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NAFTA PANEL RULES ON AUTHORITY TO ACCEPT AMICUS BRIEFS

The North American environmental community is celebrating following a 16 January preliminary ruling by a NAFTA tribunal on the Methanex-US case (see *BRIDGES* Weekly 12 Sep 00, <http://www.ictsd.org/html/weekly/story2.12-09-00.htm>). The tribunal, set up on 7 September to arbitrate the controversial NAFTA Chapter 11 (investment) case, has ruled that it possesses authority to accept third party amicus curiae ("friends of the court") briefs in this particular case. The favourable ruling sends a strong signal to non-governmental organisations (NGOs), including the International Institute for Sustainable Development (IISD), a Canada-based NGO, that the tribunal is willing to hear the non-party arguments in the dispute.

At issue is a ban in the State of California of a gasoline additive called MTBE, a suspected carcinogen, manufactured by Canadian based Methanex Corporation. In response to the ban, Methanex, which has sizeable MTBE sales in California, took the US government to the NAFTA tribunal, claiming that under NAFTA Chapter 11 the ban constituted an "expropriation of its business interests." Methanex is seeking US\$970 million in compensation for sales it expects to lose resulting from the ban. The ban is scheduled to take effect as of 2002.

Given the public-interest nature of this particular case, the IISD submitted to the tribunal in Fall 2000 what it believed were arguments that would otherwise go unheard in the arbitration hearing if left closed to public participation. The panel informed the NGO that it would consult with the NAFTA parties as to whether it had the authority to accept amicus briefs from non-parties. The IISD argued that previous NAFTA Chapter 11 hearings have not taken into account the goals of environmental protection and sustainable development as they are expressed in the preamble of NAFTA. In its argumentation, the IISD noted that in a recent Chapter 11 case involving Metalclad and the Mexican government, the tribunal ruled in favour of the economic objectives of NAFTA, while leaving aside the environmental protection and sustainable development objectives of the agreement.

According to a statement, the IISD believes that while the economic objectives of NAFTA are important considerations, the Methanex case provides an excellent opportunity for the panel to consider equally NAFTA's preambular environmental and sustainable development provisions. A more detailed account of the IISD's argument and the tribunal's preliminary ruling can both be obtained from the IISD website at: http://www.iisd.org/trade/investment_regime.htm.

"NAFTA Investor-State Disputes Highlight Conflicts Between Public Interest and Company Profits," *BRIDGES BETWEEN TRADE AND SUSTAINABLE DEVELOPMENT*, September 2000; "NAFTA Arbitration Panel Makes Precedent Setting Ruling In Favour of Canadian NGO," IISD PRESS RELEASE, 19 January 2001. ICTSD Internal Files.

EU AND US DEVELOPING NEW GMO FOOD LEGISLATION

FDA rules on premarket notice and labelling for GM foods

The US Food and Drug Administration (FDA) last week released its proposed rule on premarket notice and draft guidance on labelling of bioengineered foods (see *BRIDGES Weekly*, 16 Jan 01, <http://www.ictsd.org/html/weekly/story4.16-01-01.htm>). Despite receiving a flood of comments supporting mandatory labelling of GMOs, the FDA opted for voluntary rather than mandatory guidelines for labelling of genetically modified organisms (GMOs). The US move, which follows the recently completed conciliation process between the European Parliament and Council regarding amendments to Directive 90/220/EEC, will do little to mend the transatlantic rift between the EU and US regarding the EU's de facto moratorium on the approval of new GMOs.

The FDA's proposed rule on "Premarket Notice Concerning Bioengineered Foods" would require GM food producers to notify the FDA at least 120 days prior to the commercial distribution of plant-derived bioengineered foods intended for human or animal consumption. The notification would need to be accompanied by information on, *inter alia*, the method of development; any newly inserted antibiotic resistance marker gene (ARMG); and the substances introduced into or modified in the food, including safety considerations associated with them. Information submitted to the FDA and its response would be posted in the agency's electronic reading room (<http://www.fda.gov/foi/electrr.htm>) unless deemed confidential. The FDA has also issued a draft guidance document to assist manufacturers who wish to voluntarily label their foods (human and animal) as being made with or without bioengineering or the use of bioengineered ingredients in order to ensure that labelling is truthful and not misleading.

The proposed rules have come under heavy criticism from consumer and environmental groups who claim that the provisions fail to adequately protect human health and the environment. In particular, many have expressed their anger that the FDA did not accommodate the widespread public demand for GM food labelling. Others have criticised the FDA rule for not requiring any mandatory testing of GM foods, but rather placing the burden of proof largely on those companies that wish to market their products as "GM free".

EU revision of Directive 90/220/EEC

Efforts to reform regulations related to GM foods are also underway within the EU, in particular with regard to the EU "Council Directive on the deliberate release into the environment of genetically modified organisms" (90/220/EEC). In December 2000, the European Parliament and Council concluded a conciliation procedure on GMOs that had been initiated after the Council refused to accept the Parliament's 29 amendments to the Directive in April. This agreement will now be submitted to the plenary for ratification in February. It is unclear, however, whether the new directive will end the de facto moratorium that currently exists in the EU on the approval of new GMOs.

Amongst other provisions, the revised Directive calls for the phasing out of antibiotic resistance marker genes for GMOs placed on the market by 31 December 2004 and for experimental GMOs possibly by 31 December 2008. The EU action is seen to be a precautionary approach to ARMGs, since no clear evidence regarding their health impacts currently exists. The FDA, in contrast, does not provide for the phase-out of ARMGs, but only proposes that newly inserted ARMGs are specified. According to the FDA draft guidelines on the use of ARMGs released in 1998, "the presence in food of proteins encoded by antibiotic resistance genes is not of great concern", nor does the potential transfer of antibiotic resistance to cells lining the gastrointestinal tract "raise a safety concern". It remains to be seen if the US will challenge any EU provisions that mandate the phase-out of ARMGs.

EU working paper on traceability and labelling

The European Commission has recently issued a working document on traceability and labelling of GMOs and products derived from GMOs. The document reiterates the Council's Common Position on amending Directive 90/220/EEC, and proposes that Member States should take measures to ensure traceability at all stages of the placing on the market of GMOs. These provisions would also apply to imports, in that products containing and/or consisting of GMOs cannot be imported into the Community if they do not comply. Regarding labelling, the Position requires that GMOs placed on the market or in products must specify that they contain GMOs, either on the label or in an accompanying document. The Commission's document then outlines various options regarding traceability and labelling, and invites Member States to provide their views and experience.

