



INTERNATIONAL CENTRE FOR  
TRADE AND SUSTAINABLE  
DEVELOPMENT

BRIDGES

# Weekly Trade News Digest

26 June 2001

ISSN 1563-003X

Volume 5, N°24

## TABLE OF CONTENTS

- WTO Looks At IPR Flexibility In Access To Medicines.....1
- Proposal Provides Fresh Fuel To Implementation Process.....4
- EU, US Move Closer As WTO Gathers Senior Officials On  
Doha Prep.....6
- Brazil-US Reach Agreement in IPR Dispute.....8
- ILO Leads Discussion On Trade and Labour.....9
- Dispute Settlement Update.....10
- CITES Decides On Sturgeon Protection Plan.....12
- In Brief.....13
- WTO In Brief.....15
- Events & Resources.....16

## WTO LOOKS AT IPR FLEXIBILITY IN ACCESS TO MEDICINES

In what Zimbabwean Ambassador and Chairman of the WTO Council for Trade- related Aspects of Intellectual Property Rights (TRIPs) Boniface Chidyausiku called a "rich discussion", delegates at the TRIPs Council spent one day of their 18-22 June meeting addressing issues related to intellectual property rights (IPRs) and access to medicines. Other issues discussed at the meeting included geographical indications and the review of TRIPs Article 27.3(b). "Historic" discussion on access to medicines

Members on 20 June devoted a full day of discussion to IPRs and access to medicines following a request by the African Group at the last TRIPs Council meeting in April (see BRIDGES Weekly, 10 April 2001, <http://www.ictsd.org/html/weekly/10-04-01/story1.htm>). In what one delegate referred to as a "historic" event, over 40 countries presented their views on this issue, mainly representing individual and groups of developing countries, including the African Group, the Association of Southeast Asian Nations (ASEAN), and the Least-developed Countries (LDCs). Members generally acknowledged the importance of patent protection as an incentive for new pharmaceuticals and

agreed that the TRIPs Agreement contained flexibilities that allowed governments to deal with public health.

Specifically, discussions focused on the general principles of the TRIPs Agreement, in particular the extent to which Articles 7 (Objectives) and 8 (Principles) of the Agreement allowed countries to meet their public health objectives. Members furthermore addressed the degree of countries' flexibility when issuing compulsory licences (Art. 31, i.e. governments can allow the use of a patent without the consent of the patent-holder under certain conditions), including compulsory licenses issued for import rather than local production by smaller developing countries that do not have the capacity to work the patent. The degree of flexibility was also raised in relation to parallel imports (i.e. allowing the government to obtain a patented drug more cheaply from foreign suppliers rather than from the manufacturer's local subsidiary).

Submissions addressing access to medicines were received from the European Communities (IP/C/W/280; see BRIDGES Weekly, 19 June 2001; <http://www.ictsd.org/html/weekly/19-06-01/story3.htm>) and a group of around 50 developing countries, including the African Group (IP/C/W/296). The latter paper stressed that the special discussion at the Council was not a "one-off event", but rather part of a process, including the next WTO Ministerial Conference in Doha, Qatar, in November.

Regarding compulsory licenses, the developing countries' submission stated that Members are free to determine the grounds upon which to issue compulsory licenses, adding that "nothing in the TRIPs Agreement will prevent Members to grant compulsory licenses to supply foreign markets". The submission also demanded that Art. 6 (Exhaustion) "should be implemented in such a way as to ensure the broadest flexibility for Members to resort to parallel imports". While generally favouring discussions on differential (or tiered) pricing, they should not be covered by TRIPs nor be used to limit the flexibility of the Agreement. The paper furthermore calls on the Council to consider extending deadlines for developing and least-developed countries regarding the implementation of TRIPs. In addition, the paper addressed in more detail issues related to compulsory licences, parallel imports, differential pricing, and possible extensions of transitional periods for developing and least-developed countries.

The TRIPs Council will continue discussions on this issue, but "in a more structured and systematic way," said TRIPs Council Chair, Boniface Chidyausiku. Specifically, the WTO Secretariat will compile a checklist of all relevant TRIPs provisions and issues identified with them; the Chairman will hold an informal meeting on 25 July; and a full day (19 September) will be added to the next TRIPs Council Session (20-21 September) for formal discussion. In the longer term, discussions are likely to develop along either of two tracks, according to one WTO official, namely as part of the preparatory work for the Ministerial Conference in the General Council, leading to a political statement within the Doha Declaration; or a legal interpretation of the Agreement's relevant provisions within the TRIPs Council.

Non-governmental organisations (NGOs) generally welcomed the meeting as an "opportunity to shift the balance of global patent rules in favour of the public interest and the protection of public health." In a joint statement signed by over 100 NGOs (available at <http://www.oxfam.org.uk/cutthecost/news5.html>), they called on WTO Members to, inter alia,

strengthen the existing public health- safeguards within TRIPs, and adopt a pro-public health interpretation of the Agreement.

The TRIPs discussion on access to medicine is only one of various recent developments on this issue, in particular related to HIV/AIDS, including the now settled court case brought by a group of pharmaceutical companies against the South African government over a law that would allow the country to import cheaper drugs allegedly in violation of patent rights (see BRIDGES Weekly, 24 April 2001, <http://www.ictsd.org/html/weekly/24-04-01/story2.htm>) and most recently the Brazil-US settlement regarding the US challenge to the Brazilian IPR regime at the WTO (see related story, this issue).

Submissions to the Council on access to medicines, a summary of the meeting and other relevant documents are available on the WTO website at:

[http://www.wto.org/english/tratop\\_e/trips\\_e/counciljun01\\_e.htm](http://www.wto.org/english/tratop_e/trips_e/counciljun01_e.htm).

27.3(b) and geographical indications also on the agenda

Members during the remaining week discussed the usual issues related, inter alia, to review of Article 27.3(b) and geographical indications (GI). Switzerland (IP/C/W/284; available online) and Norway (IP/C/W/293) submitted papers on the review of Article 27.3(b) (exclusion from patentability). The Swiss submission proposed that the review should focus mainly on "the scope of exclusions from patentability" as set out in the first sentence of Art. 27.3(b), and on appropriate sui generis systems for plant variety protection. In addition, the Swiss paper stressed the importance of IPR protection for biotechnological innovations. The submission also followed up on an idea previously raised by Switzerland in the TRIPs Council of setting up a database for traditional knowledge (TK) related to genetic resources.

The Norwegian submission stressed that there was no apparent conflict between the Convention on Biological Diversity (CBD) and the TRIPs Agreement, but acknowledged the complexity between access, transfer and benefit-sharing and the IPR regime which that paper said should be further looked at. Norway also expressed its willingness to consider whether provisions requiring disclosure of origin of genetic resources should be inserted into the TRIPs Agreement in order to implement the CBD more effectively. The Council will continue discussions on Art. 27.3 (b) at the next Council meeting.

Regarding geographical indications, a new joint submission was received from Argentina, Australia, Canada, Chile, Guatemala, New Zealand, Paraguay and the US (IP/C/W/289) on the implications of extending GIs to products other than wines and spirits, which highlighted the potentially high costs for administration, producers and traders; the possible misuse of GIs for protectionism; and likely customer confusion if terms traditionally used to describe products disappear. The Council will revert back to the matter at the next meeting. As trade sources pointed out, discussions on GIs appear to have reached a stalemate, which Members are unlikely to resolve before the next WTO Ministerial.

"Governments share interpretation on TRIPS and public health," WTO NEWS, 20 June 2001;  
"WTO members to press on, following 'rich debate' on medicines," WTO NEWS, 22 June 2001;  
ICTSD Internal Files.

