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AFRICA-CBI TRADE BILL PASSES SENATE; CAROUSEL PROVISIONS IGNITE EU-US TENSIONS

The US Senate on 11 May passed trade and development legislation aimed at expanding US trade and investment with more than 70 countries in sub-Saharan Africa, the Caribbean and Central America. (For details of the bill, see *BRIDGES* Weekly News Digest Vol. 4, No. 18, 9 May 2000, <http://www.ictsd.org/html/weekly/story4.09-05-00.htm>). The US House of Representatives approved the bill on 4 May, and US President Bill Clinton is expected to sign the bill this week

The legislation, known informally as the Africa-CBI bill, is the first major trade legislation to pass the US Congress since 1995. US lawmakers last week hailed the legislation, as one Senator put it, as "a reaffirmation of America's historic leadership role in international trade."

Dissenting voices in the US Congress noted the deficiencies within the Africa-CBI bill, notably Senator Russ Feingold (Wisconsin), who warned that "unless we get serious about reducing Africa's debt burden and fighting the region's devastating HIV/AIDS crisis, any effort to stimulate trade and investment is simply an act of political theatre." (See related story in this issue.)

African Trade Ministers from Gabon, Ghana, Kenya, Lesotho, Mali, Nigeria, Tanzania and Uganda issued a joint statement welcoming the bill's passage. "[The] act would lead to significant expansion of trade and investment in Sub-Saharan Africa. It will create a trade and investment policy framework that will benefit African countries and the United States. It will move Africa from a donor and recipient relationship and buyer and seller relationship with the US toward a meaningful partnership in socio-economic development," the ministers stated.

Central American textile manufacturers also praised the bill's passage, noting that the bill -- which extends the same preferential market access enjoyed by Mexico under the North American Free Trade Agreement (NAFTA) to Central American and Caribbean countries -- would have important economic and social benefits. "We are very pleased because the measure will permit strong growth in the region", said Jesús Canahuati, president of the Honduran Maquiladora Association. "We are finally on an even playing field with Mexico and now, yes, we can compete", Mr. Canahuati said.

More controversial provisions in the bill relating to trade retaliation measures have ignited sparks between the EU and US. The bill contains provisions directing the US Trade Representative to adopt a so-called 'carousel' approach to trade retaliation against countries that have failed to comply with a WTO ruling. Under a carousel approach, the US would periodically change targeted products on trade retaliation lists in order to maximise the impact on the offending trade partner.

The provision is targeted at the EU for its delay in implementing WTO rulings against its banana import regime and its ban on imports of US hormone treated beef. Since 1999, the US has targeted US\$308 million in trade sanctions against the EU in the banana and beef cases. The carousel provision is designed, according to the provision's language, to "effectuate substantial changes that will maximise the likelihood of compliance by the losing member."

The EU is reportedly considering bringing a WTO complaint against the pending US law. EU Trade Commissioner Pascal Lamy last week criticised the bill as a step backwards in attempts to negotiate a settlement around the disputes. "We reckon this would be a very bad way of going about things", Mr. Lamy said. "One of our main objectives in our negotiations with the Americans is to move from megaphone diplomacy to telephone diplomacy and we certainly can't afford to take steps backwards", Mr Lamy added.

EU officials noted that the carousel provisions would violate WTO rules mandating that trade sanctions be approved multilaterally and that they be equivalent to the trade benefits denied the injured country.

However, there is no provision in WTO rules for rotating retaliation lists. A WTO arbitration panel last year ruled that the US could pick any products from a provisional list whose total value did not exceed the damages amount approved by the panel. Based on stated US intentions at the time of the panel's ruling that it would not pursue a carousel retaliation, the panel made no ruling on the legitimacy of such an approach, noting that it would "assume that the US -- in good faith and based

upon this unilateral promise -- will not implement the suspension of concessions in a 'carousel' manner."

"Africa trade bill clears Congress," ASSOCIATED PRESS, 11 May 2000; "Enormous US market to open its doors," IPS, 5 May 2000; "Eight African trade ministers praise passage of African Growth and Opportunity Act," TRADE COMPASS, 8 May 2000; "EU may challenge US on sanctions," FINANCIAL TIMES, 13 May 2000" "Carousel retaliation kicks in 30 days after Africa- CBI enacted," INSIDE US TRADE, 12 May 2000.

WTO REPORT REVIEWS TURBULENT YEAR; LAMY STILL HOPEFUL ON 2000 ROUND

The WTO on 15 May released its annual report (titled "Annual Report 2000" and available at <http://www.wto.org/wto/download/download.htm>) outlining WTO activities, world trade and trade policy developments for 1999.

The introduction to the report notes that 1999 was "a turbulent year" for the WTO, "which found itself at the centre of a wave of resentment against many aspects of the global economy, for which the Seattle ministerial became a focus."

"The events at Seattle attracted much media comment, and some sweeping pronouncements were made in the heat of the moment about the value and the future of the WTO", the report noted. "The more catastrophic interpretations of Seattle have already been debunked. The WTO is not lost; and it is not discredited. On the contrary, it is the more extreme critics who are becoming discredited as the WTO system itself shows its resilience and as the membership demonstrates its collective will to move constructively forward. Despite the setback of Seattle, the multilateral trading system is continuing and will continue to deliver a vital contribution to the economic growth and stable economic relations among its members at all levels of development", according to the report.