To view the proposed FDA rules on bioengineered foods visit: <http://www.accessdata.fda.gov/scripts/oc/ohrms/dailylst.cfm?yr=2001&mn=1&dy=18>. The FDA draft guidance on ARMGs is available at: <http://vm.cfsan.fda.gov/~dms/opa-armg.html>. The European Commission Document on traceability and labelling is available at: http://europa.eu.int/comm/food/fs/biotech/biotech01_en.pdf.

"Biotech Foods Rule Fails to Protect American Public," ENVIRONMENT NEWS SERVICE, 18 January 2001; "EU close to agreement on new genetic crop law," REUTERS 13 December 2000; "GMO conciliation nears end," NEWS REPORT EUROPARL, 13 December 2000; ICTSD Internal Files.

NEWS FROM THE REGIONS: AFRICA

21st Franco-African Summit Convenes in Cameroon on Globalisation

Heads of States of two-dozen nations met French president Jacques Chirac at the 21st Franco-African summit held in Yaoundé, Cameroon from 17-19 January. The theme for the summit was "Africa and Globalisation". While speeches focused on the official theme, attempts to quell tensions on the African continent provided the substance for the meeting in its final day. In his opening address to the summit, Cameroonian president Paul Biya said, a "controlled" globalisation can offer several opportunities to Africa. He emphasised that Africa does not have the choice since all arguments support globalisation, and asked African nations to change in order to embrace the concept. He also asked African states to protect the environment where it is threatened, and to step up regional and sub-regional integration.

In his speech to the leaders, the French president expressed hope for Africa and praised its economic results attained in an often-unfavourable environment. Chirac stressed that in many ways, Africa was already a part of globalisation through the export of its raw materials and the various privatisation programmes underway on the continent, but he noted "Africa's presence is too fragmented" for it to draw any advantage from globalisation and benefit from the consequence of trade expansion. He noted that "Africa's contribution in world trade is barely 1 percent. It receives just 2.1 percent of world investment flows and is also absent from the globalisation of financial markets." Chirac also focused on "the reinforcement of economic integration," adding that Africa should assert itself at major trade negotiations.

ILO and EAC sign agreement on labour

The International Labour Organisation (ILO) and the East African community (EAC) on 18 January signed a memorandum of understanding aimed at developing and strengthening co-operation on social and labour issues. EAC members are Kenya, Tanzania and Uganda. Ali Ibrahim, the ILO director for East Africa, noted at the signing the growing unemployment in the EAC, adding that, "the ILO is prepared to put its wide expertise to diffuse this looming social time bomb." The ILO Director also called for urgent measures to review labour laws in the region, which he described as outdated and inconsistent with global realities. Ibrahim stressed that economic integration of African states is necessary for the future wellbeing of their populations in the new millennium.

Francis Muthaura, EAC Secretary General, signed the memorandum on behalf of the regional body. Observers have targeted many labour practices in East Africa as outmoded, made worse by the crumbling of traditional methods of workers' protection and the reappearance, especially in large urban centres, of modern forms of near slavery, which violate the provisions of international conventions on forced labour (Convention No. 29 on Forced Labour (1930) and Convention No. 105 on the Abolition of Forced Labour (1957)).

For more information visit: <http://www.africa.com/stories/printable/200101180399.html> and <http://www.ilo.org/public/english/region/afpro/addisababa/papers/2000/aer/ch.3.htm>.

"Final day of African summit could see debt relief," CNN.COM, 19 January 2001; "Chirac hopeful on Africa," PANAFRICAN NEWS AGENCY, 18 January 2001; "Congo to dominate summit," FINANCIAL TIMES, 17 January 2001; "ILO and EAC sign agreement on labour matters," INTERNEWS, 18 January 2001; "East African multidisciplinary advisory team (EAMAT), overview of employment problems and prospects," AFRICAN EMPLOYMENT REPORTS, 1995-2000.

NEWS FROM THE REGIONS: JAPAN-SINGAPORE; MIDDLE EAST; FTAA

Japan embarks on FTA talks with Singapore

Japanese Finance Minister Kiichi Miyazawa, together with visiting Deputy Prime Minister Lee Hsien Loong of Singapore, confirmed in Tokyo on 15 January they would push forward with the proposed free trade agreement (FTA) between their two countries. The pact will concentrate on the liberalisation of trade in goods and services, investments and the movement of people between the two countries. It leaves out in particular agriculture and fisheries, which are politically sensitive issues in Japan. Japanese farmers and fishermen, who form the lobby of the ruling Liberal Democratic Party, are strongly opposed to liberalisation. Similar arrangements between Japan and other members of the Association of Southeast Asian Nations (ASEAN) -- as suggested by Lee -- are also likely to encounter major obstacles in these areas. The arrangement with Singapore would present a first-timer for Japan, which is the only major industrialised country not to have any FTAs with its trading partners. The two countries entered into a first round of informal preparatory talks with a meeting from Tuesday to Thursday last week in Singapore. "Japan, Singapore To Go Forward With Free Trade Pact," DOW JONES, 16 January 2001.

Egypt and Iraq sign FTA.

Iraqi Vice President Taha Yassin Ramadan and Egyptian Prime Minister Atef Ebeid on 18 January signed a free trade agreement (FTA) in Cairo. The agreement is expected to boost Egyptian exports after Baghdad decided to lift all customs duties on Egyptian goods entering Iraq. Egypt, the top supplier of sanctions-hit Baghdad under the UN oil-for-food programme, is expected to export goods to Iraq worth \$US2 billion this year.

According to Egyptian government newspapers, the agreement is part of wider moves toward removing tariffs in the Arab world. Placed in the same context are the initiative to create a trilateral free trade zone between Egypt, Iraq and Libya, and plans to set up a region-wide free trade zone for the Arab world by 2007.

In related news, Tareq Aziz, Iraq's Deputy Prime Minister, was quoted as having announced on 21 January that his country would soon sign an FTA with Syria similar to that signed with Egypt. The two countries also want to reopen an oil pipeline between them, disused since 1982.