## **PROPOSAL PROVIDES FRESH FUEL TO IMPLEMENTATION PROCESS**

Convening informally on 21 June as part of the ongoing preparation process for the Fourth WTO Ministerial Conference in Doha, Qatar on 9- 13 November, the WTO General Council (GC) received a proposal from a group of seven developed and developing countries on the contentious question of implementation. The paper was generally well received, and some observers noted that the proposal provided the impetus needed to advance the implementation debate. The process is being pushed by developing countries seeking full implementation and re-balancing of the WTO Agreements, but has shown little progress since before the failed Seattle Ministerial in 1999. Among those items referred to in the proposal are Trade Related Investment Measures (TRIMs), agriculture, textiles, Trade Related Intellectual Property Rights (TRIPs) and subsidies. Put forward by Argentina, Morocco, New Zealand, Norway, Switzerland, Thailand, and Uruguay, the proposal re-categorises the range of implementation issues as those that are 'resolvable' prior to the Doha Ministerial Conference; those of lesser importance to be taken up in relevant subsidiary bodies; those already being addressed in relevant subsidiary bodies; and other pending issues.

By scaling the relative importance of these outstanding implementation issues, the proposal offers the WTO Membership the possibility for early concession-making in some areas -- for instance, those it deems of lesser importance -- while assigning greater significance to those on which pre-Doha resolution is sought. Some observers have speculated that resolution on these issues is the price that developed countries must pay to convince developing countries to agree to launch a new round of multilateral trade talks in Doha.

Possible early harvest on textiles, antidumping, services, agriculture and TRIMs

On substance, the proposal puts forward a newly articulated position on several issues that the paper's signatories believe can be agreed upon prior to the Doha Ministerial. Among its demands, the proposal seeks an acceleration in the phaseout schedule of textile quotas and rearticulates a demand that countries not impose antidumping duties on textile imports already subject to quota restrictions.

On antidumping (AD), the proposal presents an amended position on AD investigations. Whereas developing countries' original demand sought to limit AD investigations on 'same products' to one per year, the new position asserts that in cases where investigations are initiated on products which in the preceding 365 were concluded without imposition, an initial examination shall be conducted to determine if circumstances have changed since the last investigation. In the event that conditions have not changed, the investigation will be prohibited.

Also on AD, the proposal says that the 'lesser duty rule' should be in effect during the pending negotiations until such time as the results of the negotiation on AD are adopted. The lesser duty rule

specifies that only a duty less than the margin of dumping -- but sufficient to offset the injury suffered by a domestic industry -- should be imposed.

On services, the proposal suggests that, "Members shall take steps so that administrative practices do not impede the full and effective implementation of their commitments under the General Agreement on Trade and Services (GATS), particularly as regards the supply of services under Mode 4". Mode 4 specifies the cross-border movement of service suppliers and professionals, and is a major concern of developing countries seeking to supply services to developed countries on short-term contracts.

On agriculture, the proposal outlines that "developing countries' measures used to address food security and rural development that are notified under the green box shall not be challenged during the negotiation." Green box refers to permissible agricultural subsidies that are minimally trade-distorting. The proposal adds that "this restraint shall be exercised during the negotiation and until the final results of the agriculture negotiation are adopted."

On the issue of Trade Related Investment Measures (TRIMs), the proposal spells out a "2+2" approach which in essence gives qualifying developing countries an additional two years to comply with the TRIMs Agreement (see BRIDGES Weekly, 21 November 2001, <http://www.ictsd.org/html/weekly/story4.21-11-00.htm>).

#### Other issues

For other issues, proposals were made in two other categories. The first category lists issues which have been discussed and clarified in their respective subsidiary bodies, to the point where no further action seems to be necessary for the time being subject to confirmation. Among these issues are agriculture tariff rate quota administration (currently being addressed in ongoing agriculture negotiations); mutual recognition arrangements in the Agreement on Sanitary and Phytosanitary Standards; and GATS Article 4 (the increasing participation of developing countries in world services trade).

The second category specifies issues which shall be brought back to the General Council for re-consideration in the September Special Session on implementation. These include topics such as a Decision on Net Food- Importing Developing Countries; participation of developing countries in standard-setting organisations (SPS & TBT); and various reviews of TRIPs provisions.

In addition, 36 issues were categorised as pending, meaning that they could only be addressed in the context of a negotiation, on the basis of an appropriate mandate, or when and if a political commitment appears to do something about them while negotiations are underway. Those include issues related to GATT-94, Agriculture, TBT, TRIMs, anti-dumping, customs valuation, subsidies, safeguards, TRIPs, and Special & Differential Treatment.

## Reactions from the WTO Membership

In general, reaction to the new implementation proposal was well received, albeit with reservations. According to some, the proposal is still far too fresh for countries to develop firmly articulated views.

For its part, the EC expressed its reluctance to endorse the proposal entirely, but described it as useful and implied that some of its contents were amenable to the EC's interests. US reaction was reserved, as US Ambassador to the WTO Linnet Deily pointed out the US' interest in resolving the implementation dispute without reversing the "positive achievements" of the Uruguay Round.

But members of the Like-Minded Group were less approving of the proposal. Indian Ambassador Srinivasan Narayanan called the proposal a starting point, while Pakistani Ambassador Munir Akram called the proposal a 'trigger' for further negotiations, yet remained unsatisfied with its contents.

For its part, the African Group of WTO Members said that it was currently convening a 'brainstorming session' in Addis Ababa, Ethiopia in order to better come to terms with the details of the proposal. As such, Zimbabwe said that by early July it should have a clearer vision of how to move forward with the proposal.

"New Implementation Proposal Gains Footing In Long Stalled Debate," INSIDE US TRADE, 22 June 2001; "Seven WTO Members Propose New Take On Implementation Demands," INSIDE US TRADE 22 June 2001; "Text: Group of Seven Implementation Paper," INSIDE US TRADE, 22 June 2001; "Developing Nations Implementation Proposal Draws Upbeat Reactions From WTO Members," WTO REPORTER, 22 June 2001. ICTSD Internal Files.

## **EU, US MOVE CLOSER AS WTO GATHERS SENIOR OFFICIALS ON DOHA PREP**

In an exercise designed to infuse high-level political support behind building an agenda for the WTO's Fourth Ministerial Conference in Doha, Qatar, from 9-13 November, the WTO on 25-26 June convened a meeting of senior officials from Member capitals. Though the US and the European Communities delivered statements that hinted at a common strategy in support of a new round of trade negotiations, for the most part trade officials say there were few surprises, with some Members voicing outright opposition to negotiating on issues outside the WTO's built-in agenda in agriculture and services.

Chairman of the WTO General Council Stuart Harbinson and Director-General Mike Moore are attempting to forge agreement around a number of issue-areas in a bid to construct a viable draft Ministerial Declaration that would feed into the Doha meeting. Harbinson is aiming to have a broad concurrence among Members by the end of July. However, chief of the EU trade delegation Peter Carl indicated that it was "not realistic" to expect a clear view of a Doha agenda by the end of July. Sources indicate that this view is shared by a number of trade officials, many of whom do not expect movement on an agenda until September or October.

In a concluding statement after all 49 interventions by Members had been made, Harbinson reminded the senior officials that, "each meeting between now and July is a reality check." Harbinson said that he had remarked a change of tone and nuances, but nothing substantive, noting that Members now had to move from consultations to negotiations.

#### EU-US moving towards common positions

According to sources, trade officials from Canada, the EU, Japan, and the US held a private meeting over lunch on 25 June to discuss their approach in the so-called 'quad' trade forum. Informal meetings amongst capital officials were held throughout the two-day sessions.