The report noted that Seattle served as a "wake-up call to reaffirm the core values and mission of the WTO, to ensure it does a better job of carrying them out, and to relate better to the people it serves."

"The WTO has been portrayed by critics as the powerhouse of globalisation, seen as a malign force or even as a conspiracy," the report said. "Globalisation is not a program or an agenda," it added. "But the widespread public confusion and apprehension about it call for a positive agenda from governments and international institutions if they are to forestall a populist and protectionist backlash. This is where the WTO has its real relevance to globalisation; not as its sinister architect but as a forum for negotiating rules to help guide it."

Regarding a new round of trade talks, the report stated that while many Members "remain positive about the launch of a new Round, and about the prospects of launching it in 2000...it is important to recognise that many of the issues that prevented agreement in Seattle are still unresolved, and we are not yet seeing the signs of flexibility in national positions that would justify predicting an early launch with confidence."

EU Trade Commissioner Pascal Lamy on 11 May said the EU believed a new round of global trade talks could still be launched this year. Mr. Lamy noted that a new round was needed more than ever, as "there is no other option for obtaining more balanced and advanced liberalisation," and said he would continue to meet with both developed and developing countries this summer toward building consensus on a new round.

Lamy noted that two aspects of WTO reform have made little progress. First, financial assistance to facilitate developing countries' participation in the WTO (e.g. legal fees, consulting costs, etc.) has flagged, with funding issues remaining unresolved. Second, the process of improving WTO (internal and external) transparency has lost some momentum. Mr. Lamy pointed out that certain aspects of transparency reform, most notably distribution of WTO documents to outside parties, are "encountering considerable reluctance" from developing countries, where such measures are sometimes seen as undermining national sovereignty.

Regarding the Quad market access initiative for Least-Developed Countries (LDCs) announced at the end of March, Mr. Lamy stated that the EU must try to extend the offer beyond its current coverage of "preferential access for essentially all products originating in LDCs" (i.e. allowing developed countries to exclude concessions to LDCs in sensitive areas such as textiles and agricultural commodities) (see *BRIDGES Weekly Trade News Digest* - Vol. 4, Number 14, 11 April 2000, <http://www.ictsd.org/html/weekly/story1.11-04-00.htm>). Following consultations with Members of the European Parliament and non-governmental groups, Lamy said that "we must try to reach 100 percent and cast our net further [by including new countries in the list of beneficiaries of a generalised system of preference with the EU]".

"The Annual Report of the World Trade Organisation," WTO, May 2000; "Annual report dismisses critics; says trade body retains important role," WTO REPORTER, 15 May 2000; "Press conference by European Trade Commissioner Pascal Lamy," EU PRESS RELEASE (Ref: 4ENL77), 12 May 2000; "Pascal Lamy reviews European action - progress in the WTO," AGENCE EUROPE, 11 May 2000.

EU-CHINA WTO ACCESSION TALKS CONTINUE THIS WEEK

EU Trade Commissioner Pascal Lamy is scheduled to hold WTO accession talks with China from 15-20 May in Beijing. The visit is expected to yield a bilateral agreement toward China's membership in the WTO. The last round of high-level EU-China talks broke down in March after China refused to give in to EU demands for majority (51 percent) foreign ownership of Chinese telecoms and insurance firms and EU demands for greater market access in the financial and automotive sectors. EU demands in these areas exceed concessions given by China to the US in their November 1999 negotiated trade accord.

Mr. Lamy said last week that telecoms market access remains an important negotiating issue for this week's talks. Mr. Lamy noted the EU has a clear competitive advantage in this sector and wants to gain a strong foothold in China to consolidate its market leader position. He stopped short of saying that the EU would remain insistent on the issue of majority ownership in Chinese telecoms (and other) firms, reflecting the general consensus that majority foreign ownership is a highly sensitive political issue in China and demands in this area would likely not be successful.

Mr. Lamy on 8 May said in response to reporters' questions that the EU was not, as part of its WTO accession talks with China, pressing China on human rights issues in relation to trade. He noted that the UN and other fora were the appropriate venues through which to address human rights issues, but that the WTO was not designed to deal with human rights concerns. "We do not have the sort of world government that would say: we'll tie together trade and human rights...This does not exist at the moment", said Lamy.

The EU-China talks come a week before the US Congress is scheduled to vote on granting Permanent Normal Trade Relations (PNTR) with China on 22 May. US President Bill Clinton spent the week of 8 May building support amongst business, farm and other groups toward passage of PNTR. A grouping of US environmental groups on 11 May meanwhile joined US labour and human rights groups in opposition to PNTR.

"The deal does not encourage environmentally sustainable development in China or improve the transparency of the US trade policy making process, and therefore fails to live up to the promises made last year to 'put a human face on trade'", the grouping said in a statement. Friends of the Earth and the Sierra Club are amongst the nine organisations that issued the statement.