"Egypt, Iraq Signs Free Trade Agreement," ISLAMIC REPUBLIC NEWS AGENCY (IRNA), 22 January 2001; "Iraqi VP arrives in Egypt to sign free trade accord," ASP, 16 January 2001; "Iraq to sign free trade agreement with Syria," REUTERS, 21 January 2001.

Draft FTAA text completed

US Trade Representative (USTR) Charlene Barshefsky announced on 17 January that the nine Free Trade Area of the Americas (FTAA) negotiating groups have completed an initial draft FTAA text. According to Barshefsky, this would realistically mean that talks could be concluded in 2003, two years ahead of schedule. The USTR has also released summaries of US negotiating positions in the FTAA talks (see: http://www.insidetrade.com/secure/htmldata/2001_0295_4.htm). The draft text will be presented to trade ministers meeting in Buenos Aires on 6-7 April and will be the basis for further negotiations.

The nine FTAA negotiating groups cover market access; agriculture; services; investment; intellectual property; government procurement; subsidies; antidumping and countervailing measures; competition policy and dispute settlement.

In related news, Caribbean leaders on 26 January asked Canadian Prime Minister Jean Chretien to help ensure that small countries in the Americas will not be at a disadvantage when the FTAA is created in 2-4 years. Presidents and Prime Ministers of the Caribbean Community are concerned that the region's economies could be damaged if their integration into the new trading arrangement is not properly managed.

The Canadian leader is seeking full Caribbean participation in a hemispheric summit scheduled for Quebec City on 20-22 April, where the FTAA will be a major topic of discussion.

"USTR Announces Draft FTAA Text, Releases Summaries of U.S. Positions," BUREAU OF NATIONAL AFFAIRS, Inc., 18 January 2001; "Caribbean seeks trade assurance," FINANCIAL TIMES, 18 January 2001; ICTSD Internal Files.

TRAVEL FUNDING ANNOUNCED FOR EC-NGO TRADE MEETINGS

Following requests by a number of non-governmental organisations (NGOs), the European Commission has proposed to launch a pilot scheme whereby the travel expenses (not including accommodation) of up to 40 civil society representatives will be paid to enable them to attend the EC's Issue Group meetings to be held between February and November 2001.

The periodic Issue Group meetings -- which have existed since 1998 -- have become one of the avenues for NGOs to influence the position of the EU vis-à-vis the WTO. They are a series of consultations in Brussels between public interest groups and the EC -- which negotiates trade agreements at the WTO on behalf of the EU -- including the Directorate-Generals for Trade, Agriculture, Environment, Health and Consumer protection and Development. More than 40 meetings have been held over that last three years with EC officials on a range of trade-related policy issues such as investment, agriculture, environment, development, health, labour, intellectual property, consumer interests, services, and sustainability impact assessment.

The 40 places eligible for travel funding will be spread across NGOs (representing development, environment, and social concerns) and representatives from trade unions, business associations and the farm lobby. Nominees for funding need to be submitted to the EC at least 10 working days before the start of the issue group meetings. The EC will formally decide on the nominees.

The dates for the forthcoming Issue Group meetings on Investment, Competition, WTO reform and Trade-Related Aspects of Intellectual Property Rights (TRIPs) are: 26 February - 2 March 2001; 23-27 April; 25-28 June; 24-27 September; 26-29 November; and 28-31 January 2002.

Should your NGO have an interest in participating in this dialogue with the EC and specifically works on any of the four issue-areas mentioned above, or should you have questions on the selection of NGO representatives, please get in touch with the following persons: for development NGOs contact: Bob Van Dillen, CIDSE, email: vandillen@cidse.org; for environment NGOs contact: Mikel Insausti, WWF, email: Minsausti@wwfepo.org; for social NGOs contact: Simon Wilson, European Social Platform, email: simon.wilson@brutele.be; for health NGOs contact: Genon Jensen, EPHA, email: genon@epha.org; for consumer NGOs contact: Dominique Forest, BEUC, email: dominique.forest@beuc.org; for animal welfare NGOs contact: Chris Fischer, Eurogroup for Animal Welfare, email: cfisher@cfasc.u-net.com.

If your NGO does not intend to participate in the dialogue with the Commission yet you wish to submit written inputs to the European Commission on WTO-related matters, please contact Haitze Siemers, European Commission, email: haitze.siemers@cec.eu.int.

ICTSD Internal Files.

NEW ROUND UPDATE: TO BE OR NOT TO BE

Leaders from the 21-member Asia-Pacific Economic Cooperation (APEC) forum have set this year as a target for starting a new round of global trade talks under the WTO (see *BRIDGES Weekly*, 28 Nov 00, <http://www.ictsd.org/html/weekly/story3.28-11-00.htm>). However, this goal might prove somewhat difficult to achieve since WTO Members largely diverge on the prospects of launching a new round as well as on the scope a new rounds should take. Whilst officials from the "ASEAN plus 3" want an agenda set up before calling for a new round, India and various other developing countries want to see their implementation issues addressed before entering global trade talks (see *BRIDGES Weekly*, Oct 00, <http://www.ictsd.org/html/weekly/story3.24-10-00.htm>).

ASEAN plus 3

The ten-member Association of Southeast Asian Nations (ASEAN) and its three dialogue partners China, Japan, and South Korea met in Kuala Lumpur on 15 January to discuss the agenda for a new round of global trade talks.

The necessity of establishing a specific agenda before calling for a new WTO round has particularly been stressed by Malaysia's International Trade and Industry Minister Rafidah Aziz. According to her, the differences between major trading countries and between developed and developing countries are still too wide and there are sharp differences over whether to include issues such as

antidumping measures, trade and environment, unilateral action, and social issues. These issues, including competition policy and electronic commerce, were also discussed at the meeting.

Masakazu Toyoda, head of the Multilateral Trade System Department in Japan's Ministry of Economy, Trade and Industry, said Japan would like to know the concerns of developing countries regarding the WTO and to explain Japan's position on the organization.

ASEAN's members are Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam.

India

India's Commerce and Industry Minister Murasoli Maran told WTO Director-General Mike Moore on 9 January that implementation and agenda issues should be resolved before any new trade round is launched. Concerning the efforts of the WTO so far to resolve implementation issues, Maran expressed his disappointment and said it would be unfair to impose new burdens without implementing the existing commitments. Maran also told Moore that India wants non-trade issues such as labour, environment, investment, and competition policy kept out of the multilateral trade agenda.

