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TABLE OF CONTENTS

• Proposals Pour In As WTO Members Prepare For Next Ag Meeting	1
• Dispute Settlement Update: Swordfish, Coffee Shrimp-Turtle & Aircraft	3
• After Davos 2001: Many Divides Remain Unbridged	5
• Japan, EU Push New Round; Qatar Confirmed To Host WTO Meet	7
• WTO's Draft Guidelines For Services Talks Strive For Inclusiveness	9
• Chiquita Sues EC Over Banana Regime	10
• EU Modifies Everything But Arms Proposal Under Pressure From Ag Sector	11
• In Brief	12
• WTO In Brief	13
• On The Move: WTO Re-organises To Emphasise Technical Cooperation	14
• Events	14
• Resources	16

PROPOSALS POUR IN AS WTO MEMBERS PREPARE FOR NEXT AG MEETING

From 5-7 February, the WTO Special Session of the Committee on Agriculture is scheduled to resume its preliminary discussions on global agricultural reform, a hotly contested political issue that continues to polarise the WTO Membership. At the core of the debate lie two distinct positions: that held by agriculture-exporting countries such as the US and the Cairns group which advocates an open, market-driven trade in agricultural commodities; and another, held by the EU, Japan, S. Korea, and many developing countries which asserts that agricultural production is unique and must remain insulated from unstable global markets.

Although originally scheduled as a tentative event, the Fifth Special Session is preparing to discuss 16 separate proposals -- the most received by any single Special Session since the agriculture negotiations officially began last January.

India proposes "Food Security Box"

Among those submissions most likely to generate strong support from developing countries is that put forward by India. In its proposal, India advocates a "Food Security Box" which it argues would grant developing countries sufficient flexibility to address their food security needs. In many ways, the "food security box" replicates the agriculture "development box" advocated by developing countries in the lead-up to the 1999 Seattle Ministerial. The argument used by India to justify this "policy space" is that developing countries, lacking sufficient resources and infra-structural capacity to manage their geographic and economic vulnerabilities, are at a comparative disadvantage vis-à-vis their developed country competitors. According to the Indian proposal, only the combined benefits of both subsidised agriculture and unimpeded market access to developed countries will guarantee food security sufficiently in developing countries and minimise those risks associated with developing country vulnerabilities.

The Indian proposal comes within weeks of the Indian government announcing its plans to launch the National Programme for Organic Production (NPOP), a program designed to supply the steadily rising global demand for organically produced agricultural products. Under the program, Indian farmers could opt to satisfy a minimum production standard and in turn obtain improved access to the US and German organic food markets valued at \$US4.2 billion and \$US1.2 billion respectively. The announcement follows on the heels of a US Department of Agriculture (USDA) announcement in December 2000 of a similar policy whereby both domestic and foreign food producers can obtain "organic" certification by voluntarily adhering to the USDA production standard (see *BRIDGES Weekly*, 16 Jan 01, <http://www.ictsd.org/html/weekly/story4.16-01-01.htm>).

India's proposal is expected to win favour with the Cairns Group of agriculture-exporting countries as it acknowledges the extreme trade distorting effects of the EU's agricultural export subsidy regime. India also argues that other forms of export support used by both the US and Cairns Group - notably State-Trading Enterprises and export crediting schemes -- are trade distorting and must also be disciplined.

EU sticks to its multifunctional guns

The latest proposal to the WTO agriculture negotiations from the EU assigns great weight to the environmental and social benefits of European food production. The EU continues to argue that the multifunctionality of agricultural production must be acknowledged in any new agriculture trade agreement at the WTO.

Reflecting the EU stance on agriculture at the WTO, on 10 January German Chancellor Gerhard Schröder appointed Green Minister Renate Kunast to head up a new ministry which will oversee both agriculture and consumer protection policy. The move comes in the wake of rising public concern resulting from BSE, or mad cow disease, crisis. Under the guidance of Ms. Kunast, the new ministry is expected to press for publicly subsidised "ecologically friendly" agricultural production. In a public statement given shortly after Kunast's appointment, Franz Fischler, EU Agriculture Commissioner, signalled his support for Kunast, saying she would "not have to break down doors in Brussels - they are already wide open".

In related news, on 29 January, EU farm ministers began debating new rules on animal welfare that are intended to improve the treatment of hogs in European pork production. Animal welfare is another central plank in the EU's agriculture trade platform at the WTO.

Setting up for taking stock in March

Following the 5-7 February Special Session of the Committee on Agriculture, only one further meeting (28-29 March) remains before Members engage in a stock-taking exercise in which Members will assess the state-of-play of the negotiations and begin the more arduous task of setting rules for the actual process of trade-offs and concession making.

However, it is expected that the pace of the agriculture negotiation will be conditioned by the lead-up to the Fourth WTO Ministerial scheduled for late October or early November this year in Doha, Qatar. Widespread disagreements over the scope and content of a new trade round -- which may be launched at the Qatar Ministerial -- may spill over into the agriculture negotiation and impede its progress.

Submitted proposals to the Committee on Agriculture are available from the WTO website at: http://www.wto.org/english/tratop_e/agric_e/negoti_e.htm.

