



INTERNATIONAL CENTRE FOR  
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## EU QUESTIONS U.S.-CANADIAN RETALIATION REQUEST IN BEEF DISPUTE

At the WTO last week the EU blocked U.S. and Canadian requests to impose retaliatory sanctions against the EU for its failure to comply with a 1998 WTO ruling against the EU ban on imports of beef treated with growth hormones. (See *BRIDGES* Weekly Trade News Digest Vol. 3, No 6, 15 February 1999.) The EU argued that the dollar values proposed for retaliation by the U.S. and Canada were excessive in relation to the actual value of damages the countries suffered as a result of lost trade. The U.S. had proposed a retaliation list of products valued at US\$202 million, and the value of Canada's proposed retaliation list was CDN\$75 million.

The EU also took issue with the U.S. and Canada's reluctance to reveal the specific list of goods that would be subject to retaliatory tariffs. The U.S. however is wary to release the list of goods since the EU argued in the WTO dispute over bananas that by publishing a preliminary list of goods on which 100% duties would be imposed, the U.S. effectively shut down trade in those goods before getting WTO approval for retaliation.

The dispute settlement panel that originally ruled on the case must now review the retaliation levels requested by the U.S. and Canada and make a ruling by mid-July.

Meanwhile, the EU and U.S. have made little progress on an EU offer to compensate the U.S. for lost trade resulting from the ban. The U.S. insists that compensation is a temporary option to be used during an interim period only, until the EU opens its market to U.S. hormone treated beef. The EU has said it cannot consider lifting the ban until risk assessments on hormone treated beef are

completed later this year or early 2000. Even after the studies are completed, it may be politically difficult for the EU to lift the ban amid consumer concern over food safety.

"EU blocks hormone retaliation at WTO with arbitration request," INSIDE US TRADE, 4 June 1999; "US won't reveal details in beef hormone dispute," 1 June 1999; "Trade war escalating in EU-U.S. beef dispute," DOW JONES, 3 June 1999; "US still open to compensation in beef row," REUTERS, 3 June 1999; "L'Europe conteste les sanctions américaines devant l'OMC," LE TEMPS, 4 June 1999.

### **BRAZIL-ARGENTINA PRESSURE EU; CONSIDER REGIONAL INTEGRATION AND MONETARY UNION**

In a bilateral meeting in Buenos Aires, the Presidents of Brazil and Argentina, Fernando Henrique Cardoso and Carlos Menem closed ranks in perspective of the Rio Summit to be held between 26-29 June that will bring together Mercosur and EU Heads of State and Government. "We certainly want a negotiation with the European Union, but a genuine- one that will not exclude talks concerning the issue of agriculture" they declared. President Cardoso insisted that Europeans could not afford to come up to Rio without any negotiating mandate that will include the end of European agricultural subsidies.

For both Presidents, the Rio meeting is a key building block in the running up to the WTO Millennium Round expected to be launched in Seattle in November. In a parallel track, Presidents Cardoso and Menem decided to push the accelerator of the Mercosur process of integration. Cardoso declared that Mercosur is more than a mere economic integration agreement, it is a political project that will ensure a good bargaining position during negotiations with the EU and the US. In this framework, they are committed to enhance co- operation on macro-economic policy co-ordination with the objective of creating a single currency for the area. According to Cardoso, this will require a "Maastricht-like" agreement in the first place, referring to the EU process that led to the creation of the Euro.

Efforts will be devoted in priority to fiscal policy co- ordination between the two countries. The idea of using regional integration to achieve fiscal equilibrium apparently took even some diplomats by surprise. Further talks for a single currency process are expected to centre on finding common ground for the management of exchange rate, interest rates policies and external debt negotiating positions.

"Moeda única para o Mercosul" O GLOBO, 7 June 1999.