India renewed this position in its call on the group of 15 (now 17) developing countries (G-15) to strive for "greater solidarity" among themselves to effectively face the challenges of the WTO and the global trading system. On the same occasion, Indian Minister of State for External Affairs, Mr. Ajit Kumar Panja, stressed that trade liberalisation should involve improvement of market access for goods and services of developing countries.

In related news, on 16 January British International Development Secretary Claire Short offered to nearly triple her government's development assistance to India to \$US500 million if India made progress on poverty reduction through globalisation. Both Short and Moore solicit India's support for a new round of WTO negotiations.

For her part, outgoing US Trade Representative Charlotte Barshefsky on 18 January said she saw some chance a new round of world trade talks could be launched by the end of the year.

"UK offers India aid carrot on WTO," IPS DAILY JOURNAL, 18 January 2001; "ASEAN plus 3' officials meet to discuss WTO agenda," KYODO NEWS INTERNATIONAL, Inc., 15 January 2001; "Barshefsky says WTO round could be launched in 2001," REUTERS, 18 January 2001; "Indian Minister Urges Resolution Of WTO Implementation Issues," WTO REPORTER, 17 January 2001; "Greater G-15 solidarity needed to face WTO challenges: Omar," BUSINESS LINE, 16 January 2001.

IN BRIEF

BANGKOK CONFERENCE TACKLES SUSTAINABILITY AND GLOBALISATION. At a conference 21-24 January in Bangkok, Thailand, entitled "Sustainability at the Millennium: Globalisation, Competitiveness and the Public Trust," more than 300 policy makers, academics and

industrial leaders from around the world are gathering to debate the relationship between economic development and environmental protection. At the opening of the conference -- organised by the Greening of Industry Network and sponsored by the Asian Development Bank -- officials, including Thailand's deputy premier Supachai Panitchpakdi, welcomed the decision to hold it in Asia for the first time. "This is where there will be tension between the environment and economic growth," said Supachai, who takes over as WTO Director-General in September 2002. "Globalisation has driven the world to greater integration, but we also have to recognize that not all countries have benefited from this," he said. Supachai said the only way to reconcile environmental concerns and economic growth would be to make environmental issues more of a priority and develop clean new technologies. "In Asia, we fell far behind in making the right kind of investments in upgrading our ecological status. We have the framework, but not the enforcement," he said. Dutch environment minister Jan Pronk spoke about the threat of climate change and urged wealthy countries to take the "first and biggest" step in reforming industry to be more mindful of the environment. He also said cooperation between nations would be imperative to progress in protecting the planet. "Depletion of the ozone layer pays no regard to national frontiers," he said. For more information on the conference, including papers and abstracts, visit: <http://www.eric.chula.ac.th/GIN-Asia/annual2001.html>. "Development and environment under the microscope at Bangkok forum," AFP, 22 January 2001.

US TO CONDUCT ENVIRONMENTAL REVIEW FOR AG AND SERVICES. The Office of the US Trade Representative (USTR) announced last week that it would initiate environmental reviews of the negotiations on agriculture and services currently underway in the WTO to "help trade negotiators craft an agreement that is both good for trade and good for the environment", outgoing USTR Charlene Barshefsky said. The review will be conducted by the Office of the USTR with input from various agencies with relevant expertise, including the US Departments of Agriculture, Commerce and Interior, and the US Environmental Protection Agency and the International Trade Commission. The Trade Policy Staff Committee has now requested written comments from the public concerning the scope of the review and the best time to conduct the analysis (<http://www.ustr.gov/releases/2001/01/fedreg.html>). Environmental reviews of trade agreements were institutionalised by Executive Order 12131, issued in 1999, as a policy tool to evaluate the positive and negative impacts of trade agreements. They will be based on guidelines released by the USTR and Council on Environmental Quality late last year (see *BRIDGES Weekly*, 19 Dec 00, <http://www.ictsd.org/html/weekly/story5.19-12-00.htm>). Review are also being conducted for the US-Jordan Free Trade Agreement (FTA) (see *BRIDGES Weekly*, 31 Oct 00, <http://www.ictsd.org/html/weekly/story3.31-10-00.htm>), the Free Trade Area of the Americas, and the US' proposed FTAs with Chile and Singapore. "U.S. Plans Review of Environmental Impact of WTO Agricultural, Services Negotiations," WTO REPORTER, 19 January 2001.

IPCC RELEASES LATEST REPORT ON CLIMATE CHANGE. The earth's atmosphere is warming faster than expected, the UN said on 22 January. According to the latest report of the Intergovernmental Panel on Climate Change (IPCC) -- adopted at the Eighth Session of Working Group I (WG I) of the IPCC in Shanghai (17-21 January) by over 150 delegates from 99 governments -- average global surface temperature is projected to increase by 1.4 to 5.8°C over the period 1990 to 2100, higher than the 1995 estimate of 1 to 3.5°C. Sea levels are expected to rise between nine and 88 cm, potentially forcing millions of people from low-lying areas. At the same time, "there is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities", the IPCC stated in its draft summary for policy makers (available at <http://www.ipcc.ch>). Global warming is predicted to result in reduced agricultural

productivity in the tropics and sub-tropics; increases in heat stress mortality and diseases; and negative impacts on water resources. The IPCC WG I report, which runs to more than 1,000 pages and was written by 123 lead authors from around the world with contributions from 516 experts, is one of the most comprehensive reports produced on global warming. The final IPCC report will include a report on the impacts of climate change, to be finalised in mid-February, and another report on response strategies, expected in early March. "UN sees faster global warming, humanity responsible," REUTERS, 22 January 2001; "Evidence of Rapid Global Warming Accepted by 99 Nations," ENVIRONMENT NEWS SERVICE, 22 January 2001.