"India Calls For Big Tariff Cuts, No Subsidies For Rich Countries in WTO Farm Talks," WTO REPORTER, 25 January, 2001; "Indian Program To Tap US\$13 billion Global Organic Food Market," ASIAPULSE, 24 January, 2001; "Schroder Begins Reform of Agriculture," FINANCIAL TIMES, 11 January, 2001; "BSE Crisis Pushes EU Towards Eco-friendly Farming," FINANCIAL TIMES, 18 January 2001; ICTSD Internal Files.

DISPUTE SETTLEMENT UPDATE: SWORDFISH, COFFEE SHRIMP-TURTLE & AIRCRAFT

Amicable solution reached in EU-Chile swordfish dispute

The EU and Chile reached a settlement on 25 January to resolve the so-called 'swordfish dispute' over which a WTO dispute settlement panel was about to be set up (see *BRIDGES Weekly*, 14 Nov 00, <http://www.ictsd.org/html/weekly/story2.14-11-00.htm>). The agreement provides limited access for EU fishing boats to Chilean ports, and bilateral and multilateral scientific and technical co-operation on conservation of swordfish stocks.

Under the settlement, Chile will allow four EU vessels to trans-ship or land up to 1,000 metric tons of swordfish at three Chilean ports as part of a joint program involving an equal number of Chilean vessels. This program will include intensive data collection to be used in a joint EU-Chilean scientific evaluation of Southeast Pacific swordfish stocks. In addition, meetings will be resumed between the EU and Chile within the framework of a Bilateral Scientific and Technical Commission (BSTC) on the swordfish stocks in the Southeast Pacific (the next meeting is scheduled for April 2001). The parties also agreed to establish a multilateral framework for the conservation and management of swordfish in the Southeastern Pacific.

Following a Chilean ban on the importation and transit of swordfish, the EU had requested and obtained the establishment of a WTO panel (see *BRIDGES Weekly*, 12 Dec 00, <http://www.ictsd.org/html/weekly/story4.12-12-00.htm>). Chile, in turn, initiated proceedings before the International Tribunal on the Law of the Sea (ITLOS). The UN Convention on the Law of the Sea contains provisions relating to conservation of marine resources. The WTO panel's ruling would have been the first to address the highly controversial issue as to the compatibility of internationally agreed environmental provisions with the WTO's multilateral trade rules. After agreeing to the compromise solution, the EU and Chile have suspended their respective WTO/ITLOS proceedings pending ratification of the agreement.

EU moves to disarm Brazil in coffee dispute

At the initiative of the EU, European and Brazilian officials met in Brussels on 23 January to develop and submit a duty-free quota proposal in a dispute over European tariffs on Brazil's soluble coffee exports. The concession was made by the EU in order to dissuade Brazil from filing a complaint at the WTO Dispute Settlement Body (DSB). Brazilian discontent stems from its exclusion from the EU's Generalised System of Preferences (GSP) scheme, which grants duty-free access to EU markets to certain Andean and Central American countries struggling with drug trade difficulties. Brazil claims that the EU policy establishes a situation of discrimination against its exports.

EU tariffs on Brazilian instant coffee currently stand at 9.5 percent, in contrast to imports from the above-mentioned countries, which enter the EU market untaxed. Export figures show that Brazilian instant coffee shipments to Europe have declined steadily over the past two decades, dropping from 16.8 million metric tons in 1980 to 7.1 million tons in 2000. Europe is Brazil's third largest market for soluble coffee, behind Russia and the US. Brazil will consider the proposal during the next few weeks.

In related news, Brazil, which is the world's leading coffee producer, and Indonesia, the world's leading exporter of the 'robust' type of coffee, agreed on 23 January to limit exports in order to raise prices on the international market. The two countries are members of the Association of Coffee Producing Countries (ACPC), which is concerned about the growing number of countries that recently have begun to produce coffee. The Association also complains that middlemen are keeping most of the profits from the coffee trade.

Dispute panel hears arguments in Shrimp-Turtle

On 23 and 24 January, a WTO compliance panel convened to hear arguments on Malaysia's contention that the US had failed to comply with an earlier Appellate Body decision on its law governing the import of certain shrimp and shrimp products (see *BRIDGES Weekly*, 24 Oct 00, <http://www.ictsd.org/html/weekly/story2.24-10-00.htm>). At its meeting of 23 October 2000, the WTO Dispute Settlement Body referred the matter to the original panel pursuant to Article 21.5 DSU. The panellists -- Killian Delbruck; Carlos Marcio Cozendey and Michael Cartland -- are expected to reach a decision on the case in approximately two months.

Brazil-Canada aircraft dispute edging toward trade war?

In response to the Brazilian announcement that it will file a complaint against Canada's aircraft subsidies before the WTO (see *BRIDGES Weekly*, 23 Jan 01, <http://www.ictsd.org/html/weekly/wtoinbrief.23.01-01.htm>), Canada will ask the WTO on 1 February to examine Brazil's revised subsidies, despite existing authorisation to impose sanctions on Brazilian imports. The climate between the two countries has been further soured by a threat from Brazilian Agriculture Minister Marcus de Pratini Moraes that Brazil will boycott imports of Canadian fertilisers should Canada go ahead and impose the trade sanctions authorised by the WTO last year.

The boycott could impact potassium chloride, which in 2000 amounted to exports for Canada worth \$US167 million. Moraes did not exclude targeting other Canadian products such as wheat grain, peas, and sulphur worth around \$US250 million. According to Moraes, the farming sector would be the first to respond, since everything Brazil imports from Canada in this sector can be substituted. A possible alternative source for fertiliser could be Poland, he indicated. "The trade structure is quite clear: a retaliation will be worse for Canada than it will be for us," said Moraes.