At a press briefing following the first day of meetings, the US and the EU said that they were making progress on agreeing to a "balanced and ambitious" agenda that they hoped would attract the support other WTO Members. According to Peter Carl, the US and the EU share "high ambitions for future trade negotiations... We also see eye to eye with respect to certain basic principles, such as the need for a balanced agenda, for the inclusion of issues which are of sufficient interest to all members of the WTO, and, in terms of the actual declaration to emerge in Doha, we also agree that the language of this negotiating mandate should be permissive, sufficiently open-ended and not restricted."

Deputy US Trade Representative Peter Allgeier, who presented the US position at the meeting, did indicate that as part of the US' push for a 'balanced' agenda, it would need to seek appropriate means to address a range of topics, including trade facilitation, transparency in government procurement, investment, and competition policy. Observers say this statement demonstrates something of a US rapprochement with the EC, which is pushing for a comprehensive round that would incorporate a range of issues including those mentioned by the US. Washington has traditionally been sceptical of discussing issues such as competition and investment in the context of a new round.

Allgeier also recognised the importance of implementation issues, and stressed that the US was committed to addressing implementation both in coming weeks and at the Ministerial. The EU echoed the US statement, saying that the agenda should include "negotiations with a view to clarifying, updating and improving certain Uruguay Round agreements; trade and the environment, Trade-Related Intellectual Property Rights and various proposals made in the context of the implementation debate. Many developing countries are arguing for the full implementation and re-balancing of the WTO Agreements before discussions around new topics can begin (see related story, this issue).

#### Like-Minded Group sticks to its guns

India, Pakistan, and Egypt -- all members of the Like-Minded Group of developing countries, reiterated traditional positions by presenting strong statements in favour of implementation and against new negotiations. On the issue of trade and labour, Pakistan indicated that the ILO forum on the social dimension of globalisation (see related story, this issue) provided a good forum to address the trade-labour linkage, which it does not want discussed at the WTO.

"Senior Officials Huddle at WTO on New Trade Round," 25 June 2001, KYODO NEWS; ICTSD Internal Files.

## **BRAZIL-US REACH AGREEMENT IN IPR DISPUTE**

The US on 25 June announced that it would withdraw its controversial WTO challenge against Brazil's intellectual property rights (IPR) regime (see BRIDGES Weekly, 8 May 2001; <http://www.ictsd.org/html/weekly/08-05-01/story5.htm>). In a joint Brazil-US communication, the US for the first time acknowledged the link between the Brazilian IPR law and the fight against AIDS. The decision comes in the wake of last week's special discussion on access to medicines at the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPs) (see related story, this issue).

At the centre of the dispute is Article 68 of Brazil's Intellectual Property (IP) Law, which imposes "local working" requirements (i.e. the product has to be produced locally) as a condition for granting a patent in Brazil. If this condition is not met within three years, the Law allows the government to grant a compulsory licence (i.e. without the consent of the patent holder).

According to the Brazil-US communication, the US has withdrawn the WTO panel against Brazil concerning the compatibility of Brazil's IP Law with the TRIPs Agreement. Brazil, in turn, agreed to hold prior talks with the US "in the event it deems necessary to apply Article 68 to grant compulsory licenses on patents held by US companies". These talks would be held within the scope of a US-Brazil Consultative Mechanism, in a special session to discuss the subject. Brazil, however, has made no commitment to comply with US views in case of disagreement between the two countries over compulsory licensing.

Brazil has expressed its satisfaction with the outcome of the consultations, which followed the Brazilian proposal for settlement. According to a Brazilian trade official, this agreement will now allow the country to focus on more substantial issues regarding TRIPs provisions and public health, which some countries hope will culminate in a declaration on this issue at the next WTO Ministerial Conference in Doha, Qatar, in November. The official speculated that rather than representing a shift in the US position on TRIPs, the decision came as a result of public pressure, which had turned the case into a political burden for the US. Indeed, both countries stressed in their joint communication that the agreement was reached "without prejudice of the US and Brazil's different interpretations of the consistency of Article 68 with the TRIPs Agreement." The official added that it remains to be seen how the US will react when the first compulsory license is issued for a US firm under Article 68 of the IP Law.

The decision was welcomed by various NGOs who in the past had strongly criticised the US challenge. Oxfam described the settlement as the "latest victory" in the "battle to provide the world's poorest people with access to essential medicines", predicting that the pressure on drug companies and governments to change "rigid international patent rules" would continue to build. Médecins Sans Frontières were also pleased with the agreement, saying that Art. 68 would stimulate research and development and local production capacities, but expressed some concern about a possible shift towards dealing with these issues at the bilateral rather than at the multilateral level.



ICTSD Internal Files.

## **ILO LEADS DISCUSSION ON TRADE AND LABOUR**

On 19 June, after seven years of indecision, the International Labour Organization (ILO) agreed to take the lead in multilateral discussions over the social dimension of globalisation, which some believe may take the pressure off of the WTO on the issue of trade and labour.

The ILO's existing Working Party on the Social Dimension of Globalisation -- which includes representatives from government, employer groups, and labour unions -- has agreed to boost its mandate, commissioning the ILO's Director-General Juan Somavia to prepare an authoritative and comprehensive report on "the social dimension of globalisation, particularly the interaction between the global economy and the world of work." The Working Party avoided the specific mention of trade and labour, but details of the mandate, composition of the commission, and funding are expected to be approved at the next ILO Governing Body meeting in November.

Commenting on the ILO initiative, EU Ambassador Carlo Trojan said the report could provide a politically acceptable solution for both advocates and opponents of the trade and labour linkage. He declared that if the report is done properly, "there is no particular reason why we have to deal with this in a new round of negotiations in the WTO."

For their part, several developing country diplomats welcomed the ILO's plan on the condition that labour standards are not used for protectionist purposes. According to one Cuban official addressing the ILO meeting on behalf of the G77/China, "labour standards must not be used as trade barriers to their exports and (for) competitive advantage." And in a strongly worded statement to the ILO delegation, Pakistani Ambassador Munir Akram reiterated his country's position on the relationship between trade and labour. "[Labour] has never has been in the WTO and never will be in the WTO," Akram said.

However, some developing countries -- Brazil for instance -- were not as dismissive as Pakistan, and took the view that the discussion on the social dimensions of globalisation should be broadened to include dimensions other than the negative effects of trade liberalisation. According to Brazil, the discussion should also be concerned with the impact of trade protectionism and cross-border financial flows on employment and social development.

The preparation of the report, intended to take two years, is expected to include input from the secretariats of other international organisations, including the WTO.

### **Trade and labour at the WTO**

In the final Declaration of the 1996 Singapore Ministerial Conference, WTO Members agreed that the ILO was the competent body for setting and dealing with core labour standards and trade. The decision was meant to assuage a standing dispute among developed and developing countries members over whether the issue of labour should be on the WTO's work agenda.

Despite this decision, the labour-trade debate has continued to be a contentious feature of the multilateral trade system. The issue came to the fore during the failed 1999 Seattle Ministerial Conference, when then-US President Bill Clinton suggested linking labour standards to trade sanctions. In the lead-up to the Doha Ministerial Conference, unresolved debates over whether to include labour and environment standards in the WTO have re-emerged.

For his part, US Trade Representative Robert Zoellick has made it clear that to obtain domestic and Congressional support for a new round of multilateral trade negotiations and for 'trade promotion authority' -- formerly 'fast-track' -- the labour and trade issue will have to be addressed in some form.

"UN's ILO agrees to tackle globalisation's impact on labour," BridgesNews, 19 June 2001; "ILO Director General targets decent work deficit," ILO press Release, 11 June 2001, "ILO Members Agree to Assess Social Impact of globalisation to settle Labor, Trade Debate," WTO REPORTER, 20 June 2001; "India urges Developing Countries to Rally Against Linking Trade to Labour, Environment," WTO REPORTER, 25 June 2001.