### **DEVELOPING COUNTRIES WARY OVER AGRICULTURE**

A coalition of Indian farmers - the so-called Continental Caravan-99 (ICC-99), has embarked on a month-long series of demonstrations across Europe to protest against agriculture policies at the WTO headquarters in Geneva, the European Commission in Brussels and the Organisation for Economic Co-operation and Development (OECD) in Paris, and the European headquarters of multinational firms such as Novartis and Monsanto.

ICC-99 is one expression of growing discontent among developing countries toward developed countries' agricultural policies. Several developing countries have complained that they have liberalised their agricultural markets only to face domestic competition from cheap (and subsidised) agricultural imports from developed economies such as the EU. At the same time they say developed countries' markets remain relatively closed to agricultural exports from developing countries via a number of non-tariff barriers to trade such as sanitary and phytosanitary measures, country of origin labelling and others. Frustrating the situation, developing countries' attempts to modernise agriculture infrastructure have been hampered by depressed commodity prices and a subsequent decline in investment in agriculture.

Meanwhile, EU farmers last month outlined the guiding principles under which the EU should negotiate in upcoming WTO talks on agriculture. These included the need for different treatment for different farm sectors, recognition of EU food safety standards in international trade, inclusion of environmental and social standards in the next WTO agreement on agriculture, recognition of the application of environmental measures that go beyond conventional practices, and a competition policy that prevents concentration of power in the agricultural supply and service industry.

Australia in its position paper on WTO agriculture talks last month said it would seek a "major expansion of market access opportunities" for agricultural products and substantial cuts to protection levels in all aspects of agricultural production. As part of the Cairns Group of agricultural exporting nations, Australia is calling for the elimination of agricultural export subsidies in the next round of trade talks.

"Development-India: Indian farmers take the war to Europe," IPS, 24 May 1999; "Farmers set out their stall for the WTO," FARMWIDE WEEKLY LETTER FROM EUROPE, 13 May 1999; "Les paysans du Sud sont les grands perdants de l'OMC," L'AGEFI, 28 May 1999; "Australia Paper On Agricultural Market Access Negotiations," WTO (WT/GC/W/184), 20 May 1999.

## **LAT AM: AGRICULTURE PLAYS A MAJOR ROLE IN TALKS WITH EU**

On 26-29 June EU and Latin American officials will meet in Rio de Janeiro for the first-ever summit between the EU and Mercosur countries.

In preparation for the meeting, the 14-member Rio Group met last month in Mexico City where Latin American and Caribbean leaders agreed to push toward free trade with the region. The EU is currently planning to negotiate free trade agreements with the Southern Cone Common Market (Mercosur, comprising Argentina, Brazil, Paraguay and Uruguay). Regional leaders said talks should incorporate all sectors, emphasising the need to include agriculture, where the EU maintains a high level of protectionism. The Rio Group is comprised of Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela, along with rotating representatives for Central America (Guatemala at this year's summit) and the Caribbean (Guyana).

Meanwhile, at the European Council meeting in Cologne, EU leaders failed on 31 May to win approval for a mandate for negotiating a free-trade agreement with Mercosur. EU member states are divided over including the agriculture sector in the talks, a Mercosur prerequisite for negotiations. Prime Minister Aznar of Spain declared that Spain has had difficulty in convincing France to start trade talks with Mercosur.

France would like to limit external pressures for opening European agricultural markets and prefers to delay such negotiations until 2003. Spain which favours early talks has nevertheless accepted a German compromise fixing the start of negotiations with Mercosur in 2000.

In a parallel track, Mr. Peter Scher, US Special Trade Ambassador visited Brazilian Trade Minister Luiz Felipe Lampreia, in order to ensure that Mercosur will support US efforts for reducing EU subsidies and trade barriers for agricultural goods. Scher even agreed to open discussions about marked access for Brazilian agricultural goods to the US. Indeed, despite apparent goodwill, bilateral talks about increasing Brazilian exports have been largely inconclusive to date. For example, Brazilian orange juice is still facing barriers to entry into the U.S. market.