"EU and Chile Announce Settlement Of Swordfish Dispute, Suspend WTO Case," THE BUREAU OF NATIONAL AFFAIRS INC., 29 January 2001; "Chile y UE Tras Acuerdo Extrajudicial En Pez Espada," EL DIARIO S.A., 24 January 2001; "EU and Chile reach an amicable settlement to end WTO/ITLOS swordfish dispute," EU PRESS RELEASE IP/01/116, 25 January 2001; "UE-Brazil La UE Establecera Contingente Libre de Arancel Para Cafe Soluble," AGENCIA EFE S.A., 24 January 2001; "Indonesia and Brazil Agree to Hold Back Coffee Exports," AGENCIA EFE S.A., 23 January 2001; "Brazil To Weigh Plan To Resolve EU Soluble Coffee Row," DOW JONES NEWS, 23 January 2001; "EU May Reduce Tariffs On Brazilian Soluble Coffee," DOW JONES NEWSWIRES, 22 January 2001; "Brazil To Boycott Canada fertilizer If Sanctions Imposed," DOW JONES AND COMPANY, Inc., 23 January 2001; "Brazil, Canada, plan further WTO cases in aircraft dispute," BRIDGENEWS, 24 January 2001; "Brazil amenaza con boicotear varios productos canadienses," THE WALL STREET JOURNAL, 23 January 2001. ICTSD Internal Files.

AFTER DAVOS 2001: MANY DIVIDES REMAIN UNBRIDGED

Accompanied by critical voices and open protests, the World Economic Forum (WEF) held its 31st annual meeting on 25-30 January in the exclusive alpine ski resort of Davos, Switzerland. Following the WEF's ambitious goal to "improve the state of the world" the meeting was placed under the slogan "Sustaining Growth and Bridging the Divides: A Framework for Our Global Future." The WEF sees its annual summit as a global think-tank that brings together more than 1000 business leaders from the world's largest corporations together with leaders in government -- 23 heads of state attended this year's meeting -- intergovernmental organisations, media, academe and a handful of selected non-governmental organisations (NGOs). Outside of the conference centre, critical observers not admitted to the official meeting voiced concerns about the effects of globalisation, the legitimacy of the WEF conference and the police measures taken to ensure its security.

The NGO Divide

Observers reported that one of the major divides during the Davos meeting was that between the outside and the inside of the event. Reacting to rigorous police presence, NGOs strongly criticised the WEF for what they said was its failure to condemn overzealous security tactics that silenced protesters and barred guests from an alternative conference. They said that Swiss authorities denied fundamental rights of assembly and free speech by banning demonstrations, taking leaflets from WEF opponents and stopping activists from reaching Davos. "The credibility of the Davos meeting is threatened if debate is stifled", said Pierre Sané, Secretary General of Amnesty International. Together with 15 other representatives of NGOs invited to the WEF annual meeting, Sané addressed a letter to the Swiss Federal Council and to Klaus Schwab, founder of the WEF. The signatories called on Schwab and the Swiss government to take a clear position in favour of fundamental rights and to ensure that these rights will be respected at future meetings in Davos. In the event the WEF fails to issue an appropriate statement before September, the signing NGOs will consider withdrawing from future forums. A participant of the counter-conference "Public Eye on Davos" remarked at the paradoxical situation whereby WEF discussants addressed the topic of sustainable development behind barbed wire and isolated from public participation.

A Self-help Plan for Africa

The presidents of South Africa, Nigeria and Algeria, Thabo Mbeki, Olesgun Obasanjo and Abdelaziz Bouteflika launched a drive at the WEF meeting to win support for the Millennium African Renaissance Plan, which they argue should help Africa escape its endemic conflict and poverty. According to Frank Chikane, a senior aid in Mbeki's office, "the Africa plan hopes to move away from the traditional aid concept whereby funds end up paying Africa's external debt service costs and make the continent an exporter of capital." The plan stresses the importance of restoring private sector confidence in Africa to spur investment and a mutual respect for regulations. It also aims to give African countries a "greater ownership" over the continent's maze of International Monetary Fund (IMF) and World Bank-backed economic reform programs. Mbeki said support for the initiative has already come from European governments and the UN as well as from the IMF and the World Bank. African officials also pointed to the importance of enhancing regional ties, especially mentioning South African investment in Mozambique and closer relations between South Africa and Nigeria.

A number to measure sustainability

The WEF's Global Leaders for Tomorrow (GLT) Environment Task Force on 27 January presented an Environmental Sustainability Index (ESI), which was developed in cooperation with the Earth Institute's Center for International Earth Science Information Network (CIESIN) at Columbia University, and the Yale University Centre for Environmental Law and Policy.

The ESI is based on 5 components of environmental performance: (a) the state of the environment in a particular country; (b) the sources of a country's environmental degradation; (c) human vulnerability to environmental problems; (d) the capacity of a society to respond to environmental problems; and (e) a country's contribution to global environmental problems. 22 core indicators containing a total of 67 variables are used to calculate a country's performance, which is expressed on a scale from 0 to 100. Indicators include eco-efficiency, population stress, responsiveness of the

public sector, urban air quality, overall public health, and environmental regulation, while variables range from airborne sulphur dioxide to corruption.