## **DISPUTE SETTLEMENT UPDATE**

### **WTO panel rules against US FSC reforms**

In a 22 June interim report, a WTO compliance panel concluded that the US had failed to comply with the 24 February 2000 recommendations by the WTO Appellate Body (AB) which regarded the tax cuts granted to US off-shore companies ("Foreign Sales Corporations", FSC) as subsidies infringing WTO rules (see BRIDGES Weekly, 22 May 2001, <http://www.ictsd.org/html/weekly/22-05-01/story6.htm>). The panel report is preliminary and therefore kept confidential by the WTO and the parties until the report is finalised and published in mid-August.

As US Trade Representative Robert Zoellick indicated during his visit to Europe in mid-May, the US is now likely to analyse European tax systems and may make similar challenges to EC fiscal regimes. The ruling might also jeopardise the joint EC-US efforts not to let the FSC dispute damage the common position with regard to launching a new round of WTO trade negotiations, and it is likely to heat-up the preparatory US-EC trade talks at the forthcoming 20-22 July G-8 summit in Genoa.

In addition, the US has requested a WTO arbitrator to determine whether the countermeasures the EC intends to impose -- i.e. trade suspensions worth some US\$ 4 billion -- are appropriate. According to a bilateral EC-US agreement, however, the EC will refrain from taking any retaliatory steps until the dispute is finalised.

### Mexico fails to implement WTO ruling on corn syrup

In a 22 June report, a WTO compliance panel ruled that Mexico has failed to implement the original panel's finding that its imposition of antidumping duties on imports of high fructose corn syrup (HFCS) from the US was inconsistent with the requirements of the WTO Antidumping Agreement. The compliance panel found that Mexico had failed to take appropriate consideration on whether dumped US syrup imports threatened Mexican domestic industry (see BRIDGES Weekly, 8 August 2000; <http://www.ictsd.org/html/weekly/story4.08-08-00.htm>). Mexico had decided to impose antidumping duties on HFCS from the US following complaints by Mexico's beverage industry that US HFCS was being dumped on the Mexican market.

### Small victory for Brazil in aircraft dispute with Canada

In a 20 June confidential interim report, a WTO compliance panel found that Brazil's latest modifications made to its so-called Pro-ex program, which provides low-interest loans for buyers of certain Brazilian jets, is per se in line with the WTO Agreement on Subsidies and Countervailing Measures. Canada had previously challenged this financing program and received a favourable AB ruling, which found the Pro-ex program inconsistent with WTO rules (WT/DS46/AB/R; see BRIDGES Weekly, 13 March 2001; <http://www.ictsd.org/html/weekly/story6.13-03-01.htm>). However, the panel requires Brazil to comply with certain conditions -- as set out by an Organisation for Economic Cooperation and Development (OECD) arrangement covering export credits -- while maintaining its Pro-ex program. Namely, the Pro-ex support must not exceed 10 years, must not cover more than 85 percent of the purchase price, and must be at market rates including a risk premium.

### China retaliates against Japanese safeguard measures

Last Friday, China imposed 100 percent import duties on several Japanese products including cars, air conditioners and mobile phones. The punitive tariffs are a response to Japan's safeguard tariffs ranging between 106 and 266 percent on shiitake mushrooms, spring onions and straw used for the traditional Japanese tatami mats exported by China.

According to a Japanese trade official, Chinese exports to Japan of the agricultural products at stake amounted to about US\$ 100 million last year, which is not even 0.2 percent of total exports to Japan. In return, Japan exported cars, cell phones and air conditioners worth some US\$ 730 million to the People's Republic.

Experts from both sides do not expect this row to escalate as too much is at stake for the two Asian economical giants. "We don't want this to get out of control," Japanese Prime Minister Koizumi stated. Tokyo tries to safeguard its farmers from cheap Chinese products flooding the Japanese market, whereas Beijing fears that limited market access for its agricultural products will threaten its impoverished and inefficiently producing rural population.

It was indicated that the Chinese actions could endanger Japan's support to China's accession to the WTO. "This is exactly what the government of China should not do at this particular moment," a Japanese trade official said. However, China still took the action to warn Japan, discouraging it to

expand its protectionist approach to other major Chinese exports such as bicycles, a trade analyst stated.

As China is not a member of the WTO, it has no access to the WTO dispute settlement mechanism.

US to implement AB's ruling on lamb imports

Contrary to recent calls from US politicians to maintain the US safeguard measures on lamb products from Australia and New Zealand (see BRIDGES Weekly, 22 May 2001, <http://www.ictsd.org/html/story6.22-05-01.htm>), the US announced in a 20 June meeting of the Dispute Settlement Body that it intends to implement the AB's recommendations and that it will need a reasonable period of time (usually around 15 months). Australia, New Zealand and the EC welcomed the US' readiness to comply, but regretted that the US is not in a position to comply immediately. They said that removal of the safeguard measures was the only route to full implementation of the ruling.

The next meeting of the DSB will take place on 24 July 2001.

"WTO Interim Panel Rules Against US Scheme," INSIDE US TRADE, 25 June 2001; "WTO Ruling Could Stoke EU-US Tension," FT, 22 June 2001; "FSCs: WTO Panel Issues Preliminary Ruling Against United States in FSC Dispute," WTO REPORTER, 25 June 2001; "Dispute Settlement: WTO Panel Issues Final Ruling For U.S. In Mexican Corn Syrup Dispute," WTO REPORTER, 19 June 2001; "China Hits Back Over Japanese Tariffs," FT, 20 June 2001; "China To Curb Japanese Exports Despite Protests," KYODO NEWS INTERNATIONAL, 19 June, 2001; "China Imposes Retaliatory Duties In Escalation Of Trade Row With Japan," AFP, 19 June 2001; "Japan Seeks To Cool A Trade Clash With China," HERALD TRIBUNE, 20 June 2001; "China Ups Stakes In Trade Dispute With China," WALL STREET JOURNAL, 20 June 2001; "China Trade War Hotting Up," ASSOCIATED NEWSPAPERS, 22 June 2001. ICTSD Internal Files.

## **CITES DECIDES ON STURGEON PROTECTION PLAN**

At its 18-22 June meeting in Paris, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Standing Committee set up a detailed 12-month action plan for the conservation of Caspian sturgeon species.

Taking into account the commitments made at a meeting in Geneva on 12- 13 June 2001 (see also BRIDGES Weekly, 19 June 2001, <http://www.ictsd.org/html/weekly/19-06-01/story6.htm>), the Standing Committee requested the Caspian range states Azerbaijan, Kazakhstan, Russia and Turkmenistan to do the following: (i) before 20 July, notify the CITES Secretariat about all this spring's sturgeon harvest intended for export within the already-set quotas for 2001, but to agree to suspend all commercial harvesting for the rest of 2001; (ii) before 31 December, agree on an appropriate mechanism for the establishment and implementation of a common sturgeon protection and management policy involving all countries exploiting sturgeon in the Caspian (i.e. including Iran), jointly conducting a comprehensive stock assessment in the Caspian, requesting Interpol to

analyse illegal trade in sturgeon, as well as requesting CITES to conduct a study of enforcement needs for appropriate implementation; and (iii), before 20 June 2002, to establish a long-term survey programme as the basis for future fisheries management, and to significantly increase efforts to combat illegal harvesting and illegal trade.