NORWAY RESUMES WHALE EXPORTS. Despite a long-standing international moratorium on whale hunting Norway on 17 January resumed the export of whale meat and whale products. Whaling has been banned since 1983 under the International Whaling Commission, of which Norway is a member, but Norway recommenced the catch in 1993 arguing that it would use the meat for domestic consumption only. Currently, Japan, Iceland and Peru could be possible customers. However, the Japanese Vice Minister for Agriculture, Forestry and Fisheries stated on 18 January that his government would not immediately allow Japanese companies to import whale meat from Norway. Japan is currently at odds with the US over Japan's decision to resume whale hunting, ostensibly for scientific reasons (see *BRIDGES Weekly*, 16 January 2001, <http://www.ictsd.org/html/story3.16-01-01.htm>) "Norway resumes whale exports," FINANCIAL TIMES, 17 January 2001; "Japan Not to Import Whale Meat From Norway," TRADE COMPASS, 19 January 2001.

WTO IN BRIEF -- QATAR IN LINE TO HOST NEXT MINISTERIAL IN NOVEMBER

QATAR TO HOST NEXT MINISTERIAL MEETING. At an informal General Council meeting on 23 January, WTO Members agreed to support -- or at least not to reject -- Qatar's offer to host the fourth WTO Ministerial Conference from 5 to 9 November. The Arab state is set to be formally accepted as Ministerial host on 30 January at a formal session of the General Council. The decision follows Chile's announcement last week that it was no longer interested in hosting the Conference. Chile had told the WTO in December that it was "seriously considering submitting the candidacy of Santiago" to host the WTO Ministerial meeting (see *BRIDGES Weekly*, 19 December 00, <http://www.ictsd.org/html/weekly/wtoinbrief.19-12-00.htm>). Qatar has agreed to provide room in its Exhibition Centre for 400-500 representatives from non-governmental organisations (NGOs). US-based NGO Human Rights Watch has reacted negatively to the decision to hold the WTO meeting in Qatar. Human Rights Watch executive director Kenneth Roth said in a statement that holding the meeting in Qatar would shut down any possibility of public peaceful protest since the government of Qatar severely limits freedom of assembly and does not allow political demonstration. "Chile Declines to Host Ministerial Meeting," WTO REPORTER, 19 January 2001; "WTO Members Set to Endorse Qatar As Host for Fourth Ministerial Meeting," INTERNATIONAL TRADE DAILY, 22 January 2001. "Qatar: Inappropriate Venue for Next WTO Meeting," HUMAN RIGHTS WATCH Press release, 20 January 2001.

NEW ERUPTION IN CANADA-BRAZIL AIRCRAFT DISPUTE. A new dispute has arisen in the four-year old quarrel over Brazilian and Canadian subsidies for rival airplane manufacturers (see *BRIDGES Weekly*, 12 December 00, <http://www.ictsd.org/html/weekly/wtoinbrief.19-12-00.htm>). Brazil's Foreign Ministry announced this week that it would file a formal complaint before the WTO on 1 February in response to Canada's announcement that it would financially assist its

regional aircraft manufacturer Bombardier outbid its main rival, Brazil's Embraer, in a battle over a lucrative contract to provide 75 regional jetliners to Air Wisconsin. Brazil will initially go before the WTO Dispute Settlement Body with a request for consultations with Canada. The issue could lead to a request for a dispute panel. Last month, the WTO authorised Canada to apply trade sanctions for up to 233.5 million dollars a year for six years as compensation for Brazil's illegal subsidies. However, Brazilian president Fernando Henrique Cardoso hinted he does not believe his country to be on an equal footing with Canada when it comes to global trade. "Brazilian Foreign Ministry to File Complaint At WTO Over Canadian Financing of Aircraft," WTO REPORTER, 17 January 2001; "Brazil's president says WTO needed to resolve aerospace dispute," GLOBEANDMAIL.COM, 17 January 2001.

WTO RELEASES GUIDELINES ON CONTRIBUTIONS FROM NON-GOVERNMENTAL DONORS. The WTO on 15 January released guidelines on "Voluntary Contributions, Gifts or Donations from Non-governmental Donors" (WT/L/386; available online at: <http://www.wto.org/wto/ddf/ep/public.html>) -- approved by the WTO General Council on 15 December 2000. Donations will be accepted from individuals and non-governmental, non-profit organisations to reduce funding shortages in capacity building programs for developing countries at the WTO. Contributions may include donations of goods or services "in kind", subject to case-by-case decisions by WTO Members, but not the secondment of staff from non-governmental donors. Donations from non-governmental donors that are 'for-profit' organisations or companies will not be accepted. According to the guidelines, all accepted donations are to be paid into a trust fund that will be used to assist developing countries to integrate into the multilateral trading system, for instance by providing financial support for training or purchase of products. "WTO to allow private donations for global trust fund," INSIDE US TRADE, 19 January 2001.

CHINA WORKING PARTY FORMALLY ADJOURNS UNTIL FEBRUARY. Following a week of intense negotiations, the WTO China Working Party met formally on 17 January to present the results of its work on an acceptable China accession protocol. According to Working Party Chair Paul-Henri Ravier, despite contentious issues such as agriculture, technical barriers to trade and services, the work undertaken to date has generated considerable momentum which must be maintained through the next series of negotiations, likely to held at the end of February or early March. In his address to the formal meeting, Ravier urged the main negotiating parties -- China, US and Europe -- to seek additional guidance from their capitals and stressed that a flexible approach in the next series of work meetings would greatly expedite China's accession. Ravier also mentioned that a draft text has been tentatively agreed to on the issue of product specific safeguards. The text spells out the conditions that would justify the use of safeguard protection against Chinese imports, such as unforeseen market aberrations and import surges. Many other issues have yet to be resolved, but many trade analysts believe that they can be dealt with in the next Working Party meeting. China continues to negotiate bilateral deals with Mexico and five other Latin American countries that must be completed before China can accede to the WTO. ICTSD Internal Files.

ON THE MOVE

On 22 January, Brazilian President Fernando Henrique Cardoso appointed Celso Lafer as Brazil's next Foreign Minister. Mr. Lafer brings several years of international experience to the post having served once before as Foreign Minister in a previous administration and having been the Brazilian representative at the WTO in Geneva between 1995-1998. He also served as acting Chairman of the

UN Conference on Environment and Development in Rio de Janeiro in 1992. Among the many challenges Mr. Lafer faces on taking office will be potentially steering Brazil into a new round of multilateral trade negotiations, negotiating the Free Trade Area of the Americas and bridging the digital divide separating Brazil and the industrialised north. "Brazil Names New Foreign Minister," FINANCIAL TIMES, 23 January 2001; ICTSD Internal Files.