Sierra Club President Carl Pope noted that non-passage of PNTR need not be viewed as a rejection of all trade ties with China. "Instead, the United States would simply retain the right to review a vital commercial relationship on an annual basis to ensure that environmental protection and labour and human rights are not left behind in the rush to increase trade," Mr. Pope said.

Taiwan trade officials last week said a tentative plan had been reached under which China and Taiwan would be simultaneously admitted to the WTO. Pending outcomes of negotiations toward China's accession, China and Taiwan would likely be admitted to the WTO in September, with the two accessions acted on simultaneously by WTO Members, but the accession votes will be separated by a 30-minute coffee break. The agreement apparently resolves an awkward accession situation between Taiwan and China. Taiwan has concluded all its bilateral accession talks and is now technically eligible for WTO membership, but China has been adamant that it should be admitted to the WTO before Taiwan, which it considers still belongs to China.

In other accession news, the West African island country Cape Verde has filed an application to join the WTO. Cape Verde, one of the world's least developed countries, currently holds observer status in the WTO. Its main exports include salt and volcanic rock, fish and fish products and tropical fruit.

"Human rights not an issue in China-EU WTO talks," REUTERS, 9 May 2000; "Dernier round des negociations Chine-Europe?" LE TEMPS, 12 May 2000; "US greens align against China trade deal," IPS, 12 May 2000; "Taiwan, mainland China to join WTO in September," CNA (Taiwan), 5 May 2000, "Cape Verde applying to join WTO- officials," REUTERS, 28 April 2000.

ECUADOR SET TO REQUEST BANANA RETALIATION AGAINST EU; OTHER DISPUTES DEVELOP

The WTO Dispute Settlement Body is expected to meet on 18 May, where Members will discuss, *inter alia*, a request by Ecuador to impose retaliatory trade sanctions against the EU for the EU's failure to comply with a 1997 WTO ruling against its banana import regime.

A WTO dispute arbitrator on 17 March ruled that Ecuador, the world's largest banana exporter, could request over US\$200 million in cross-sector retaliatory sanctions against the EU for the EU's failure to comply with the 1997 ruling (see *BRIDGES Weekly Trade News Digest* Vol. 4, No. 11, 21 March 2000, <http://www.ictsd.org/html/weekly/story2.21-03-00.htm>).

Ecuador and EU officials met on 5 May to try again to negotiate a settlement to the dispute. Ecuadorian foreign minister Heinz Moeller Frelle told EU Trade Commissioner Pascal Lamy that Ecuador would rather not implement sanctions. Instead, Ecuador proposed that the EU purchase 323,000 tonnes annually in increased banana shipments from Ecuador, provide funding for agricultural infrastructure projects, and increase debt forgiveness. The 5 May meeting failed to produce a settlement, prompting Ecuador to request WTO retaliation.

Mr. Lamy said the US was the main obstacle to a settlement in the banana dispute. Lamy said on 5 May that the US continues to argue for an open banana import regime that would favour US fruit marketers Chiquita Brands International and Dole Food Company. "That's what I call keeping your cake and eating it", Mr. Lamy said. "It's absolutely stupid", he added.

In other news, Brazil said it would appeal a 9 May WTO Dispute Settlement Panel ruling that found Brazil had not complied with a 1999 WTO ruling against its aircraft export subsidies regime. The WTO ruled last year that both Canada and Brazil had violated WTO rules by providing subsidies supporting their rival airline manufacturers, Brazil's Embraer and Canada's Bombardier.

Two separate WTO panels ruled on 9 May as to whether the countries had complied with the 1999 WTO ruling. One panel found that Canada had not gone far enough in its compliance efforts to bring interest-rate subsidies in line with WTO rules, and outlined changes the country must take to make its otherwise WTO-acceptable regime compliant. The second panel found that even though Brazil had reduced interest rate subsidies under its export finance program (known as ProEx), the new rate was still not in line with market rates, and further, that Brazil failed to reduce subsidies on 900 undelivered jets. Brazilian officials said they would appeal the ruling.

Following the WTO Panel ruling on 9 May, Canada requested WTO approval to impose up to US\$500 million in trade sanctions annually for seven years in retaliation for losses suffered by Bombardier as a result of Brazilian subsidies to Embraer. If approved, sanctions would be the largest retaliation package pursued at the WTO to date. Observers note that the sanctions would cover virtually all of Brazil's exports to Canada over the next seven years, based on current export levels.

Brazil's undersecretary for economic integration Jose Alfredo Graca Lima said the Canadian retaliation threat is "prejudicing other sectors that have nothing to do with the problem and do not in the slightest help the sector involved," he said. Industry observers note that the WTO decision could

seriously threaten the existence of Brazil's high-technology industry. Brazil's Foreign Minister Luiz Felipe Lampreia warned that a prolonged trade dispute with Canada would harm bilateral relations and could threaten the Free Trade Area of the Americas, a hemisphere-wide free trade area expected to launch in 2005. Brazil and Canada have both expressed willingness to reach a negotiated settlement in the dispute.