In a study presented at the Davos meeting, the GLTs identified Finland, Norway and Canada as the three most sustainable countries, while Haiti, Saudi-Arabia and Burundi ranked at the bottom of the list. The US came in 11th place among the 122 countries in the study.

Subsequent to the release of the study, critics voiced concerns about its methodology and results. Doubts about the methodology concerned the country-by-country approach, the equal weight of all indicators and the absence of reliable data for the variables. The New Economics Foundation, a London based NGO, called the report "global misleadership" and "a severe case of statistical abuse." They attacked the study's finding that "some of the world's most polluting economies are actually the most environmentally sustainable." Comparing the ESI rankings with indicators measuring a country's environmental impact, such as the CO2 pollution rank per capita and the Ecological Footprint ranking, they found that the picture had been completely inverted.

For a copy of the study visit: <http://www.ciesin.columbia.edu/indicators/esi>.

Little dialogue with the World Social Forum

The exchange between the WEF annual meeting and the parallel World Social Forum (WSF) in Porto Alegre, Brazil, was very limited. A daily feature in Forum News Daily -- the official newspaper of the Davos forum -- along with a live satellite debate held on 28 January, were the only official linkages visible to a broader public. This debate was aimed at promoting dialogue between the WEF and its counter movement at the WSF. The Porto Alegre group called for debt forgiveness for developing nations and the adoption of the Tobin Tax, a tariff on cross-border financial transactions. Davos responded, saying that in all recipes for the reduction of poverty, there must be a component of economic growth. The debate became heated, with the Porto Alegre participants blaming unfettered capitalism, the World Bank and the IMF for the suffering of the Third World.

"Forum's Annual Meeting focus on bridging the 'social divides'", FORUM NEWS DAILY, 22 January 2001; "Offener Brief der NGO an den Bundesrat", NEUE ZÜRCHER ZEITUNG, 30 January 2001; "Groups and Forum feud over police's treatment of protestors", FORUM NEWS DAILY, 30 January 2001; "NGOs consider 'Public Eye' a success", FORUM NEWS DAILY, 29 January 2001; "Africans Push For Radical Rethink Of Devt Programs", DOW JONES, 28 January 2001; "Self-help 'is the key' for Africa", FINANCIAL TIMES, 27 January 2001; "Mbeki to push African 'Marshall Plan' in Davos", REUTERS, 25 January 2001; "New scorecard developed to measure environmental performance", FORUM DAILY NEWS, 28 January 2001; "Green and Growing", THE ECONOMIST, 27 January 2001; "Study Shows Finland, Norway and Canada Rank as Top Countries in Environmental Sustainability", ESI PRESS RELEASE, 25 January 2001; "Insults fly during Internet debate", CNN, 29 January 2001; ICTSD Internal Files.

JAPAN, EU PUSH NEW ROUND; QATAR CONFIRMED TO HOST WTO MEET

In an effort to restore confidence in the WTO, both Japan and the have EU recently initiated consensus-building campaigns aimed at bolstering support for a new round of multilateral trade

negotiations. Both believe that a new round would put to rest fears that a world economy heading towards recession will lead to greater protectionism. But others worry that the WTO Membership may be so polarised that another failed attempt to launch a new round may permanently damage the organisation's already waning credibility.

Japan and EU test "new round" waters

For its part, Japan hosted an informal gathering in Frankfurt, Germany on 24 January to discuss possible directions a new round might take. Attending the meeting were representatives from Egypt, South Korea, Switzerland, Australia, Brazil, Hong Kong, Japan, South Africa and Thailand -- all of whom reiterated the difficulties of including labour standards on an agenda for a new round. The prospects of including competition and investment policy also remained divisive as some delegates held the view that if handled properly investment could be included. Others, such as Egypt, were strongly opposed to either.

For the EU, the consensus-building campaign follows a 19 January decision by EU member states not to divert EU trade policy from its pre-Seattle position without a prior "exploratory" consultation with the WTO Membership. In its decision, the EU re-emphasised that any new round of multilateral trade negotiations must include investment, competition policy and environmental standards "without any lowering of our ambitions." The 'exploratory phase' is an effort to examine the potential for consensus, after which the Commission will report back to the European Union with the results of its findings.

In related news, Chris Patten, European Commissioner for External Relations, during an official trip to India, recently endorsed India's long-time position that core labour standards and environmental issues should be kept out of the WTO (see *BRIDGES Weekly* Vol.5, No.1, <http://www.ictsd.org/html/weekly/inbrief.16-01-01.htm>).

US could impede new round consensus

Despite the best efforts by Japan and the EU to build consensus for a new round, the biggest impediment to renewed multilateralism, according to many trade sources, is Washington. President Bush is expected to face a tough battle in Congress for 'fast-track' trade negotiating authority, and so far has not indicated the extent to which the Administration will push for a new round.

Some trade analysts speculate that President Bush will likely focus his efforts on rejuvenating the stalled Free Trade Area of the Americas (FTAA) process, rather than on WTO negotiations. Unless coupled with a nod to the multilateral system, such a move could hasten the proliferation of regional and bilateral trade agreements -- a process that WTO Director-General Mike Moore is earnestly trying to avert. Despite this, Supachai Panitchpakdi, Thailand's Deputy Prime Minister and soon-to-be WTO Director-General, stated at the World Economic Forum in Davos that regional and bilateral trade agreements are not necessarily incompatible with the WTO.