Mr. Scher declared that after his talks with Brazilian, Uruguayan and Argentinean Ministers, he has seen that Mercosur is in a position of strength concerning agricultural issues and that it will not accept such discussions to be excluded from a free trade agreement with the EU.

EU trade ministers will meet again on 21 June to try and bridge differences between member states in advance of the Rio summit at the end of this month.

"UE adia a decisão de negociar acordo com Mercosul," O GLOBO, 5 June, 1999; "EU mins fail to agree on Mercosur trade talk mandate," DOW JONES, 31 May 1999; Latin America: Leaders to push for Free Trade with EU," IPS, 31 May 1999.

## **WTO COMMITTEE ON TRADE AND DEVELOPMENT DISCUSSES STD, E-COMMERCE**

The WTO Committee on Trade and Development (CTD) met last week in an uneventful session during which Members discussed applications for observer status, review of the provisions for Special and Differential Treatment (STD) contained in the Uruguay Round Agreements, the work programme on electronic commerce, and the Integrated Framework for Trade-Related Technical Assistance.

The WTO Secretariat is preparing a paper on the review of STD provisions. This paper will focus on how Members have used the STD provisions, and difficulties that they have encountered in seeking the application of this kind of provisions. The Secretariat had sent out a questionnaire seeking information on this to Members, but said in the CTD that it had only received five replies. Thus it will base its paper mainly on what Members have said in other WTO Committees.

Also at last week's CTD, the UN Economic Commission for Europe made a long presentation on electronic commerce. Members discussed the contribution of the CTD to the work programme on e-commerce, but this is not yet very far developed. At last week's meeting there were also two presentations on the Integrated Framework for Trade-Related Technical Assistance - one by the International Trade Centre (ITC) and one by the administrative unit of the Integrated Framework, which is administered jointly by the ITC, UNCTAD, WTO, IMF, World Bank and UNDP.

ICTSD Internal Files.

**COMESA WARNS S. AFRICA ON EU TRADE AGREEMENT**

Meeting last week at a meeting on competition policy, trade and development for members of the Common Market for Eastern and Southern Africa (COMESA), COMESA officials warned it would challenge the recently-concluded free trade agreement between South Africa and the EU if the agreement is found to harm COMESA member states. The EU and S. Africa agreed earlier this year to a free-trade agreement which is to come into force in January 2000 and would encompass 90 percent of the US\$20 billion in annual bilateral trade. (See *BRIDGES Weekly Trade News Digest* Vol. 3, No. 12, 29 March 1999.)

"COMESA is . . . carefully examining the trade agreement and its compatibility to the World Trade Organisation's provisions that govern regional trade arrangements," COMESA Secretary-General Erastus Mwencha said. "Should the agreement be found incompatible with these provisions, especially in so far as it may have negative effects on the region's developing and least developed countries, COMESA member states may opt to challenge its acceptability and applicability within the WTO framework," he added.

As part of the EU-S. Africa deal, EU goods will have access to neighbouring Southern African Customs Union (SACU) markets. Critics within SACU are unhappy over the seemingly lopsided market access deal struck in the agricultural sector which would allow, critics charge, cheap, subsidised EU agricultural exports to flow onto the S. African and SACU markets - posing a serious threat small (and unsubsidised) farmers in S. Africa and SACU countries. (See *BRIDGES Weekly Trade News Digest* Vol. 3, No. 18, 10 May 1999.) The five SACU countries are South Africa, Botswana, Lesotho, Namibia and Swaziland - of which the latter three are also COMESA members.

This follows earlier salvos fired by some COMESA members - notably Kenya, threatening to adopt a common external tariff regime against non-COMESA members. This would have adverse affects on S. African exports, primarily agricultural goods. Smaller COMESA economies, however, may not be as keen as Kenya to go after S. Africa - the region's largest economy, in a combative manner. Kenya has threatened to take unilateral protective measures against S. Africa if it cannot get broad COMESA support.