Dr. Maritta von Bieberstein Koch-Weser, left her position as Director General of IUCN -The World Conservation Union at the end of last year to move her work closer to her family and to pursue her career based primarily in Germany. "During her almost two years of tenure, the Union has under her leadership developed a new, visionary Programme, and consolidated its decentralisation and its financial base," said Yolanda Kakabadse, President of the Union. Dr. Simon Stuart, who has been the head of IUCN Programme of the Species Survival Commission since 1991, will serve as Acting Director General pending the appointment of a successor to Dr. Koch-Weser. IUCN Press Release; ICTSD Internal Files.

Allan Asher -- a prominent Australian competition and consumer protection law enforcement official -- has been appointed as Global Campaigns Director of Consumers International, a federation of 263 consumer organisations which aims to represent the interests of consumers globally. Mr. Asher, who has a reputation as a zealous campaigner for the rights of consumers, had previously been working as the deputy chair and head of enforcement for the Australian Competition and Consumer Commission. "Trustbuster comes to Consumers International," CI PRESS RELEASE, 18 January 2000.

EVENTS

Coming Up This Week

For a more comprehensive list of events in trade and sustainable development, please refer to ICTSD's web calendar at: <http://www.ictsd.org/html/calendar.htm>.

21-24 January, Bangkok, Thailand: SUSTAINABILITY AT THE MILLENNIUM: GLOBALIZATION, COMPETITIVENESS, & THE PUBLIC TRUST. Ninth International Greening of Industry Network Conference. Organised by Chulalongkorn University, The Greening of Industry Network - Asia. For information contact: Environmental Research Institute, Chulalongkorn University; tel: (662) 218-8446; fax: 218-8447; email: GIN-Asia@chula.ac.th; Internet: <http://www.eric.chula.ac.th/GIN-Asia/annual2001.html>.

24-26 January 2001, Rome, Italy: CBD LIAISON GROUP ON AGRICULTURAL BIODIVERSITY AND THE ECOSYSTEM CONSERVATION GROUP. For information contact: Convention on Biodiversity (CBD) Secretariat; tel: (1-514) 288- 2220; email: secretariat@biodiv.org; Internet: <http://www.biodiv.org>.

25-30 January, Porto Alegre, Brazil: WORLD SOCIAL FORUM. The goal of the Forum will be to strengthen South-North alliances between NGOs, unions and social movements. The four themes for the conference are: production of wealth and social reproduction; access to wealth and sustainability; civil society and the public arena; and democracy and citizens' power. For information contact: Secretaria do Forum Social Mundial, Rua General Jardim, 660 sala 81, CEP

01223-010, Sao Paulo - Capital- Brasil; tel: (55-11) 258-8914; fax: 258-8469; email: fsm2001@uol.com.br.

25-30 January, Davos, Switzerland: WORLD ECONOMIC FORUM - ANNUAL MEETING. The meeting will address the following key themes: addressing the globalisation backlash; shaping the global corporation; the second phase of the digital revolution; biotech: mapping our future; global business: values-free or values-driven?; and the dawn of a European era? For information visit: <http://www.weforum.org/davos.nsf/Documents/Home+-+Annual+Meeting>.

29 January - 2 February 2001, Havana, Cuba: THIRD INTERNATIONAL MEETING OF ECONOMISTS ON GLOBALISATION AND DEVELOPMENT ISSUES. For information contact: Asociación Nacional de Economistas de Cuba, Calle 22 No. 901 esq. 9a, Miramar, Playa Ciudad de la Habana, CP 11300, Cuba; tel: (53-7) 249-461; Internet: <http://www.unchs.org/unchs/english/calendar/>.

WTO Events

22-24 January, Geneva, Switzerland: WTO TEXTILES MONITORING BODY. For information contact: Luis Ople, Information and Media Relations Division; tel: (41-22) 739-5374.

24 & 26 January, Geneva, Switzerland: WTO TRADE POLICY REVIEW BODY - MOZAMBIQUE. For information contact: Lucie Giraud, Information and Media Relations Division; tel: (41-22) 739-5075.

29-30 January, Geneva, Switzerland: INTEGRATED FRAMEWORK (IF) SEMINAR: THE POLICY RELEVANCE OF MAINSTREAMING TRADE INTO COUNTRY DEVELOPMENT STRATEGIES: PERSPECTIVES OF LEAST-DEVELOPED COUNTRIES. Organised by the six core IF agencies: IMF, ITC, UNCTAD, UNDP, WORLD BANK and WTO. Mainstreaming trade involves the process and methods of identifying and integrating trade priority areas of action into the overall framework of country development plans and poverty reduction strategies. This seminar is designed to be the first in a series on mainstreaming trade. Following this expert seminar, with LDCs' participation, the seminar series will be initiated, in some cases as a joint exercise by Agencies and at other times by individual Agencies. For information contact: Lucie Giraud, WTO Information and Media Relations Division; tel: (41-22) 739-5075; Internet: http://www.wto.org/english/news_e/news01_e/ifseminar_january01_e.htm.

5-7 February, Geneva, Switzerland: FIFTH SPECIAL SESSION OF THE WTO COMMITTEE ON AGRICULTURE. For information contact: Peter Ungphakorn, Information and Media Relations; tel: (41-22) 739-5412.

8-9 February 2001, Geneva, Switzerland: WTO GENERAL COUNCIL. For information contact: Nuch Nazeer, WTO Information and Media Relations Division; tel: (41-22) 739-5393.

Other Forthcoming Events

7-9 February, New Delhi, India: DELHI SUSTAINABLE DEVELOPMENT SUMMIT - POVERTY: THE GLOBAL CHALLENGE FOR GOVERNMENTS, INDUSTRY, SCIENTISTS AND CIVIL SOCIETY. Organised by the Tata Energy Research Institute. For information contact:

Ms Sangeeta Singh; tel: (91-11) 468-2100 or 468-2111 (ext. 2010); fax: 468-2144 or 468-2145; email: ssingh@teri.res.in; Internet: <http://teriin.org/dsds/index1.htm>.