Pascal Lamy, European Trade Commissioner, plans to meet with his American counterpart Robert Zoellick in early March to discuss the WTO negotiations and other pressing transatlantic trade issues.

Human Rights Watch denounces Qatar as Ministerial host

The pressure to reach consensus on an agenda for the anticipated new round increased on 30 January when the WTO approved Qatar's application to host the next WTO Ministerial. The meeting will likely be held from 5-9 November, but a conflict with the UN FAO World Food Summit may push the event back to 29 October - 2 November. The WTO is expected to resolve the date conflict at its next General Council session on 8 February.

Several groups, including the United Steelworkers of America, Friends of the Earth, Public Citizen and Human Rights Watch, have decried the location for the next Ministerial on the basis of Qatar's human rights and transparency laws. "The WTO's choice of Qatar demonstrates the fallacy that the WTO is committed to transparency," said Brent Blackwelder, President of Friends of the Earth. "We have to ask what the WTO's real agenda is when it meets in a nation that prohibits peaceful demonstrations and hinders freedom of the press."

In a statement issued on 29 January, Qatar stated that it "will not prevent anybody from entering (the country) to demonstrate on the condition that the demonstrations are peaceful."

"EU Members Keep Mandate For New WTO Talks, Urge More Exploration," INSIDE US TRADE, 26 January 2001; "EU Opens Talks With WTO Members On Launching New Global Trade Negotiations," WTO REPORTER, 29 January 2001; "Japan's Informal Meeting On WTO Agenda Yields Few New Positions by Participants," WTO REPORTER, 29 January 2001; "EU And Japan Call For New Trade Round," FINANCIAL TIMES, 28 January 2001; "WTO Limpes Back To Action," FINANCIAL TIMES, 29 January 2001; "EU Endorses India Stand To Keep Labour Standards Out of New WTO Talks," THE INDIAN EXPRESS, 30 January 2001; "Chris Patten Backs India On WTO Standards," AFP, 25 January 2001; "WTO Talks require Compromise: Supachai," THE JAPAN TIMES, 29 January 2001; "Qatar Vows Good WTO Meeting In Doha Despite Criticism Of Venue," AFP, 24 January 2001; "Qatar Says To Allow Peaceful Protest At WTO Meeting," REUTERS, 29 January 2001.

WTO'S DRAFT GUIDELINES FOR SERVICES TALKS STRIVE FOR INCLUSIVENESS

The WTO Secretariat last week circulated draft guidelines and procedures for the continuation of the trade in services negotiations. The guidelines have implications for the pace, the starting point and the scope of the negotiations. According to a trade source, the Secretariat's draft guidelines closely mirror a proposal submitted by 24 developing countries -- including India, Pakistan, Argentina, Brazil and Thailand -- in December 2000. In several areas, however, the draft guidelines simply restate the current GATS text, leaving some observers to question whether the guidelines would provide any significant guidance beyond the current GATS.

Agreement on the WTO services guidelines could be affected by broader demands by developing countries to obtain more trade benefits through the implementation of existing trade agreements. The WTO effort to deal with those implementation issues fell far short of developing countries' hopes last December (see *BRIDGES Weekly*, 23 January 01, <http://www.ictsd.org/html/weekly/story6.23-01-01.htm>).

Another key issue to be tackled in the services guidelines will be the emphasis they place on different modes of negotiations. The developing countries' December proposal says that Request and Offer, in which countries seeking liberalisation make a request and other countries counter with an offer, shall be the principal method of negotiating specific commitments. The US, on the contrary, favours the use of alternative methods.

While similar to the 19 October 1999 draft Seattle Ministerial text on services (see <http://www.ictsd.org/html/seattleministerial.htm>), the new Secretariat draft places a greater emphasis on the needs of developing countries, reflecting their concerns in Seattle that the interests of poorer Members have been sidelined in the WTO.

Perhaps most significantly, the draft paper suggests the establishment of "specific mechanisms for the effective implementation of Article IV" in order to increase the participation of developing countries in global services trade. This formulation, calling for the "effective implementation" of Article IV addresses one of the key concerns of developing countries, although qualified in its focus on "implementation" of the current provision rather than "operationalisation" as some developing countries favour.

The text is expected to be discussed at an informal meeting of the WTO Council for Trade in Services on 7 February. The WTO hopes to have an agreement on the guidelines by the end of March.

"WTO DRAFTS GUIDELINES FOR SERVICES TALKS TO PUSH NEGOTIATIONS," INSIDE US TRADE, 26 January 2001; "WTO Issues Draft Negotiation Guidelines For Continuing Services Liberalization Talks," THE BUREAU OF NATIONAL AFFAIRS Inc., 26 January 2001.

CHIQUITA SUES EC OVER BANANA REGIME

Chiquita Brands International Inc. announced on 25 January that it has filed a lawsuit for \$US525 million in damages against the European Commission in the European Court of Justice. Citing the EU's restrictions on banana imports as the cause of the company's financial distress -- Chiquita is on the brink of bankruptcy -- the lawsuit also seeks the right to claim future damage "based on the continuing illegality of the [EC banana] regime."