In the event the ex-USSR states do not comply with these requirements, CITES will recommend its parties to suspend all sturgeon trade for the year 2002. In return for the Caspian range states' promise to freeze all further harvesting for 2001, the CITES Secretariat revised its original recommendation to cut the quotas down to 20 percent, allowing states to export their already-harvested sturgeon products. "This is an excellent decision that is in the best interests of sturgeon conservation and the implementation of the Convention," Chairman of the CITES Standing Committee stated. A member of the environment community, however, criticised the deal, saying it was "largely symbolic," because 70 to 80 percent of the Caspian sturgeon catch is already landed. "We're very disappointed," she said. Turkmenistan was not represented at the meeting but must confirm in writing that it accepts the plan or face a ban on its caviar exports as it -- though not a party to CITES -- would be subject to trade suspension by all CITES members. Iran, the fifth Caspian nation, was not included in the CITES recommendations, as its management of caviar exports has been deemed sufficiently effective by CITES.

ICTSD Internal Files.

## IN BRIEF

**MERCOSUR COUNTRIES AGREE ON EXTERNAL TARIFF CUT AND DEEPER ECONOMIC INTEGRATION.** Leaders from Mercosur member states Argentina, Brazil, Paraguay and Uruguay met on 22 June and pledged to deepen their economic integration and expand their commercial ties with other countries in the Western Hemisphere. They agreed to cut average external import tariffs on capital and consumer goods by 1 percentage point to 12.5 percent in 2002. They also agreed to decide upon a further cut of 1.5 percentage points during 2002, according to Argentine Undersecretary of Economic Integration Norberto Iannelli. Since a reduction of the custom union's external tariff by 0.5 percentage points in December 2000, Argentina has been a leading advocate for further tariff cuts to enable imports of goods that are produced abroad at a cheaper cost. Argentina and Brazil recently resolved differences over the external tariff policy (see BRIDGES Weekly, 19 June 2001, <http://www.ictsd.org/html/weekly/19-06-01/inbrief.htm>). "Mercosur nations to trim external tariff," REUTERS, 21 June 2001; "Mercosur Leaders Agree On Tariff, Trade Deals At Summit," ASSOCIATED PRESS, 22 June 2001.

**ANDEAN SUMMIT ENDS WITH PUSH FOR ECONOMIC INTEGRATION.** The Thirteenth Meeting of the Andean Presidential Council of the Andean Community Nations (CAN) held on 23-24 June 2001 in Venezuela ended with agreement on ways to prepare the area for the Free Trade Agreement of the Americas (FAA) set for 2005. The CAN Members Bolivia, Colombia, Ecuador, Peru and Venezuela agreed on measures such as common tariffs and regional passports to push for further economic integration. The FAA would expand the North American Free Trade Agreement (NAFTA) to include the Central and South America. At the opening of the summit, Venezuela's

President Hugo Chavez, who turned over the Chair of the CAN to the Bolivian President Hugo Banzer on 24 June, condemned globalization and neo-liberalism as "the path to hell", but his comments did not gain support from other leaders who advocated for greater trade between the CAN and the US and the EU. According to the CAN's Secretary General Alegrett, progress has been made in the negotiations between the CAN and the Mercosur, and the Foreign Ministers of the CAN, the Mercosur and Chile will meet on 17 July in Bolivia. For further information visit the CAN website at: <http://www.comunidadandina.org/english.htm>. "Andean Presidential Summit to center on political integration, social development, and the common market," CAN PRESS RELEASE, 14 June 2001; "Venezuela's Chavez blasts globalization at Andean summit," FINANCIAL TIMES, 23 June 2001.

CARIBBEAN BANANA INDUSTRY PREPARES FOR QUOTA LOSS. Faced with the loss of their guaranteed banana-import quota with the EU in 2006, Caribbean officials met on 19 June to discuss plans to streamline their banana trade regime. This follows a plan by four Caribbean states, namely St.Lucia, St.Vincent, Dominica and Grenada, unveiled last month to make the banana industry more efficient in view of the tougher export environment due to the lost quota, a consequence of the now-resolved banana dispute involving the US, EU, and several Latin American countries (see BRIDGES Weekly, 16 May 2001, <http://www.ictsd.org/html/weekly/01-05-01/story1.htm>) Caribbean bananas, which are more expensive than those produced in larger Central American plantations, account for only 1 percent of the world's banana population but the crop is a key part of the Caribbean economies. "Caribbean Leaders Review Plan to Save Banana Industry," ASSOCIATED PRESS, 20 June 2001.

REFORMS OF NAFTA CHAPTER 11 PROVISIONS UNLIKELY. Reforms of the North-American Free Trade Agreement's (NAFTA) Chapter 11 (investment) provisions at a forthcoming meeting of NAFTA Trade Ministers in July are unlikely, says a report released by the Canadian Centre for Policy Alternatives on 11 June. Chapter 11 provisions allow investing corporations to challenge public interest legislation of other NAFTA members. The report highlights Canada's retreat from supporting a narrower application of the investor-state dispute system under Chapter 11, as Canadian Prime Minister Jean Chrétien reportedly stated that the investor-state rules are working "reasonably well". In addition, the report says that the US' position in support of maintaining Chapter 11 in its current state makes reforms unlikely. "Canada's Retreat on NAFTA Investor State," CCPA PRESS RELEASE, 11 June 2001.

TACD OBJECTS TO FAST TRACK APPROVAL OF EQUIVALENCY AGREEMENTS. In a 6 June letter to Codex Alimentarius Commission Chairperson Tom Billy, the Trans-Atlantic Consumer Dialogue (TACD), a consumer organisation, has expressed its objection to the fast-track approval of Proposed Draft Guidelines related to equivalence agreements concerning food inspection and certification systems. The Committee that drafted the Guidelines -- the Codex Committee on Food Import and Export Inspection and Certification Systems -- has recommended that an accelerated approval procedure in Codex be adopted in order to speed up consultation processes with governments and non-governmental observers. TACD pointed out the inconsistency of the Guidelines with two TACD resolutions, and called for adherence to the full approval procedure that allows further consultation for improvements of the Guidelines. Equivalence agreements are trade liberalisation mechanisms promoted by the WTO Agreement on Sanitary and Phytosanitary Measures that allow different regulatory systems and standards of other countries to

be declared "equivalent" to domestic regulatory systems. The TACD met with EU and US officials in Brussels on 2-4 May (see BRIDGES Weekly, 12 June 2001, <http://www.ictsd.org/html/weekly/12-06-01/inbrief.htm>). ICTSD Internal Files.

## WTO IN BRIEF

**COMMITTEE ON TRADE AND ENVIRONMENT TO ADDRESS MEAs, TRIPs, FISHERIES.** The WTO Committee on Trade and Environment (CTE) holds its second meeting of 2001 this week from 27 to 28 June. On 26 June, Secretariats from the UN Environment Programme (UNEP) and several MEAs (Multilateral Environmental Agreements) participated with delegates in an MEA Information Session on compliance and dispute settlement. At the CTE meeting, items 1 and 5 on the CTE work programme (the relationship between WTO and MEAs) will also be discussed. Further, Members will address the issue of Domestically Prohibited Goods and Trade-Related aspects of Intellectual Property rights (TRIPs, see related story, this issue). Finally, certain items from the CTE meeting in February (see BRIDGES Weekly, 20 February 2001, <http://www.ictsd.org/html/weekly/story2.20-02-01.htm>) will be discussed further, including a Swiss submission on eco-labelling and the effects of environmental measures on market access concerning the fisheries sector. BRIDGES Weekly will report on this meeting in its next issue. ICTSD Internal Files.