"EU offers to step up aid to solve banana row with Ecuador," BLOOMBERG NEWS, 5 May 2000; "Ecuador to request go-ahead for EU trade sanctions," WTO REPORTER, 5 May 2000; "Brazil to ask WTO arbitration body to reconsider Embraer ruling," AFX EUROPE, 12 May 2000; "WTO finalises Brazil, Canada aircraft ruling; appeal expected," BRIDGE NEWS, 10 May 2000; "Brazil ready to resume talks with Canada in aircraft dispute," WTO REPORTER, 15 May 2000.

NEWS FROM THE REGIONS: AFRICA

Uganda on 28 April pledged to strengthen economic ties with Kenya and to put off plans to boost trade with South Africa. Kenya, Tanzania and Uganda are aligned under the East African Community (EAC), but tensions between Kenya and Uganda have grown over alleged corruption and delays experienced by shippers using the Kenyan port of Mombasa for shipments destined for Uganda. Uganda -- which is a landlocked country -- had recommended to shippers to import cargo through South African ports. "We are united by a common history and the [EAC] and wish to strengthen ties between our governments. We will, therefore, reconsider our stand of doing business with South Africa", said Uganda's trade minister of state Kakembo Nsangi Mary. Observers note that proper management and efficiency has been restored at the Mombasa port since a new management team was appointed there.

Also in East Africa, fisheries ministers from Tanzania, Kenya and Uganda met with their EU counterparts earlier this month towards resolving trade issues. Shem Migot Adholla, the Permanent Secretary in the Kenyan ministry of agriculture, said stringent hygiene measures imposed by the EU and other importers has hurt the East African fishing sector. Mr. Adholla called on the EU to lift a 1998 ban on regional fish exports as soon as possible to help save the regional fishing industry from collapse. Delegates from the three East African countries said that although they had met EU hygiene requirements, the EU ban remains in place.

The EU banned fish from the East African Great Lakes region in 1998 citing unacceptably high levels of pesticide residue and heavy metals such as mercury, lead, and copper. The EU lifted the ban for Tanzanian exports in December 1999, but said the East African governments have not yet harmonised their institutions to monitor and guarantee the quality of fish products from the region, and has kept the ban in place for Kenya and Uganda. Kenya accused the EU of not responding to repeated attempts to prove that Kenyan fish is safe for human consumption and meet international standards.

A UN report issued as part of preparations for Copenhagen+5 World Summit for Social Development -- the 26-30 Special Session of the UN General Assembly reviewing the achievements made since the Copenhagen Social Summit of 1995 -- notes that GDP growth rates in the 48 least developed countries (LDCs), most of which are in sub-Saharan Africa, have continued to drop since 1995 despite increased foreign investment. Average GDP growth for LDCs is

estimated at 3.7 percent for 1998, down one percent since 1997 and the third drop in GDP growth rate since the peak of 4.6 percent in 1995. The report attributes the decline in African and LDC growth rates to depressed commodity prices, erratic weather conditions, armed conflict, the HIV/AIDS problem and a fall in world output resulting from the Asian financial crisis. The report, titled "Acceleration of development in Africa and the least developed countries," along with a range of other preparatory documents for Copenhagen+5, can be found at <http://www.un.org/esa/socdev/geneva2000/>

"Acceleration of development in Africa and the least developed countries," UN SECRETARIAT (A/AC.253/22); "Kenya, Uganda resolve trade dispute," AGENCE FRANCE-PRESSE, 29 April 2000; "Stringent conditions constrains Great Lakes fish exports," PANA, 3 May 2000.

DRUG FIRMS TO DROP PRICES OF HIV/AIDS MEDICINES FOR POOR COUNTRIES

As US lawmakers debated the final text of the Africa-CBI bill (see first story, this issue), a number of legislators expressed outrage and regret that an amendment which would have prevented the US from challenging African countries' use of compulsory licensing and parallel importation of HIV/AIDS drug treatments as alternatives to higher-priced US pharmaceuticals was dropped from the bill passed by the US Congress.

The amendment -- sponsored by Senators Diane Feinstein (California) and Russ Feingold (Wisconsin) -- was dropped from the bill amid strong opposition from the US pharmaceuticals industry. Senator Feinstein had threatened to block an 11 May Senate vote on the bill in protest. To head off a filibuster, US President Bill Clinton on 10 May issued an Executive Order intended to address the goals of the Feinstein-Feingold amendment, stating that the US government would not challenge efforts by African countries to gain access to cheaper, generic drugs to cope with the AIDS epidemic devastating the continent.

Specifically, the Executive Order directs the US Government to "refrain from seeking, through negotiation or otherwise, the revocation or revision of any law or policy imposed by a beneficiary sub-Saharan government that promotes access to HIV/AIDS pharmaceuticals and medical technologies...and that provides adequate and effective intellectual property protection consistent with the [WTO Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs)]," according to the Executive Order.

Meanwhile, five major pharmaceutical companies on 11 May announced they would work to reduce the price of HIV/AIDS treatments in developing countries. Boehringer Ingelheim, Bristol-Myers Squibb, Roche, Glaxo-Wellcome and Merck agreed to slash HIV/AIDS drug costs by as much as 70 to 80 percent under an agreement negotiated by UNAIDS. UNAIDS is negotiating separately with each of the five companies toward achieving reduced price levels, as US antitrust laws prevent the companies from reaching a collective agreement on setting prices.