"COMESA To Challenge EU, South Africa Trade Agreement," PANAFRICAN NEWS AGENCY, 2 June 1999; "Kenya leads move to force South Africa to open trade and join Comesa," AFRICA ANALYSIS, 28 May 1999; "How free trade area will help both sides," BUSINESS TIMES (S. Africa), 16 May 1999.

**FIRST MEETING OF WIPO DEVELOPMENT CO-OPERATION COMMITTEE**

The Permanent Committee on Intellectual Property Co-operation for Development at the World Intellectual Property Organisation (WIPO) last week held its first meeting in Geneva. The main focus was on assistance to developing nations with introducing and implementing intellectual property protection. Developing countries have until January 2000 to bring domestic intellectual property regimes into compliance with the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), a deadline that is posing problems for many of these countries. WIPO's deputy director general, Roberto Castello, also pointed out that poorer countries fear they may be losing income as large multinationals take their ideas and register them as their own.

The meeting was mostly informative, with the International Bureau (WIPO secretariat) providing information about what it has done, and what it is planning in the field of technical assistance to developing countries. The meeting also provided the opportunity for WIPO members to suggest future activities. One area in which the International Bureau was asked to do more was that of indigenous knowledge. Latin American countries in particular are concerned to protect traditional medicine knowledge. In developing countries, up to eighty percent of the population still use traditional medicine as their main type of treatment.

"Efforts to protect intellectual property," BBC WORLD SERVICE, 2 June 1999; "FT guide to the week: Intellectual Property," FINANCIAL TIMES, 31 May 1999; ICTSD Internal Files.

## **IN BRIEF**

The U.S. and the EU are expected to agree in principle on creating an early warning system for trade disputes during their next summit, to be held in Bonn on 21 June. Given the increasing number of trade disputes that are currently affecting trade relations between the U.S. and the EU, the aim is to ensure that each be informed as soon as possible of any relevant new legislation planned by the other. This would allow them to identify potential conflicts at an early stage and take preventive measures. While both the EU and the U.S. governments are willing to co-operate, the system may be difficult to implement especially in the U.S. where, according to European officials, Congress is reluctant to involve trading partners in the early stage of the legislative process. "Frühwarnsystem gegen Handelskonflikte," FRANKFURTER ALLGEMEINE ZEITUNG, 29 May 1999.

The European Free Trade Association (EFTA) - which includes Norway, Switzerland, Iceland and Liechtenstein, last week said it hopes to conclude talks with Canada, Cyprus and Jordan by year's end. An agreement with Canada would establish the first Trans-Atlantic free trade agreement. (See *BRIDGES Weekly Trade News Digest* Vol. 2, No. 21, 8 June 1998.) "EFTA seeks accords," FINANCIAL TIMES, 31 May 1999.

The EU and the Association of Southeast Asian Nations (ASEAN) on 26 May agreed to a new work programme covering wide-ranging economic co-operation, including trade, industry, forestry, science and technology. As part of the programme the two sides agreed to develop a regional sustainable forestry initiative. "Officials to sign new work programme," BANGKOK POST, 26 May 1999.

In response to the worst food safety crisis in Europe since the outbreak of BSE (also known as "mad cow" disease), European countries, Ghana, the U.S., Hong Kong, South Korea and other Asian countries last week announced temporary bans on imports of Belgian products including poultry, eggs, milk and pork, after reports that high levels of dioxin (a carcinogen) had been found. The crisis highlights European concern over food safety and could heighten consumer opposition to genetically modified foods in Europe. "Analysts: Belgian food scare could affect GM debate," REUTERS, 3 June 1999; "Government Bans Belgian Poultry Products," PANAFRICAN NEWS AGENCY, 3 June 1999; "EU pork and poultry: Brussels attacks US block," FINANCIAL TIMES, 5 June 1999.

Officials from 150 countries are meeting in Bonn 31 May-11 June for talks on implementing the 1997 Kyoto Protocol on climate change. *BRIDGES Weekly Trade News Digest* will report on the

talks in its next issue. "Meeting opens to mull greenhouse gas rules," KYODO NEWS INTERNATIONAL, 31 May 1999; "No major decisions expected from upcoming deliberations in Bonn," INTERNATIONAL ENVIRONMENT REPORT, 26 May 1999.