**EU-CHINA TALKS MOVE WTO ACCESSION FORWARD.** On 20 June, EU Trade Commissioner Pascal Lamy and his Chinese counterpart Shi Guangsheng worked out the remaining outstanding concerns over European companies' access to the Chinese insurance and retail distribution market, thereby taking China's attempt to enter the WTO one step forward. A previous May 2000 EU-China agreement (see BRIDGES Weekly, 23 May 2000, <http://www.ictsd.org/html/weekly/story3.23-05-00.htm>) had been held back due to EU discontent with prospects for Chinese implementation. Under the finalised deal, EU trade officials obtained more favourable market access conditions for EU companies and confirmed the right of European companies to choose freely the partners with which they wish to enter into joint ventures in the Chinese market. Commenting on the other US-Chinese agreement reached two weeks ago, an EU official declared that "It's difficult to compare oranges and apples," referring to the different goals set by the Americans in hammering out their deal (see BRIDGES Weekly, 26 June 2001, <http://www.ictsd.org/html/weekly/19-06-01/story7.htm>). Trade officials are looking ahead to the 28 June - 4 July WTO Chinese accession Working Party to make further progress on China's 15-year-old accession effort. "Bilateral Trade Relations; China," EU DG TRADE PRESS RELEASE, 20 June 2001; "Highlights of the EU- China Agreement on WTO," EU DG TRADE; "China optimistic in WTO talks," FT, 24 June 2001; "EU and China tackle trade," FT, 21 June 2001.

**CIVIL SOCIETY CALLS ON EU TO WITHDRAW NEW WTO ROUND PROPOSAL.** Over 60 civil society groups from 25 countries worldwide launched a statement on 13 June calling on the EU to withdraw its proposal to launch a new round of trade negotiations at the WTO and instead lead a review and rectification of the current international trading system. The statement criticised the EU's new round agenda for its unsatisfactory regard to the social, economic and environmental impacts of international trade, which the groups say is inconsistent with the EU's own sustainable

development and human rights objectives. The signatories urged the EU to address these impacts and to support a "democratic, equitable, sustainable trading system harmonious with local and regional economies." "Civil Society calls on EU to withdraw new WTO round proposal," SUNS, 14 June 2001.

**MOORE REMARKS ON WTO STRATEGY FOR ARAB WORLD.** In a High-Level Meeting for Arab countries held on 20-21 June at the UN Conference on Trade and Development (UNCTAD) in Geneva, WTO Director-General Mike Moore remarked on the WTO's strategy for the Arab region and pleaded for Arab countries' support for a new trade round. According to Moore, the objectives of the strategy are to raise awareness of the Arab world in the WTO, to facilitate information flow, to assist the Geneva-based missions of Arab delegations, and to prepare Arab countries for a potential round of trade negotiations. The WTO's Fourth Ministerial Conference will be held from 9-13 November this year in the Arab country of Qatar. "Moore Remarks on Preparation for Doha," *INSIDE US TRADE*, 20 June 2001.

## **EVENTS & RESOURCES**

### **EVENTS**

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>.

### **ICTSD Event**

2 July, Rooms 2 & 5, International Environment House, Geneva, Switzerland: **ICTSD CAFÉ AND CROISSANTS DIALOGUE: "WTO COMMITTEE ON TRADE AND ENVIRONMENT (CTE): LOOKING AHEAD TO DOHA"**. Chair of the CTE Ambassador Alejandro Jara will give a 15-minute presentation on the 27- 28 June CTE meeting and on future work of the CTE in the lead-up to the WTO Ministerial Conference in November, after which the floor will be given to the participants for an informal and open discussion from a sustainable development perspective. Given that there is limited seating, we would highly appreciate if you could kindly RSVP to us your intention to participate to: Heike Baumuller, ICTSD; fax: (41-22) 917- 8093; email: [hbaumuller@ictsd.ch](mailto:hbaumuller@ictsd.ch).

### **Coming Up This Week**

26 June, Geneva, Switzerland: **UNEP MEETING ON COMPLIANCE, ENFORCEMENT AND DISPUTE SETTLEMENT IN MEAs AND THE WTO**. The meeting, organised in collaboration with the WTO, will focus on concrete examples of where trade or WTO rules can enhance or inhibit compliance with and enforcement of MEAs, and on concrete examples of how the reliance on negotiation, conciliation and soft-law compliance mechanisms in MEAs have proven to be effective in MEA implementation. It will also develop input for discussions taking place on international environmental governance in the context of preparations for the 2002 World Summit on Sustainable



Development. For further information contact: Hussein Abaza, UNEP; tel: (41-22) 917-8179; email: [etu@unep.ch](mailto:etu@unep.ch); Internet: <http://www.unep.ch/etu/etp/events/upcming/ceds.htm>.

26 & 28 June, Brussels, Belgium: EU WORKING GROUP ON THE ENVIRONMENT. Inter alia, delegates will discuss a Proposal for a Decision of the European Parliament and of the Council laying down the Community Environment Action Programme 2001-2010 (6th EAP). For further information visit: <http://www.eu2001.se/eu2001/calendar/meetinginfo.asp?iCalendarID=2953>.

27-29 June, Geneva, Switzerland: UNCTAD EXPERT MEETING ON INTERNATIONAL ARRANGEMENTS FOR TRANSFER OF TECHNOLOGY: BEST PRACTICES FOR ACCESS TO AND MEASURES TO ENCOURAGE TRANSFER OF TECHNOLOGY WITH A VIEW TO CAPACITY BUILDING IN DEVELOPING COUNTRIES, ESPECIALLY IN LEAST-DEVELOPED COUNTRIES. The Expert Meeting provides a forum for experts to exchange national experiences and identify best practices with respect to existing agreements on transfer technology. Participants include experts from the WTO, WIPO, EU, developing countries and related NGOs. For further information contact: Alisa Clarke, NGO Liaison Officer, UNCTAD, Geneva, Switzerland; email: [Alisa.Clarke@unctad.org](mailto:Alisa.Clarke@unctad.org), or [pressinformation@unctad.org](mailto:pressinformation@unctad.org).

27-29 June, Purdue University, West Lafayette, Indiana, USA: FOURTH ANNUAL CONFERENCE ON GLOBAL ECONOMIC ANALYSIS. The goal of this conference is to promote the exchange of ideas among economists conducting quantitative analysis of global economic issues. Particular emphasis will be placed on applied general equilibrium methods, data and applications. Related theoretical and applied work is also welcome. For additional information and registration materials contact: Judy Conner, Global Trade Analysis Project, Purdue University - 1145 Krannert Building, West Lafayette IN 47907-1145; tel: (1-765) 494-4267; fax: 496-1224, email: [conner@agecon.purdue.edu](mailto:conner@agecon.purdue.edu); Internet: <http://www.agecon.purdue.edu/GTAP/conferences/Conference2001/>.

27-29 June, Malmö, Sweden: SUSTAINABLE DEVELOPMENT-FORUM FOR PARTNERSHIP. Organised by the City of Malmö, SALA (Swedish Association of Local Authorities), the Swedish Ministry of the Environment, the EU Commission, CEMR (Council of European Municipalities and Regions) and the European Sustainable Cities and Towns Campaign. For further information contact: Johanna Lampinen, Swedish Association of Local Authorities; email: [johanna.lampinen@svekom.se](mailto:johanna.lampinen@svekom.se); tel: (46 8) 452-7264; Internet: <http://www.agenda21forum.org/sustainable>.

27-29 June, Kuala Lumpur, Malaysia: 10th WORLD ECONOMIC DEVELOPMENT CONGRESS. Under the auspices of the WORLD ECONOMIC DEVELOPMENT CONGRESS (WEDC) leaders of Asian and Western countries will present their views on economic development for a sustainable future. For further information contact: Simon de Rozario, Business Development Manager, Kuala Lumpur; tel: (60-3) 6157-8205; fax: 6157-7324; email: [ecoevent@putra.net.my](mailto:ecoevent@putra.net.my) or [wedckl@putra.net.my](mailto:wedckl@putra.net.my); Internet: <http://www.wedckl.com/>.