The agreement was welcomed as a step in the right direction by many observers, albeit a very small one. Gro Harlem Brundtland, director-general of the World Health Organisation, said the agreement signalled increased awareness by drug firms of their role in supporting access to essential medicines. "There's increased awareness that it's not just a question of securing patent rights around

the world for the most expensive drugs," Ms. Brundtland said. "The reality of poverty and the affordability of medical technology has led companies to think about their policies and postures."

Médecins Sans Frontières (MSF), the international non-governmental organisation, noted that the announcement marked "a victory, but a small one, much like an elephant giving birth to a mouse", according to Dr Bernard Pecoul, director of MSF's Access to Medicines Campaign. MSF noted however that the agreement does nothing to "stimulate countries' rights to produce or import inexpensive high-quality generic drugs, a key component to long-term, sustainable solutions for improving access to essential medicines," according to an MSF statement.

Others noted that even if prices were dropped by 70-80 percent, most of the 80 million people in the developing world affected with HIV/AIDS could not afford them. In Africa for example, many countries have a per capita health budget of US\$10 or less, so even if prices were slashed to US\$2 per day the costs would still be out of reach. It is likely that the World Bank and developed countries would have to fund most of the purchases of the reduced-cost drugs to make the agreement meaningful, observers note.

In related news, MSF on 11 May urged 15 francophone African countries not to sign a revised regional trade agreement that could inhibit the countries' access to HIV/AIDS drugs and other essential medicines. According to a joint report issued by MSF, UNAIDS and the World Health Organisation, the revised regional intellectual property regime known as Bangui 99 is more restrictive than necessary under WTO rules, in that it imposes stricter conditions on the use of compulsory licenses and prohibits parallel imports from countries outside the bloc of 15 Francophone countries.

MSF called on the francophone countries to revise the existing Bangui 99 agreement to ensure that the interests of public health are preserved. MSF also called for the agreement to be revised to allow the 10 least developed countries (LDCs) in the francophone bloc to take advantage of the provision under WTO rules that allows the LDCs until 2006 to revise its relevant intellectual property laws. Under Bangui 99, LDCs would be required to immediately implement WTO-consistent intellectual property laws.

"Text Of Executive Order on HIV/AIDS in Africa," WHITE HOUSE PRESS RELEASE, 10 May 2000; "Text of a letter from the President to Senator Diane Feinstein," WHITE HOUSE PRESS RELEASE, 10 May 2000; "New West African patent agreement: countries urged to consider potential negative impacts before ratifying," MSF PRESS RELEASE, 11 May 2000; "DJ group asks African nations not to sign drug patents pact," ASSOCIATED PRESS, 5 May 2000; "Drug companies plan cheaper HIV medicines," FINANCIAL TIMES, 12 May 2000; "5 companies offer to cut prices on AIDS drugs," INTERNATIONAL HERALD TRIBUNE, 12 May 2000.

IN BRIEF

The EU on 11 May agreed to allow an additional 3,500 tonnes of Indian textile products into the EU market this year. Indian textile exporters expressed dissatisfaction with the EU announcement, noting that under a 1994 India-EU agreement India was supposed to get up to 8,000 tonnes of additional quota annually as an incentive for it to fulfil WTO tariff obligations as soon as possible.

India maintains that it has already fulfilled its obligations under the 1994 agreement, but the EU maintains that India has only partially lived up to its obligations under the accord. "EU quota fails to enthruse garment, textiles exporters," *ECONOMIC TIMES* (India), 14 May 2000; "EU allows India to increase textile exports," *REUTERS*, 11 May 2000.

United Parcel Service (UPS), the international package delivery firm, has filed a US\$161 million suit against the Canadian government for failing to properly regulate Canada's postal service (Canada Post). UPS accuses Canada Post of using revenue from its regular letter delivery service to subsidise its courier services. UPS brought the case under provisions of the North American Free Trade Agreement on competition (Chapter 15) and investor-state (Chapter 11) provisions. "UPS Slaps Canada With NAFTA Suit," *DM NEWS*, 8 May 2000.

WTO IN BRIEF

WTO Members earlier this month agreed to new guidelines on antidumping investigations under the WTO Antidumping Agreement. Members of the antidumping practices committee agreed that as a general rule, dumping investigations should normally cover 12 months and in all circumstances not less than six months. The committee also agreed that the period of data for injury investigations should normally cover three years. The guidelines were devised to help clarify the WTO Antidumping Agreement, which makes reference to a "period of investigation" but establishes no specific guidelines for determining an appropriate period of investigation. "WTO approves new guidelines for Members on antidumping investigation requirements," *WTO REPORTER*, 10 May 2000.

The WTO Dispute Settlement Body will convene on 25 May to consider the appointment of an individual to fill the remaining vacant post at the Appellate Body. India's former chief trade negotiator Arumugamangalam Venkatachalam Ganesan and Egyptian law professor Georges Abi-Saab currently hold two of the three seats of the WTO tribunal. Former candidates for the post have included nominees from Japan, Indonesia, Thailand, Bulgaria, and Israel. The newcomer will replace the vacancy left by Christopher Beeby, who passed away in March 2000. The Appellate Body reviews dispute settlement cases and is charged with upholding, modifying, or reversing the legal findings and conclusions of WTO dispute settlement panels. *ICTSD Internal Files*.