Chiquita stated that the EC's failure to comply with the WTO rulings violated the "fundamental rights and general principles of European Community law, such as non-discrimination and the freedom to pursue a trade or business." The company believes that these violations are responsible for its fifty percent decrease in market share of bananas in Europe since 1993 and that the decline in market share is primarily responsible for its financial troubles.

The EU has no comment on the Chiquita case, according to spokesman Willy Helin from the European Commission office in Washington, D.C., though Helin did say that Chiquita's financial difficulties have nothing to do with the EU's banana import regime.

The trade dispute between US-based Chiquita and the EC began eight years ago after the EU introduced a banana import system that restricted imports from Latin America and favoured

growers in former European colonies. The EU changed its importing system after the WTO ruled it to be illegal in 1997. In 1999 the WTO ruled that the banana regime still remained in violation of multilateral trade rules. This latest ruling motivated the US to impose trade sanctions on European imports, which currently total some \$US191 million.

Chiquita still hopes to reach a lasting negotiated settlement with the EU, but according to Steven G. Warshaw, president and CEO of Chiquita, "the lack of results thus far despite the efforts of the interested countries, as well as the Commission's intention to implement yet another WTO-incompatible regime, leave us no choice at this stage but to pursue other legitimate avenues for obtaining relief."

In related news, at a 22-23 January session of the EU's General Affairs council, Italy stated that the EU agreement at the end of 2000 to modify its banana import regime to a 'first come, first served' basis is "only one of the possible solutions." Italy called on the General Affairs Council to go back on the question in light of ongoing negotiations with third countries.

"Chiquita sues European Commission over banana imports," ASSOCIATED PRESS, 25 January 2001; "Chiquita sues EU for \$525 million, citing damages from banana import regime," WTO REPORTER, 26 January 2001; "Banana group sues Brussels," FINANCIAL TIMES, 25 January 2001; "Banana multinational seeks 564 million euros in compensation from the EU -- Italy supports further negotiations," EUROSTEP, 26 January 2001.

EU MODIFIES EVERYTHING BUT ARMS PROPOSAL UNDER PRESSURE FROM AG SECTOR

Bowing to pressure from farm lobbies, the European Commission on 17 January agreed on a modified version of the "Everything But Arms" (EBA) market access proposal for goods from Least-Developed Countries (LDCs) (see *BRIDGES Weekly*, 16 Jan 01, <http://www.ictsd.org/html/weekly/story6.16-01-01.htm>). The amendments concern the transitional periods for the phase-in of duty-free access for bananas, sugar and rice. According to EU trade spokesman Anthony Gooch, the Commission now proposes a transition period of 2002-2006 for bananas and of 2006-2008 for sugar and rice. After this period, access for these products to the EU market would be completely duty- and quota-free. Before 2006, the Commission would look at ways of giving LDCs enhanced market access for sugar and rice by opening temporary special quotas.

Concerns on the effect of the EBA proposals had been raised after EU Agriculture Commissioner Franz Fischler in December 2000 released an internal study that said that the proposal's impact would be greater than originally expected. The report stated that the sugar industry in particular might be adversely affected and face costs of more than \$US900m. A study released on 19 January by Oxfam, a UK based NGO, challenged this argument, claiming that figures from the UN Food and Agriculture Organisation (FAO) indicate a potential maximum increase in LDCs' sugar exports to the EU of only 100,000 tonnes. The EU produces 16 million tonnes of sugar annually, consumes 12 million tonnes and exports the rest. Further, the Oxfam study pointed out that non-LDC developing countries -- particularly those from the ACP group -- are concerned about the EU proposal. The report warns, "the result will be an increase in EU dumped exports onto the world market where they will lower prices still further for ACP states." However, it sees these concerns as

"sufficiently limited that it ought to be possible to deal with them through positive measures rather than by an EU retreat from the EBA proposal."

The Commission's EBA proposal and the Agriculture Commissioner's report on impacts can be found at: http://europa.eu.int/comm/agriculture/external/wto/eba/index_en.htm. For a copy of Oxfam's study visit: <http://www.oxfam.org.uk/policy/papers/eba.htm>.

"EU Seeks to Eliminate Tariffs", IPS DAILY JOURNAL, 18 January 2001; "EU Bows to criticism of its trade plan", REUTERS, 17 January 2001; "EU Commission Amends Poor Countries' Duty-Free Trade Plan", DOW JONES, 17 January 2001; ICTSD Internal Files.

IN BRIEF

JAPAN AND MEXICO TO SIGN INVESTMENT AGREEMENT. Officials from Japan and Mexico have agreed to finalise the details of a bilateral investment protection pact in the next three months in an attempt to conclude it in six months, according to Japanese Minister of Economy, Trade and Industry Takeo Hiranuma. Following the conclusion of the pact, both sides hope to convene a high-level meeting to continue talks on strengthening their trade partnership, possibly with a free trade agreement. Negotiations on the accord began in March 2000 and the pact is aimed at protecting and facilitating Japanese investment in Mexico. Hiranuma was cautious on his pronouncements of a free trade agreement since it had aroused protest and opposition in Japan's agriculture sector. He said, however, that since the level of tariffs in Japan were not too high, negotiations could still continue at reaching a consensus. "Japan, Mexico to conclude investment protection pact," KYODO NEWS INTERNATIONAL, 23 January 2001.