## **WTO IN BRIEF**

The European Commission last week released position papers for the upcoming WTO Ministerial and the proposed new round of trade talks. Papers were issued on services, intellectual property, trade and competition, duty-free market access for the least developed countries, government procurement, trade facilitation, and trade and the environment. These papers may be viewed via <http://www.wto.org/wto/ddf/ep/public.html>. (Series of papers issued 2 June 1999, papers numbered WT/GC/W/189 - 195.)

The WTO last week ruled that Turkey's quantitative import restrictions on textiles and apparel from India violates international trade rules. The ruling found that WTO obligations supersede other tariff arrangements such as customs unions and regional free trade agreements. "WTO rules against Turkey over QRs on Indian textiles," ECONOMIC TIMES, 2 June 1999.

Japan and South Korea last month announced they would adopt a common position for WTO talks on agriculture set to begin later this year. "Japan, S. Korea agree to keep tandem on WTO farm talks," KYODO NEWS INTERNATIONAL, 15 May 1999.

## **ON THE MOVE**

David Runnalls has been confirmed as President of the International Institute for Sustainable Development (IISD) in Canada. A well known personality in the international environmental world, he has been closely associated with Canada's IDRC and established and directed IISD's Trade Program which formulated the pioneering Winnipeg Principles on Trade and Sustainable Development.

William Rossier has been appointed the next Secretary-General of the European Free Trade Association (EFTA). Mr. Rossier was most recently Switzerland's ambassador to the WTO. "William Rossier, secrétaire général," TRIBUNE DE GENÈVE, 2 June 1999.

Economist Jeffrey Sachs is to step down 1 July as director of the Harvard Institute for International Development. Mr. Sachs will remain at Harvard to run its Centre for International Development; a research centre devoted to sustainable international development. "Sachs switch," FINANCIAL TIMES, 31 May 1999.

Bernard T. Kuiten, currently First Secretary at the Mission of the Netherlands in Geneva has been selected as the new Counsellor in the External Relations Division attending relations with non-governmental organisations. He's expected to take the post on 1 September. Former NGO liaison officers Claude Trolliet and Peter N. Pedersen have transferred to the Finance and Ministerial divisions, respectively.

**EVENTS & RESOURCES****▪ Events**

For a more complete list of events in coming months, please refer to ICTSD's web calendar at <http://www.ictsd.org/html/calendar.htm>.

**▪ WTO Meetings**

An updated list of forthcoming WTO meetings is posted at <http://www.wto.org/wto/about/meets.htm>. Please bear in mind that dates and times of WTO meetings are often changed, and that the WTO often does not announce the important informal meetings of its various bodies.

7 - 8 June: INFORMAL MEETING OF THE GENERAL COUNCIL (preparations for 3rd Ministerial Meeting). For information contact Peter Pedersen, WTO, tel (41-22) 739-5848.

10 - 11 June: WORKING GROUP ON TRADE AND COMPETITION POLICY. For information contact Hans-Peter Werner, WTO, tel (41-22) 739-5286.

11 June: COMMITTEE ON TECHNICAL BARRIERS TO TRADE. For information contact Luis Ople, WTO, tel (41-22) 739-5374.

17 June (moved forwards from 21 June): GENERAL COUNCIL SPECIAL SESSION (preparations for 3rd Ministerial Meeting). Suggested focus of the meeting: organisation and management of the work programme to be agreed on at Seattle, including structure and time-frames. For information contact Peter Pedersen, as above.

16 July (postponed from 15 June): SUB-COMMITTEE ON LEAST-DEVELOPED COUNTRIES. For information, contact Lucie Giraud, WTO, tel (41-22) 739-5075.