ON THE MOVE

At a 9 May meeting of the WTO Committee on Subsidies and Countervailing Measures (SCM), Members elected Mr. Hyung-Jin Kim (Korea) to sit on the Committee's 5-person Permanent Group of Experts. According to Article 24.3 of the Agreement on Subsidies and Countervailing Measures, the Committee must replace one of the experts every year. Mr. Kim takes over for Mr. Robert Martin, whose mandate expired this spring. The Group of Experts is composed of individuals "highly qualified in the fields of subsidies and trade relations," who may be called upon to provide an advisory opinion on the existence and nature of any subsidy, or to assist a panel. Following last week's General Council session, the Committee also has a new Chair and Vice-Chair. Mrs. Usha Dwarka-Canabady (Mauritius) has assumed the Chair's position, while Mr. Hiromi Yano (Japan) takes over as Vice-Chair.

In related developments, the SCM Committee on 9 May agreed to establish a Working Party on subsidy notifications, following what the Chair termed a "poor state of compliance". The new Working Party will convene its first meeting in October 2000 in an effort to improve Members' compliance with required subsidy notification procedures.

ICTSD Internal Files.

CORRIGENDUM ON CITES

BRIDGES Weekly Trade News Digest ran stories in Vol. 4, No. 15 (18 April 2000) and Vol. 4, No. 16 (26 April 2000) reporting on decisions taken at the 11th Conference of the Parties (COP-11) to the UN Convention on International Trade in Endangered Species (CITES).

In our reporting on proposals made by Botswana, Namibia, Zimbabwe and South Africa regarding trade in ivory products, we stated that "South Africa, Botswana, Zimbabwe, and Namibia had originally requested CITES to downlist the countries' African Elephant populations from CITES Appendix I to Appendix II, and to allow limited trade of ivory stocks." In fact, only South Africa requested CITES to move its elephant population from Appendix I to Appendix II. This request was approved. Botswana's, Zimbabwe's, and Namibia's elephant populations were downlisted Appendix II in 1997. However, COP-11 set a zero quota for all four countries' international ivory trade until the next meeting of the Conference of Parties (COP-12).

The story also indicated that "The compromise agreement resulted in Kenya and India withdrawing resolutions intended to keep the African Elephant populations of South Africa, et al., on Appendix I." To

clarify, Kenya and India had submitted proposals to transfer the African Elephant populations of Botswana, Zimbabwe, and Namibia back to Appendix I from Appendix II; and to keep South Africa's African Elephant population listed on Appendix I.

Our reporting on ivory-related decisions stated that "Delegates also agreed to establish an alternative elephant monitoring system, after reaching a general consensus that the current system is ineffective." Rather, delegates agreed to keep but strengthen the current elephant monitoring system.

In our coverage on a proposal by Cuba for limited controlled trade in hawksbill turtle shell stocks, we reported that "the EU, US, Canada and Kenya were among those opposed" to the proposal. To clarify, Portugal --on behalf of the EU Member States -- indicated its sympathy to the proposal but said the EU would abstain due to unresolved customs-control related matters; Canada stated that it could not support the proposal, but did not state its opposition to it either.

Finally, CITES COP-12 will take place in the second half of the year 2002 in Chile, not in 2003 as reported.

We apologise for the errors.

EVENTS & RESOURCES

- **Coming Up This Week:**

For more information on these events please visit ICTSD's online calendar at: <http://www.ictsd.org/html/calendar.htm>

15-19 May, Sydney, Australia: EXPERT CONSULTATION ON ILLEGAL, UNREPORTED, AND UNREGULATED FISHING. Organised by the Government of Australia in co-operation with the FAO. For information contact: Kevin Bray, tel: (61-2) 6272-4477; fax: 6272-4215; email: Kevin.Bray@affa.gov.au; web: <http://www.affa.gov.au/ecoiuuf/>

15-26 May, Nairobi, Kenya: FIFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY (COP-5). For information visit: <http://www.biodiv.org/cop5/>

18 May, Geneva: WTO DISPUTE SETTLEMENT BODY. Items on the agenda include: (a) Status Report by the EC on implementation of the banana decision; (b) recourse to Article 22.7 of the Dispute Settlement Understanding (on suspension of concessions) by Ecuador on the banana dispute; (c) request for a panel by Colombia against Nicaragua's sovereignty tax imposed on goods and services from Colombia and Honduras; and (d) proposed nomination for the indicative list of dispute settlement panellists. For information contact: Nuch Nazeer, WTO Information and Media Relations Division, tel: (41-22) 739-5393; email: nuch.nazeer@wto.org

21-24 May, Anchorage, Alaska, USA: INTERNATIONAL CONFERENCE ON ENVIRONMENTAL MANAGEMENT INFORMATION SYSTEMS. This conference is being sponsored by the Information Resources Management Association (IRAMA) to help companies take environmental issues into account in strategic decisions and operations. Topics to be covered include: eco-controlling/eco-balances and environmental accountability. For information contact: Mehdi Khosrowpour, email: mehdi@irma-international.org; web: <http://www.irma-international.org/call2000.htm>