US WANTS MORE TIME FOR CLIMATE TALKS. Officials from the US State Department have asked the Chair of the Kyoto Protocol climate change process Jan Pronk to give the US more time to prepare for the next round of talks on global warming, possibly postponing the resumption of the *BRIDGES* Weekly, 28 Nov 00, <http://www.ictsd.org/html/weekly/story2.28-11-00.htm>), and discussions were expected to resume in May 2001. US state department spokesman Richard Boucher said that the talks were important and very complex and there was a need for more consultations and a thorough look at US policy on climate change. The decision to delay will be up to Pronk, who is expected to decide in February. The aim of the talks in November was to spell out in greater detail the 1997 UN Kyoto Protocol to reduce greenhouse gas emissions blamed for warming the earth's atmosphere. The negotiations collapsed largely because of differences between the US and the 15-nation EU. Under the Kyoto Protocol, 39 industrialised nations agreed to cut their green house gas emissions to an average of 5.2 percent below 1990 levels by the period 2008-2012, though it will not take effect until it is ratified by 55 percent of the countries emitting at least 55 percent of the six greenhouse gases. The US is responsible for approximately 25 percent of all global greenhouse gases emissions. "US seeks more time to prepare for climate talks" REUTERS, 28 January 2001. "US requests further delay in climate talks" ENVIRONMENT NEWS SERVICE, 25 January 2001.

EGYPT, EU INITIAL PACT. After five years of negotiations, the EU and Egypt initialled an agreement to finalise an "association accord" aimed at stimulating trade and political ties, with the hope of being ratified and later signed sometime this year. The agreement will grant Egypt duty-free access to EU markets for industrial goods and require Egypt to phase out customs duties on EU

imports over a period of 12 years. The deal was long held up by the EU's unwillingness to adjust its Common Agricultural Policy to allow Egypt to boost its agricultural exports in exchange for giving European industry access to Egypt's 60 million plus consumers. The EU is Egypt's largest trade partner, accounting for almost half of its imports and exports. In addition to trade liberalisation, the EU said the pact would provide for co-operation in a range of fields, including education, culture and fighting crime. The EU has similar agreements with Algeria, Morocco, Tunisia, and other countries in the Middle East. "EU, Egypt Initial Pact To Improve Trade, Ties" AP, 26 January 2001.

WTO IN BRIEF

INTEGRATED FRAMEWORK MEETS ON MAINSTREAMING TRADE. On 29-30 January, the six core agencies of the Integrated Framework for Trade-Related Technical Assistance to Least Developed Countries (IMF, ITC, UNCTAD, UNDP, World Bank, and WTO) organised a seminar on "The Policy Relevance of Mainstreaming Trade into Country Development Strategies: Perspectives of Least-Developed Countries". The meeting was hosted by the WTO and attended by many LDC representatives, as well as aid and development agencies. The seminar aimed to explore the idea of 'mainstreaming' trade, which 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. As the first in a series of seminars on mainstreaming trade, this meeting combined experts and LDC representatives, and was intended to provide inputs into related ongoing processes such as the 'Okinawa Workshop on Trade-Related Capacity-Building' in Okinawa, 2-4 March 2001; the 'Third United Nations Conference for Least-Developed Nations' in Brussels, 14-20 May 2001; and the 'Business Sector Round Table' in Brussels, 17 May 2001.

The issues covered included: the economics of trade policy, trade reform and liberalisation as part of a wider package of domestic economic reform; mainstreaming trade into country development plans and poverty reduction strategies; building domestic constituencies to sustain mainstreaming; the global dimensions and core domestic issues in mainstreaming; and coordination of the delivery of trade-related technical assistance amongst bilateral and multilateral donors. The information gained from these panel discussions will contribute to a meeting on 31 January on the development of Guidelines on Capacity Development for Trade in a New Global Context and a supporting document on a Guide to Designing Trade Policy Related Technical Assistance organised by the Development Assistance Committee/Organisation for Economic Cooperation and Development (DAC/OECD). For further 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 or <http://www.ldcs.org/>.

YUGOSLAVIA SEEKS WTO MEMBERSHIP. Yugoslav officials on 23 January applied for Membership in the WTO, asking for a speedy accession process. The old Yugoslav federation was a member of the General Agreement on Tariffs and Trade (GATT) before its suspension in 1992 as the country disintegrated into war. The application will be considered at the next meeting of the WTO General Council on 8 February. The new administration of Vojislav Kostunica sees the application as part of the process of democratisation in his country. Yugoslav Deputy Minister for Foreign Economic Relations Boran Karadzole thought that the accession process could take less than five years, the period it took Croatia to become a Member. This is the second attempt by Yugoslavia to join the WTO after a first attempt in 1996 by ousted autocrat Slobodan Milosevic

was rejected as invalid and not submitted to the General Council. WTO Director-General Mike Moore said the application was a sign that Yugoslavia is integrating itself into the world community and becoming a citizen as it should be, but also said the negotiation would be difficult with no shortcuts. Yugoslavia hopes to use the WTO to build and gain coverage for its agricultural products, build up its services, telecommunication, and transport sectors and gain a better foothold in other markets for its textile exports. Yugoslavia is looking to become a WTO observer as soon as an accession Working Party is set up and hopes to be present at the next Ministerial meeting set for later this year in Qatar. "Yugoslavia applies to join WTO, seeks quick entry" REUTERS, 23 January 2001.