**▪ Other Events**

10 June, Amherst, Massachusetts: SYMPOSIUM ON PUBLIC HEALTH IMPLICATIONS OF GENETIC ENGINEERING: APPLYING THE PRECAUTIONARY PRINCIPLE. At this symposium, members of the public and experts from public health, ecological, and agricultural disciplines will discuss how the precautionary principle should apply to genetic engineering technologies and organisms that have public health implications. For information contact Lisa Foersom, tel: (1-804) 828-1760, email: [s2llfoer@atlas.vcu.edu](mailto:s2llfoer@atlas.vcu.edu)

12 June, Geneva: UNCTAD ANNUAL CONSULTATION WITH TRADE UNIONS. Items on the agenda include preparations for the 3rd WTO Ministerial, preparations for UNCTAD X to be held in February 2000, and UNCTAD's role in corporate social responsibility. For information contact Alisa Clarke, UNCTAD, tel: (41-22) 917-1234, email: [alisa.clarke@unctad.org](mailto:alisa.clarke@unctad.org)

28 June - 2 July, Geneva: INTERNATIONAL ECONOMIC LAW DISPUTE SETTLEMENT AND INTERNATIONAL ORGANISATIONS SUMMER COURSE. Organised by the Academy of International Economic Law and Dispute Settlement and Geneva University's Law Faculty. Contact



Ernst-Ulrich Petersmann, Academy of International Economic Law, tel: (41-22) 705-8542, fax: 705-8543.

28 June - 3 July, Rome: CODEX ALIMENTARIUS COMMISSION, 23rd Session. This meeting will consider, inter alia, the principle of risk analysis, and consumers' involvement in the work of the Codex Alimentarius Commission. For information contact the Joint FAO/WHO Food Standards Programme, Food and Agriculture Organisation of the United Nations, Viale delle Terme di Caracalla 00100 Rome, Italy, tel: (39-06) 57051, fax: 5705-4593, email: CODEX@FAO.Org, web: <http://www.fao.org/WAICENT/FAOINFO/ECONOMIC/ESN/codex/>

12 - 13 July, Geneva: EXPERT WORKSHOP ON TRADE, SUSTAINABLE DEVELOPMENT AND GENDER. This workshop takes place in the context of preparations for UNCTAD X. States are asked to nominate experts who will participate in the Workshop in their personal capacities. Other experts may be selected from the academic world, the public and private sectors, and NGOs. For information contact Departmental Focal Point on Women, UNCTAD, tel: (41-22) 917-5690, fax: 917-0122, email: gloria-veronica.koch@unctad.org

26 July - 13 August, Nairobi: TRAINING EAST AFRICAN LAWYERS IN INTELLECTUAL PROPERTY RIGHTS AND BIODIVERSITY. Organised by the Global Biological Diversity Institute (GBDI) and Nairobi Research Organisation (ICIPE). Contact: Robert Lettington, CGIAR/FoE, email: r.lettington@cgiar.org

#### ▪ RESOURCES

DEVELOPMENT POLICIES IN NATURAL RESOURCE ECONOMIES, Mayer, Chambers & Farooq (eds), Edward Elgar & UNCTAD, May 1999. At the initiative of UNCTAD, economists including Samuel K. Appiah (Ghana), L.T. Chitsike (Zimbabwe), Ligia Noronha (India) and Rabbi Poobal Ryan (Malaysia) have pooled their knowledge to address the issue of what role the exploitation of natural resources plays in stimulating or retarding economic growth in developing countries. To order, contact Marston Book Services Ltd, PO Box 269, Abingdon OX14 4YN, UK, tel: (44-1235) 465-500, fax 465-555, email: direct.order@marston.co.uk, web: [www.marston.co.uk](http://www.marston.co.uk)

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WTO MINISTERIAL PLANNING FORUM. This is a private, threaded discussion forum open to groups and individuals working on preparations for the Third WTO Ministerial. To register, go to IATP's Trade Resource Centre at <http://www.iatp.org/trade/> or contact [tnaumann@iatp.org](mailto:tnaumann@iatp.org)

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