28 June, Brussels, Belgium: EU WORKING GROUP ON INTERNAL FISHERIES POLICY. For further information visit: <http://www.eu2001.se/eu2001/calendar/meetinginfo.asp?iCalendarID=2981>.

29 June, Geneva, Switzerland: AFRICA CLAIMING THE XXIST CENTURY: WILL GLOBALIZATION OVERSHADOW THIS REALITY? This meeting is held by the World Bank Office in Geneva to formulate new strategies to fight poverty, to protect the environment and get the most out of globalisation. Guest speaker: Mr. Callisto Madavo, World Bank Vice President for Africa. For further information contact: the World Bank Office, Geneva; tel: (41-22) 748-1000; email: zhaddad@worldbak.org.

29 June-2 July, Maoming City, Guangdong Province: THE INTERNATIONAL SYMPOSIUM ON THE RURAL ECONOMY OF CHINA AFTER WTO. The symposium is entitled "Rural Development in China in the New Century: After China's Entry into the WTO". The purpose of the symposium is to explore the new situation faced by Chinese farmers after the country's accession, their new opportunities and new challenges ahead, in a context of international experience and globalisation in the 21st century. The symposium will have important impacts on the agricultural and rural development in China. For further information contact: Ms. Zhang Hong, Coordinator, China; tel: (86-10) 6527-5067; fax: 6513-7559; email: Keyanchu@cscrddi.cass.net.cn.

1-4 July, The Bahamas: 22ND MEETING OF THE CONFERENCE OF HEADS OF GOVERNMENT OF THE CARIBBEAN COMMUNITY (CARICOM). For further information contact: Caribbean Community Secretariat, Conference Services Section; email: carisecl@caricom.org; Internet: <http://www.caricom.org/expframes2.htm>.

2-7 July, Geneva, Switzerland: 24TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION. For further information contact: Secretariat of the Joint FAO/WHO Food Standards Programme, UN FAO, Rome, Italy; tel:(39-06) 57051; fax: 5705-4593; Internet: [http://www.codexalimentarius.net/cac24/al01\\_01e.htm](http://www.codexalimentarius.net/cac24/al01_01e.htm).

2-7 July, VIU Campus, Venice, Italy: 2001 EUROPEAN SUMMER SCHOOL IN RESOURCE AND ENVIRONMENTAL ECONOMICS. Organised by the European Association of Environmental and Resource Economists (EAERE), the Fondazione Eni Enrico Mattei (FEEM) and the Venice International University (VIU). Economic Valuation Methods will be the theme of this year. The deadline for applications is 30 March 2001. For further information contact: Monica Eberle, The Summer School Secretariat, Fondazione Eni Enrico Mattei, Castello 5252, I-30122 Venice, Italy; tel: (39-041) 271-1458; fax: 271-1461; email: eberle@feem.it; Internet: <http://www.feem.it/ess/>.

## WTO Events

An updated list of forthcoming WTO meetings is posted at: [http://www.wto.org/english/news\\_e/meets.doc](http://www.wto.org/english/news_e/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 the different bodies. Unless otherwise indicated, all WTO meetings are held at the WTO, Centre William Rappard, rue de Lausanne 154, 1211 Geneva, Switzerland. For further information on WTO events contact: WTO Information and Media Relations Division, Geneva; tel: (41-22) 739- 5007; fax: 739-5458; email: [enquiries@wto.org](mailto:enquiries@wto.org).

26-27 June, Geneva, Switzerland: WTO WORKING GROUP ON THE ACCESSION OF THE RUSSIAN FEDERATION. Proposed items for the agenda are, inter alia, the legislative implementation plan relating to WTO rules and disciplines and continuation of the examination of the Russian trade regime.

27-28 June, Geneva, Switzerland: WTO COMMITTEE ON TRADE AND ENVIRONMENT. On the agenda are the Items related to linkages between the multilateral environment and trade agendas, including Items 1, 5, 7, 8 of the Work Programme. Internet: [http://www.wto.org/english/tratop\\_e/envir\\_e/cte00\\_e.htm](http://www.wto.org/english/tratop_e/envir_e/cte00_e.htm).

28-29 June, Geneva, Switzerland: WTO COMMITTEE ON AGRICULTURE.

28-29 June, Geneva, Switzerland: WTO COMMITTEE ON TECHNICAL BARRIERS TO TRADE.

28 June - 3 July, Geneva, Switzerland: WTO INFORMAL WORKING PARTY ON THE ACCESSION OF CHINA; followed on 4 July by the formal session of the China Accession Working Party.

2 July, Geneva, Switzerland: WTO WORKING PARTY ON GATS RULES.

2-3 July, Geneva, Switzerland: WTO COMMITTEE ON REGIONAL TRADE AGREEMENTS.

4-6 July, Geneva, Switzerland: WTO TEXTILES MONITORING BODY.

5 July, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN GOODS.

6-7 July, Geneva, Switzerland: WTO SYMPOSIUM ON CRITICAL ISSUES CONFRONTING THE WORLD TRADING SYSTEM. The symposium is aimed at governments, non-governmental organisations, the media and members of the academic community and will focus on: Agriculture; TRIPs - Access to Essential Medicines; Trade and Environment; Services; and WTO & Civil Society. For further information contact: Bernie Kuiten, WTO Information and Media Relations Division; tel: (41-22) 739-5676; Internet: [http://www.wto.org/english/forums\\_e/ngo\\_e/ngo\\_symp\\_2001\\_e.htm](http://www.wto.org/english/forums_e/ngo_e/ngo_symp_2001_e.htm).

9 July, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN SERVICES.

9-12 July, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN SERVICES -- Special (Negotiations) Session.

### **Other Forthcoming Events**

6-7 July, Brussels, Belgium: ACP-EU CONFERENCE ON THE PARTICIPATION OF CIVIL SOCIETY IN IMPLEMENTING THE COTONOU AGREEMENT. This meeting is organised by the forthcoming Belgian Presidency of the EU, the ACP Secretariat and the European Commission.

For further information contact: Hegel GOUTIER, Press Officer, Brussels, Belgium; tel: (32-2) 743-0604; email: [goutier@acpsec.org](mailto:goutier@acpsec.org).

8-11 July, Madrid, Spain: 10TH EUROPEAN CONGRESS ON BIOTECHNOLOGY - BIOTECHNOLOGICAL CHALLENGES IN THE NEW MILLENNIUM. Organised by the Spanish Society of Biotechnology. The Congress will cover the present and future of all fields of knowledge and application relating to biotechnology in Europe, thereby connecting and convening active specialists from academia and industry. More than 60 symposia will cover research and application of biotechnology in, inter alia, biotechnology for human and animal health, agrobiotechnology, environmental biotechnology and biosafety. For further information contact: Dr. Rüdiger Marquardt, c/o DECHEMA e.V., Theodor-Heuss-Allee 25, D-60486 Frankfurt am Main; tel: (+49 69) 7564-443; fax: 7564-169; email: [efb@dechema.de](mailto:efb@dechema.de); Internet: <http://www.sebiot.es/default.htm>.

18-20 July, Geneva, Switzerland: PREPARATORY MEETING OF THE WORLD CIVIL SOCIETY FORUM. The World Civil Society Forum seeks to strengthen international cooperation between civil society organisations (NGOs, indigenous peoples, etc.) as well as with international organisations. The Forum will consist of thematic working groups, working areas, and information and discussion sections. The preparatory meeting intends to bring together organisations that wish to participate in preparing for the Forum, organising the thematic working groups or sections, and establishing the steering committee for 2002. For further information contact: [sziegler@mandint.org](mailto:sziegler@mandint.org); Internet: <http://www.mandint.org/forum>.