22-24 May, Paris, France: 5TH INTERNATIONAL MEETING OF FRANCOPHONE PROFESSIONALS IN IMPACT ASSESSMENT. This meeting is sponsored by the Francophone Secretariat of the International Association for Impact Assessment (IAIA) and the Ministère de l'Aménagement du Territoire et de l'Environnement of France. The main theme will be: Strategic Environmental Assessments (SEA). For information contact: Francophone Secretariat of IAIA, 380, Saint-Antoine West Street, suite 3200, Montreal (Quebec) H2Y 3X7, Canada, tel: (1-514) 288-2663; fax: 987-1567; email: iaia@secretariatfranco.org

22-26 May, New York: MILLENNIUM FORUM. This UN forum will assemble innovative ideas and proposals of NGOs and civil society from all levels. For information contact: The Millennium Forum Executive Committee, 866 United Nations Plaza, Suite 120, New York, New York 10017-1822; tel: (1-212) 803-2522; fax: 803-2561; email: mngof@bic.org; web: www.millenniumforum.org

- **WTO Events:**

An updated list of forthcoming World Trade Organisation meetings is posted at <http://www.wto.org/wto/about/meets.doc>. Please bear in mind that dates and times of WTO meetings are often changed, and that the WTO does not always announce the important informal meetings of different WTO bodies. Unless otherwise indicated, all WTO meetings are held at the WTO, Centre William Rappard, Rue de Lausanne 154, 1211 Geneva, Switzerland.

22 May, Geneva: WTO DISPUTE SETTLEMENT BODY. This special session will be held to discuss both Canada's and Brazil's recourse to Article 21.5 of the Dispute Settlement Understanding (on request for a review panel regarding implementation of panel recommendations) with respect to their dispute over aircraft subsidies. For information contact: Nuch Nazeer, WTO Information and Media Relations Division, tel: (41-22) 739-5393.

22 May, Geneva: WTO WORKING PARTY ON GATS RULES. For information contact: Nuch Nazeer, WTO Information and Media Relations Division, tel: (41-22) 739-5393.

- **Other Events**

22-26 May, Dresden, Germany: CONSULTATIVE GROUP ON INTERNATIONAL AGRICULTURAL RESEARCH (CGIAR) MID-TERM MEETING 2000 (MTM2000). The meeting is being hosted by the German Federal Ministry of Economic Cooperation and Development. This year's MTM will be held in conjunction with the Global Forum on Agricultural Research (GFAR2000). The theme of MTM2000 is "Charting the CGIAR's Future - A New Vision for 2010". For information contact: CGIAR Secretariat, The World Bank, 1818 H Street, N.W., Washington, DC 20433, USA; tel: (1-202) 473-8951; fax: 473-8110; email: cigar@cgnet.com; web: <http://www.isnar.org/>

25-26 May, 1996 Classroom Block, University of Victoria, Victoria, BC, Canada: WORKSHOP ON SEAFOOD SUSTAINABILITY IN A CHANGING CLIMATE IN THE NORTHEAST PACIFIC OCEAN AND COASTAL ZONES. A participatory workshop to develop solutions and recommendations for research and policy to sustain the fisheries during anticipated climate change. Attendees will include researchers, policy-makers and those directly involved in the various facets of the fisheries and aquaculture business. Speakers will include the Hon. John Fraser of the Pacific Fisheries Resource Conservation Council and Dr. John Davis, Assistant Deputy Minister, Canadian Department of Fisheries & Oceans (DFO). For further information contact the University of Victoria, tel: (1-250) 472-4291; web: <http://www.cics.uvic.ca/workshop>

31 May - 1 June, Ottawa, Canada: THE TRADE KNOWLEDGE NETWORK: TRADE AND SUSTAINABLE DEVELOPMENT FROM A SOUTHERN PERSPECTIVE. This conference is hosted by the International Institute for Sustainable Development (IISD) and the Centre for Trade Policy and Law (CTPL), with the support of the International Development Research Centre (IDRC). This conference seeks to help build capacity at the national level in partner countries for stronger voices in fora such as the WTO on issues of trade and sustainable development. It also seeks to identify those areas where improved environmental protection may offer economic benefits from increased exports as well as environmental and developmental benefits. Finally, it seeks to bring developing country experience of trade and sustainable development linkages to a Northern

audience that too often perceives those linkages through the filters of untested assumptions. Registration for the event is \$CDN75.00, which includes two luncheons and full conference materials. For information contact: Christine Carlin, CTPL, tel: (1-613) 520-6696; fax: 520-3981; email: ccarlin@ccs.carleton.ca; or Aaron Cosbey, IISD, email: acosbey@iisd.ca

4-6 June, Windsor, Canada: OAS GENERAL ASSEMBLY. The 30th regular session of the Organization of American States (OAS) General Assembly will be a meeting of the hemisphere's democracies before the April 2001 Summit of the Americas in Quebec City, Canada. The foreign ministers will focus on human security challenges. For information contact: OAS, 17 Street and Constitution Ave. NW Washington 20006 USA; tel: (1-202) 485-3000; web: <http://www.oas.org>

