

INTERNATIONAL BOREAL FORESTS MANAGEMENT CONFERENCE, 5-10 October 1998, Tartu, Estonia. This international conference on how to manage the world's boreal forests will deal with non-consumptive uses and indigenous peoples' uses of the forests. For information, contact: Taime Puura, Estonian Green Movement, P.O. Box 318, Tartu, EE2400, Estonia; tel: (372) 7 422 598; fax: (372) 7 422 084; email: [forest@erl.tartu.ee](mailto:forest@erl.tartu.ee); web: [www.online.ee/~roheline](http://www.online.ee/~roheline)

VERS UN DROIT DU DEVELOPPEMENT DURABLE: LES PERSPECTIVES, 7-8 October 1998, Université Laval, Québec, Canada. For more information please contact: Élise Lapalme, Institut québécois des hautes études internationales, Bureau 5468, Pavillon Charles-De Koninck, Université Laval, Québec, G1K 7P4, Canada; tel: (418) 656-2462; fax: (1) 418 656 3634; email: [Elise.Lapalme@hei.ulaval.ca](mailto:Elise.Lapalme@hei.ulaval.ca)

BEYOND GROWTH: Policies and institutions for sustainability, 14-16 October 1998, Washington, D.C. For information, contact: GEF Secretariat, 1818 H Street, NW, Washington, D.C., 20433 USA; tel: (1) 202 473 3202; fax: (1) 202 522 3240; web: [www.gefweb.org](http://www.gefweb.org)

29th SESSION OF THE FAO EUROPEAN FORESTRY COMMISSION, 19-23 October 1998, Finland. For information, contact: Secretariat, Intergovernmental Forum on Forests, Division of sustainable development, department of social and economic affairs, United Nations, 2 UN Plaza, 12th floor, New York 10017, USA; tel: (1) 212 963 6208; fax: (1) 212 963 3462; email: [hurtubia@un.org](mailto:hurtubia@un.org); web: [www.igc.org.bionet.calender.html#1998](http://www.igc.org.bionet.calender.html#1998)

INTERNATIONAL CONFERENCE ON TROPICAL FORESTS AND CLIMATE CHANGE, 19-22

October 1998, Manila, the Philippines. For information, contact: Conference Secretariat, Environmental Forestry Program, UPLB College of Forestry, 4031 College, Laguna, the Philippines; tel: (63) 49 536 2342; fax: (63) 49 536 2341; email: Rdl@mudspring.uplb.edu.ph

25TH SESSION OF THE INTERNATIONAL TROPICAL TIMBER COUNCIL, 3-9 November 1998, Yokohama, Japan. For further information, contact: International Organisations Centre, 5th Floor, Pacifico-Yokohama, 1-1-1, Minato- Mirai, Nishi-ku, Yokohama, 220 Japan; tel: (81) 45 223 1111; fax: (81) 45 223 1110; email: Itto@mail.itto-unet.ocn.ne.jp; web: www.itto.or.jp

## • RESOURCES

Corp-Focus is a moderated listserve which distributes the weekly column "Focus on the Corporation," co-authored by Russell Mokhiber, editor of Corporate Crime Reporter, and Robert Weissman, editor of Multinational Monitor magazine. To subscribe to Corp-Focus, send an email message to listproc@essential.org with the following all in one line: subscribe corp-focus 'your name.'

"Exporting Organic Products," 1997, 212 pp. This book analyses consumer trends in certified organic products within the context of larger market trends for Europe and the United States. Inter alia, it provides information about trade restrictions and legal mechanisms related to organic products and recommends marketing strategies. To order, contact: Protrade, Dept. Organic Products and Fine Foods, Deutsche Gesellschaft fur Technische Zusammenarbeit (GTZ) GmbH, Postfach 5180, D-65726 Eschborn, Germany; email: marion.buley@gtz.de

"CITES World," Official Newsletter of the Parties. The Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) now publishes a monthly newsletter. To order, contact: CITES Secretariat, 15 chemin des Anémones, 1219 Chatelaine, Geneva, Switzerland; tel: (41) 22 917 8139; fax: (41) 22 797 3417; email: cites@unep.ch

## **JOB OPPORTUNITY**

### **Research Assistant**

The International Institute for Environment and Development (IIED) is seeking to hire a Research Assistant for its Sustainable Consumption and Trade Initiative (SCTI). IIED is an independent not-for-profit organisation whose mission is to support the realisation of sustainable development through analysis, capacity building and stakeholder dialogue, particularly in poor countries and communities. For an application form, contact: Personnel Officer, IIED, 3 Endsleigh Street, London WC1H 0DD, UK; tel: (44) 171 388 2117; fax: (44) 171 388 2826; email: personnel@iied.org.

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