18-27 July, Bonn, Germany: UNFCCC CONFERENCE OF THE PARTIES' 6TH SESSION PART II (COP-6, part 2). Following up from the UN Framework Convention On Climate Change COP-6, part 1 in The Hague, The Netherlands, which took place from 13 - 24 November 2000. The Parties will finalise their 6th annual meeting in Bonn. For further information visit: [http://www.unfccc.de/sessions/cop6\\_2/index.html](http://www.unfccc.de/sessions/cop6_2/index.html).

24-25 September, Geneva, Switzerland: PREPARATORY REGIONAL CONFERENCE FOR THE WORLD CONFERENCE ON SUSTAINABLE DEVELOPMENT. The conference is organised by the UN Economic Commission for Europe and is open for country representatives and NGOs based in Europe. For further information contact: UN Economic Commission for Europe; email: [mary.pat.silveira@unece.org](mailto:mary.pat.silveira@unece.org). For Switzerland, contact: M Werner Thut, Direction of Development and Cooperation, Freiburgstrasse 130, 3003 Berne, Switzerland.

## **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 Hugo Cameron, [hcameron@ictsd.ch](mailto:hcameron@ictsd.ch). Submissions of publications to ICTSD's documentation centre would also be welcome (contact Marc Galvin, [mgalvin@ictsd.ch](mailto:mgalvin@ictsd.ch)).

"The TRIPS Agreement and the WTO's crisis of legitimacy," in *THIRD WORLD ECONOMICS* 255 (2001): 16-18. By Martin Khor. The Author argues that the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) has heavily tilted the balance between

owners and users of technology and knowledge in favour of intellectual property rights holders, adversely affecting consumer welfare, technology transfer, the environment and economic development in the process. The author raises the need to redress the inequities wrought by the treaty and to reconsider whether it even belongs in the multilateral trading system at all.

"Opening the WTO to Nongovernmental Interests," in *FORDHAM INTERNATIONAL LAW JOURNAL*, Vol. 24, Nov-Dec 2000, NOS 1&2. By Steve Charnovitz. This essay examines the debate over how the WTO and the public interact. It centres on how NGOs should play a role in the WTO. The essay provides background to the debate; an overview of the major developments over the past three years; and provides some arguments for and against deeper NGO participation in the WTO. Finally it provides specific recommendation for how the WTO should increase opportunities for NGOs.

*PATTERNS OF ACHIEVEMENT, AFRICA AND THE MONTREAL PROTOCOL*. Published by UNEP, Dec 2000. The publication reports on the success of African states in implementing the Montreal protocol on substances that deplete the ozone layer, without jeopardising the possibilities of improving the economic, health and security conditions. For further information or to obtain a copy, contact: UNEP Energy and Ozone Action Unit; 39-43 Quai André Citroën, 75739 Paris Cedex 15 France; tel: (+33-1) 44-37-14- 59; fax: 44-37-14-74; email: [unep.tie@unep.fr](mailto:unep.tie@unep.fr); Internet: [http://www.hp\\_oa.htm](http://www.hp_oa.htm).

*SUSTAINABLE DEVELOPMENT THROUGH THE MARKET*. Published by the World Business Council for Sustainable Development, 2001. This report presents the WBCSD agenda for improving markets so they can advance sustainable development. According to the report, market attributes that can serve the purpose of sustainability -- such as freedom of choice, competition, and innovation -- should be more fully engaged. Markets can also provide the poor with more opportunities and can better reflect the values of environmental goods and services crucial to the quality of life. To order a copy, contact: [wbcسد@e-ydirect.com](mailto:wbcسد@e-ydirect.com); or download it at: <http://www.wbcسد.org/>.

*ASIAN ENVIRONMENT OUTLOOK 2001*. By the Asian Development Bank, 2001. The Asian Economic Outlook (AEO) provides in-depth policy analyses of salient environmental issues common to many of Bank's developing member countries. It presents the results of analyses of past economic development policies and their impacts on the environment; provides a set of entry points as a framework to improve the environmental performance and help reduce poverty in the Asia and Pacific region; and it recommends specific actions to policymakers for achieving environmentally sustainable development. For further information visit: <http://www.adb.org/documents/books/aeo/2001/default.asp>; email: [adbpub@adb.org](mailto:adbpub@adb.org).

"Pollution havens: an analysis of policy options for dealing with an elusive phenomenon," by Eric Neumayer, in *JOURNAL OF ENVIRONMENT & DEVELOPMENT*, 10 (2), June 2001, pp. 147-177. This article analyses which factors can give rise to pollution havens and examines whether these factors are more likely to characterise the developing world. The evidence pertaining to pollution havens is reviewed. It is argued that in spite of the rather limited evidence for their existence, it is nevertheless important to evaluate policy options for tackling (potential) pollution havens. A comprehensive range of options are evaluated according to whether they appear to be

effective, politically realistic, development friendly, closed to abuse and not unnecessarily restrictive. To obtain, contact: Eric Neumayer, department of Geography and Environment, Room S416, Houghton Street, London WC2A 2AE; tel: (+44- 20) 7955-7598, fax: 7955-7412. Internet: <http://www.lse.ac.uk/Depts/geography/Eric1.htm>.

### Electronic Resources

UK Food Group website on INTERNATIONAL UNDERTAKING ON PLANT GENETIC RESOURCES, available at: <http://www.ukabc.org/iu2.htm>. The website presents the view of nearly 400 organisations from 60 countries calling for a just, equitable and legally-binding International Undertaking that keeps seeds free from intellectual property rights, recognises Farmers' Rights, and ensures benefits from the use of seeds by the food and plant breeding industries flow back to the farmers who developed them.

*BRIDGES* Weekly Trade News Digest© is published by the International Centre for Trade and Sustainable Development (ICTSD) <http://www.ictsd.org>, with technical support from the Institute for Agriculture and Trade Policy (IATP). Contributors to this issue are Andrew Baldwin, Heike Baumuller, Ali Delahvi, Jennifer Ngai, Matteo Rizzolli, Alexander Werth and Caroline Wiman. Edited by Hugo Cameron, [hcameron@ictsd.ch](mailto:hcameron@ictsd.ch). Managing Editor is Andrew Crosby <[acrosby@ictsd.ch](mailto:acrosby@ictsd.ch)>. The Director is Ricardo Meléndez-Ortiz, [rmelendez@ictsd.ch](mailto:rmelendez@ictsd.ch). ICTSD is an independent, not-for-profit organisation based at: 13, ch des Anémones, 1219 Geneva, Switzerland. Tel: (41- 22) 917- 8492; fax: (41-22) 917- 8093.. Excerpts from *BRIDGES* Weekly Trade News Digest© may be used in other publications with appropriate citation. Comments and suggestions are welcomed and should be directed to the Editor or the Director.

To subscribe to *BRIDGES* Weekly Trade News Digest©, send an email to: [listserv@iatp.org](mailto:listserv@iatp.org). Leave the subject line blank. In the body of the message type: subscribe bridges To unsubscribe, please send an email to [listserv@iatp.org](mailto:listserv@iatp.org). In the body of the message type: unsubscribe bridges. *BRIDGES* Weekly Trade News Digest© can also be found at the ICTSD web page: <http://www.ictsd.org/html/newsdigest.htm> and at the IATP web page: <http://www.newsbulletin.org>

ICTSD would like to thank the funders that have made the *BRIDGES* series of Publications possible in 2000: Christian Aid (UK); The Government of Denmark (DANIDA); IUCN The World Conservation Union (Switzerland); The John D. and Catherine T. MacArthur Foundation (US); The Government of the Netherlands (DGIS); Oxfam (UK); The Government of Switzerland (SECO); and the Swiss Coalition of Development Organisations (Switzerland).

ISSN 1563-003