13 February, 0900-1100, Room 5, International Environment House, 13 chemin des Anémones, Geneva: ICTSD CAFÉ & CROISSANTS DIALOGUE ON PROGRESS OF THE SERVICES NEGOTIATIONS AT THE WTO. Featuring Chairman of the WTO Council for Trade in Services, Ambassador Sergio Marchi (Canada). For those interested in attending, please confirm your participation before 5 February by email to: ictsd@ictsd.ch or by fax at: (41-22) 917-8093.

2-3 March, University of Minnesota, Minneapolis Campus, USA: SAFETY FIRST: ACTIVE GOVERNANCE OF GENETIC ENGINEERING FOR ENVIRONMENT AND HUMAN HEALTH WORLDWIDE. Organised by the Institute for Social, Economic and Ecological Sustainability. For information contact: ISEES / MacArthur Office; tel: (1-612) 624-7723; fax: 625-8153; email: ISEES@fw.umn.edu; Internet: <http://www.fw.umn.edu/isees/safetyfirst.html>.

8-9 March, Geneva, Switzerland: TRADE AND ENVIRONMENT: BRIDGING GAPS AND MOVING FORWARD. Organised by the Global Environment & Trade Study (GETS) and the World Trade Institute (WTI). Discussion panels include: Subsidies, Services and Agriculture; Capacity Building and Developing Country Participation; Trade and Health: Food Safety, Drugs, and Biodiversity; Civil Society and the WTO. Location: Graduate Institute of International Studies, Auditoire Jacques Freymond, Grand Salle, 132, rue de Lausanne, Auditoire Jacques Freymond, Grand Salle. For information contact: Monica Araya (GETS); tel: (1-203) 432-5216; email: Monica.Araya@yale.edu; Internet: <http://www.gets.org/Geneva2001.htm>.

RESOURCES

If you have a relevant resource (books, papers, bulletins, etc.) you would like to see announced in this section, please forward a copy for review by the *BRIDGES* staff to hcameron@ictsd.ch. Submissions of publications to ICTSD's documentation centre would also be welcomed (contact mgalvin@ictsd.ch).

STATE OF FOOD AND AGRICULTURE 2000-FAO ANNUAL REPORT. The report highlights the lessons learned over the past fifty years and illustrates how technological progress has increased food production and reduced the number of hungry around the world. The report notes that progress in the fight against hunger has been uneven, and that the "gap between the most productive and least productive farming systems has increased twenty-fold in the last 50 years. The publication also provides facts and figures about the current global agricultural situation and an overview of the world economic environment, world trade, and commodity prices. In addition, it outlines the short and medium term prospects for low-income food deficit countries and countries highly dependent on agriculture exports. To obtain this report contact: Sales and Marketing Group, FAO, Viale delle Terme di Caracalla, 1-00100 Rome, Italy; tel: (39-6) 5705-3360; email: publications-sales@fao.org; Internet: <http://www.fao.org/docrep/x4400e/x4400e00.htm>.

REGULATING INTERNATIONAL BUSINESS: BEYOND LIBERALISATION. This book offers proposals for a new positive regulatory framework for international business to reduce poverty and promote sustainable development. It examines what are described as flaws in neoliberal strategies that underpin globalisation, and combines academic analysis with practical experience. To obtain a

copy, contact: Oxfam, c/o BEBC, P.O. Box 1496, Parkstone, Dorset BH123YD, UK; fax: (44-1202) 712930; email: bebc@bebc.co.uk or Oxfam, Stylus Publishing LLC, PO Box 605, Herndon VA 20171-0605, US; fax: (1-703) 661-1547; email: stylus@aol.com, Internet: <http://www.styluspub.com>.

"The least developed countries: business as usual or a new deal?," NGLS ROUNDUP, (64, 2000) : 1-8. The Least Developed Countries 2000 Report (LDCR 2000) - produced by the secretariat of the United Nations Conference on Trade and Development (UNCTAD) - notes that ten years after the second UN Conference on LDCs held in Paris in 1990, the number of people living in poverty has continued to increase in various regions of the world. In response to these worsening conditions, the report says that a "radical rethinking" of international development cooperation is currently underway.

"Trade And Environment After Seattle: A Negotiation Agenda for the South," in JOURNAL OF ENVIRONMENT & DEVELOPMENT 9 (4, 2000), by Adil Najam. pp. 405-425. In this article, the author argues that developing countries cannot afford to disengage themselves from the trade-environment discussion, and proposes a proactive and positive strategy for these countries in future international negotiations that seeks to achieve sustainable development through active engagement in the trade and environment discourse. From IISD Linkages, <http://www.iisd.ca/linkages/journal>.

"Mexico's environmental performance under NAFTA: the first five years," in JOURNAL OF ENVIRONMENT & DEVELOPMENT 9 (4, 2000), by Jeanne Lodgson and Bryan Husted. pp. 370-383. In this article, the authors examine available evidence for the period 1994-98. Taking into account key economic and political events that influenced environmental policy and practice, they suggest that Mexico's environmental policy improved during this period. They also find that: environmental enforcement was initially maintained but may have declined subsequently; and business behaviour has improved, although the information on environmental quality is either "mixed or not available for public scrutiny." From IISD Linkages, <http://www.iisd.ca/linkages/journal>.

"Canada and North American Integration," by George Hoberg in CANADIAN PUBLIC POLICY, 2000, vol. 26, supplement 2, pp. 35-50. The article examines trends in North American integration and their consequences for various aspects of Canadian life, focusing on the economic and political dimensions. The main theme is that the consequences of continental integration have not been as formidable as widely believed.

TRADE STRATEGIES FOR A NEW ERA: ENSURING U.S. LEADERSHIP IN A GLOBAL ECONOMY. Edited by Geza Feketekey and Bruce Stokes; Council on Foreign Relations with the Monterey Institute of International Studies; 1997. The book outlines a new trade strategy for the US facing the fact that efforts to dismantle trade barriers around the world have not been successful. Even though written in 1997, the book offers a comprehensive review of the strategic issues confronting US trade policymakers. ISBN 0-87609-209-1.