19-21 June, Malmo, Sweden: ECOEFFICIENCY 2000 -- TOWARDS SUSTAINABLE ECONOMIC GROWTH. Sponsored by Sweden's central public authority for industrial policy issues, NUTEK and the Federation of Swedish Industries, EcoEfficiency 2000 will present strategies for attaining sustainable economic growth on the society level, the company level and the product level. It will also explore how profit can be increased and environmental impact can be reduced by application of the EcoEfficiency concept to infrastructure, corporate strategy, product development, and use of materials and energy. For information contact: Anette Blomstrand, MD, Conference & Congress Planning or Petra Kvist, Assistant, Conference & Congress Planning, BokningsBolaget Torstenssonsgatan 3 114 56 Stockholm, Sweden; tel: (46-8) 660- 8595; fax: 663 -1745; email: congress@bokningsbolaget.se; web: <http://www.nutek.se/information/ecoefficiency2000/index.html>

28-30 June, Rome, Italy: TECHNICAL CONSULTATION ON THE SUITABILITY OF THE CITES CRITERIA FOR LISTING COMMERCIALY-EXPLOITED AQUATIC SPECIES. This meeting is hosted by the UN Food and Agriculture Organisation (FAO). Government representatives will meet to elect the chairman, adopt the agenda, review the suitability of the CITES criteria for listing commercially-exploited aquatic species, formulate a recommendation to the 24th Session of the Committee on Fisheries (COFI), and adopt the report. For information contact: Mr. K. Cochrane, FIRM, FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy, tel: (39) 0657-0515; fax: 06570-5315; web: <http://www.fao.org/INSIDE/faohqe.htm>

28-30 June, Geneva, Switzerland: EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION (47TH SESSION). For more information contact: A. W. Randell, UN Food and Agriculture Organization (FAO), Viale delle Terme di Caracalla, 00100 Rome, Italy, tel: (39) 065-7051; fax: 065-705-3152; web: <http://www.fao.org/>

10-14 July, Oregon State University in Corvallis and Newport, Oregon, USA: INTERNATIONAL CONFERENCE ON FISHERY MANAGEMENT AND SEAFOOD TRADE. The conference will cover a variety of topics from the health effects of consuming seafood and their marketing implications, to ecolabelling, HACCP, fisheries management policies across the world and cultural perspectives on resource use. Industry members from fishing, processing, retailing, and other sectors of the seafood industries are welcomed and encouraged to join other fishing and seafood experts from all over the world. For information see the conference website at: <http://www.orst.edu/Dept/IIFET/2000/>

- **Resources**

WTO ANNUAL REPORT 2000. The 2000 WTO Annual Report was released last week. The cost for a paper copy from the WTO bookstore is SFR50.00, English ISBN 92 870 1214 8. For the first time the complete Report is also available for free from the WTO website as a downloadable file in pdf format in English, French and Spanish versions. To obtain visit: <http://www.wto.org/wto/download/download.htm>

ASSESSING THE ENVIRONMENTAL EFFECTS OF TRADE LIBERALISATION AGREEMENTS: METHODOLOGIES. May 2000. By the Organisation for Economic Cooperation and Development (OECD). This book contains the proceedings of a workshop convened by the OECD in October 1999 to examine past practice and new tools for assessing the environmental effects of trade agreements, and to contribute towards the development of methodological approaches that can be used for future assessments. To purchase this and other OECD publications, visit the OECD Online Bookshop at: <http://www.oecd.org/bookshop> or send an email to sales@oecd.org

BEYOND TRADE: BROADENING THE GLOBALISATION GOVERNANCE AGENDA. Written by Pierre Marc Johnson and Karel Mayrand, this document examines the multiple facets of globalisation and identifies the ensuing tensions between the trade and non-trade agendas. The paper concludes that North-South divides are not only trade related, but are also linked to demographic pressures, natural resources depletion, access to technology and financial vulnerabilities. It also briefly examines the divisions that led to failure in Seattle, with special attention to the need to resolve the trade and environment agendas and co-ordination issues under the WTO. For information contact: Pierre Marc Johnson, Heenan Blaikie, 1250 Boul. René Lévesque Ouest, Suite 2500, Montréal (Québec), H3B 4Y1, Canada; email: pjohnson@heenan.ca; web : <http://www.library.utoronto.ca/g7/scholar/johnson2000/index.html>

WILLIAM L. BROWN AWARD FOR EXCELLENCE IN GENETIC RESOURCE CONSERVATION AND USE. The Genetic Resources Communications Systems Inc. (GRCS) is taking nominations for this international award for an individual in recognition of contributions made in the field of genetic resources conservation and use. The award carries a cash prize of \$US10 000.00, and is presented annually to a person or organisation whose work advances the effort to conserve genetic diversity. The deadline for nominations is 1 June 2000. For information contact: William Stiles, Executive Director GRCS, Inc./DIVERSITY, 4905 Del Ray Avenue, Suite 401 Bethesda, MD 20814 USA; tel: (1-301) 907-9350; fax: 907-9328; email: info@diversitymag.org; web: <http://www.diversitymag.org>

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