REGULATORY STANDARDS IN THE WTO: COMPARING INTELLECTUAL PROPERTY RIGHTS WITH COMPETITION POLICY, ENVIRONMENTAL PROTECTION, AND CORE LABOUR STANDARDS. By Keith E. Maskus, 2000. In this paper, the author considers the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), which he says greatly expands the purview of the WTO into domestic regulatory standards. He notes that the minimum

standards required in TRIPs are essentially about production processes, thereby erasing the traditional "product versus process" distinction in the trading rules, and suggests that this evolution raises the question of whether other regulatory and process standards, including competition policy, environmental standards, and worker rights, should be placed onto the WTO agenda. The report is available online at: http://www.wtowatch.org/library/admin/uploadedfiles/Regulatory_Standards_in_the_WTO_Comparing_I_2.htm. From IISD Linkages, <http://www.iisd.ca/linkages/journal>.

HUNGRY FOR TRADE: HOW THE POOR PAY FOR FREE TRADE. Zed Books, 2000. This book explores how food imports of many developing countries are rising, unlike their food exports, and argues that there is a contradiction between Northern governments' rhetoric on reducing world poverty and their pursuit of trade liberalisation. The book also discusses how free trade affects poor and small farmers in developing countries. For more information contact: Zed Books, 7 Cynthia Street, London N1 9JF, UK; fax: (44-20) 7833-3960; email: sales@zedbooks.demon.co.uk; Internet: <http://www.zedbooks.demon.co.uk>.

SCIENTIFIC ASSESSMENT OF CLIMATE CHANGE. Draft IPCC Report, 2001. For more information see the In Brief section in this issue of BRIDGES Weekly. To obtain an Executive Summary visit: <http://www.ipcc.ch>.

"Global warming and terrestrial ecosystems: a conceptual framework for analysis," by Josep Canadell, F. S. Chapin, and Jessica Gurevitch in BIOSCIENCE, 2000, vol. 50, no. 10, pp. 871-882. The authors describe some new technical and conceptual challenges that scientists face when designing and interpreting their experiments, and present a conceptual framework for both interpreting experimental results and predicting effects of warming ecosystems.

"Climate change mitigation: an Indian perspective," by Kalipada Chatterjee in DEVELOPMENT ALTERNATIVES, 10 (11, 2000): 1, 3-4. Poverty alleviation, socio-economic development and environmental protection are the overriding sustainable development goals of India. To meet these goals, India needs rapid economic growth to fulfil the aspirations of the people. But this growth should not occur at the expense of India's environment as has happened in the past.

HUMAN RIGHTS WATCH WORLD REPORT 2001. According to the Human Rights Watch's 11th annual report on the condition of human rights worldwide, globalisation has brought undeniable opportunity, incredible wealth and millions of jobs. But with the opening of the borders and markets it has also created new human rights problems. Beyond long-time concerns such as child labour and wages, the melding of markets worldwide raises new questions. The report calls for the creation of an international institution to enforce global labour standards, arguing that the UN is underfunded and mistrusted and the WTO does not have the mandate to enforce such rules. To download the report visit: <http://www.hrw.org/wr2k1/download.html>.

Electronic Resources

THE FREE TRADE AREA OF THE AMERICAS (FTAA) AND THE THREAT TO SOCIAL PROGRAMS, ENVIRONMENTAL SUSTAINABILITY AND SOCIAL JUSTICE IN CANADA AND THE AMERICAS. By Maude Barlow, Council of Canadians, January 2001. The report gives a comprehensive overview on the planned FTAA, focusing on the dangers environmental sustainability and social justice might face in Canada and the Americas under the FTAA. To download a copy of the report visit: <http://www.canadians.org>.

The International Labour Organisation (ILO) has launched the Business and Social Initiatives Database (BASI). The database is available on-line at: <http://oracle02.ilo.org/vpi/welcome>. It is designed as a comprehensive source of information on social initiatives by business and other stakeholders on labour and employment issues. It contains full-text information on different types of initiatives such as codes of conduct, social labelling, social investing, and organisations concerned with corporate social responsibility and similar initiatives. Users can combine search terms to create both wide and narrow searches for documents. A related website is the ILO's Business and Decent Work page at: <http://www.ilo.org/public/english/comp/business>. For more information on the database or on ILO's work with the private sector please contact vpi@ilo.org.

LES VOLATILES DU COMMERCE ET DE L'AGRICULTURE. Bulletin on trade and agriculture edited by Solagral (a French NGO involved in international negotiations on trade and agriculture/environment). To subscribe, contact Tristan Le Cotty, Solagral, Parc Scientifique Agropolis, bât.14, 34 397 Montpellier; tel: (04-99) 23-22-87; fax: 23-22-60; email: t.lecotty@solagral.asso.fr; Internet: <http://www.solagral.org>. The Bulletin can also be viewed online at: http://www.solagral.org/international/omc/omc_citoyen/agri/vol_elek/vol4_1200/index.htm.

POSITION VACANCIES

Christian Aid

Senior Trade Policy Officer. £24,468 per annum. Christian Aid is launching a major public campaign to change the global rules on trade and make them work in the interests of poor people. As part of the Global Advocacy Team, this key position is responsible for leading Christian Aid's research and policy analysis of the WTO trade rules and the trade policies of the UK government and the EU, and for shaping and implementing advocacy strategies towards these actors. Managing one other trade researcher, you will need five years policy research experience in an NGO or academic institute, have experience of lobbying and have excellent team-working abilities. Ref: 238/ RM Closing date: 1 February 2001. Interviews: TBC

Chief Economist. £28,000 per annum. As the key spokesperson for Christian Aid on economic issues you will be responsible for formulating strategic policy, especially on macroeconomic issues, and in relation to the International Financial Institutions such as the World Bank, the WTO and the United Nations system. By resourcing Christian Aid's advocacy response from the economic justice standpoint you will influence policy makers at the British, European and international level. You will be a trained economist with a relevant post-graduate qualification and at least 5 years experience in development-related research in government, the NGO sector or a research institute. Your substantial knowledge of international political economy and macroeconomics will be accompanied by familiarity of the development agenda and poverty eradication. With a proven record of policy report writing and lobbying decision-makers you will have the ability to carry out methodical and accurate research as well as possessing diplomatic and communication skills. Ref: 200/ RM, Closing date: 4 February 2001. For more information contact: Claire Melamed; Senior Policy Officer, Christian Aid, P. O. Box 100, London SE17 RT; tel: (44-207) 523-2148; fax: 902-0647.

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