ON THE MOVE: WTO RE-ORGANISES TO EMPHASISE TECHNICAL COOPERATION

Mr. Paul Rolian, Director of WTO Personnel Division, was selected on 29 January to fill the new post of Director for Technical Cooperation Audit. In his new position, Rolian will have the responsibility of ensuring that the resources expended under WTO-administered technical cooperation and training programs are being used to their greatest effectiveness. In the past year, additional demands have been placed on the WTO Secretariat to deliver in the area of technical cooperation for developing country Members and accession countries to better enable them to become effective participants in the multilateral trade system. In the latter part of 2000, the WTO received significant contributions by some developed country Members -- including France, the US and Sweden -- to be allocated towards training and capacity-building activities at the WTO. ICTSD Internal Files.

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>.

Coming Up This Week

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.

1 February, Minneapolis, Minnesota: PRESIDENT'S CONFERENCE SERIES GOVERNING GMOs: DEVELOPING POLICY IN THE FACE OF SCIENTIFIC AND PUBLIC DEBATE. Sponsored by the University of Minnesota's Consortium on Law and Values in Health, Environment and Life Sciences. For information contact: Mark Ritchie, President, Institute for

Agriculture and Trade Policy, 01-2700, University of Minnesota, PO Box 64780, St. Paul, MN 55164-0780 USA; tel: (1-888) 671-6214; fax: 671-6215; Internet: <http://www.conferences.umn.edu/mn/policy/>.

5-9 February, Nairobi, Kenya: 21st SESSION OF THE UN ENVIRONMENT PROGRAMME GOVERNING COUNCIL. For information contact: B. Miller, UNEP; tel: (254-2) 62-3411; fax: 62-3748; email: millerb@unep.org; Internet: <http://www.unep.org/Calenders>.

5-10 February 2001, Rome, Italy: FIFTH INTERSESSIONAL MEETING OF THE CONTACT GROUP OF THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE. For information contact: FAO, Viale delle Terme di Caracalla, 1-00100 Rome, Italy; tel: (39-6) 5705-2287; Internet: <http://www.fao.org/WAICENT/FAOINFO/AGRICULT/cgrfa/docscg5.htm>.

WTO Events

1 February, Geneva, Switzerland: WTO DISPUTE SETTLEMENT BODY. On the agenda, inter alia: EC -- status report on implementation of banana dispute; 2nd request for establishment of a panel by the US on Brazilian patent protection; and recourse to article 21.5 by Canada in dispute with Brazil -- export financing programme. For information contact: Nuch Nazeer, WTO Information and Media Relations Division; tel: (41-22) 739-5393.

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

8-9 February, Geneva, Switzerland: WTO GENERAL COUNCIL. On the agenda, inter alia: accession of the Federal Republic of Yugoslavia; procedures for the appointment of the Director-General; proposal to amend certain provisions of the understanding on rules and procedures governing the settlement of disputes; reports of the special sessions of the Committee on Agriculture and of the Council for Trade in Services; appointment of officers to WTO bodies; and election of Chairperson. For information contact: Nuch Nazeer, WTO Information and Media Relations Division; tel: (41-22) 739-5393.

Other Forthcoming Events

12-23 February, New York, USA: 2ND SUBSTANTIVE MEETING OF THE PREPCOMM ON FINANCING FOR DEVELOPMENT. Civil Society organisations that are in consultative status with the Economic and Social Council of the United Nations (ECOSOC) or with the Financing for Development PrepComm, can send representatives. The FfD PrepComm sessions include side events scheduled outside the regular meeting times, organised by civil society organisations, governments or UN Agencies. They are a valuable part of the FfD preparatory process as a way to generate informal opportunities for exchange of information, experiences and views. For more information contact: Financing for Development Coordinating Secretariat; tel: (1-212) 963-8497; fax: 963-0443; email: pietracci@un.org; Internet: <http://www.un.org/esa/ffd>.

13-23 February, New York, USA: 39TH SESSION OF THE UN COMMISSION FOR SOCIAL DEVELOPMENT. For more information visit: <http://www.un.org/esa/socdev/csd/2001.htm>.

27 February, Labour Centre LC-101 South Campus, Miami, Florida, USA: SUSTAINABLE SOUTH 2025: ECOLOGY, THE SOCIAL DIMENSION AND TRADE IN THE SOUTHERN CONE. Panel discussions will include a review of the trade negotiations and their relations to the social dimension, labour rights and their effect on the environment in the Mercosur and as they relate to the FTAA experience. There will also be a discussion on specific cases where globalisation is directly impacting the ecology of the Southern Cone as well as a review of efforts to include environment in the Plan of Action of the Quebec Summit as well as the FTAA. It will feature Uruguayan Ecologist Eduardo Gudynas of the Centro Latino-Americano de Ecología Social (CLAES). For information contact: Bruce Jay, email: BruceJay@compuserve.com. Further information on Sustainable South 2025 (in Spanish) is available at: <http://www.ambiental.net/sustentable2025>.

5-16 March, New York, USA: INTERSESSIONAL TO THE 9TH SESSION OF THE UN COMMISSION ON SUSTAINABLE DEVELOPMENT. For more information see: http://www.un.org/esa/sustdev/csd9/csd9_2001.htm.

15 March, Fort Garry Hotel, Winnipeg, Manitoba: NACEC'S TRINATIONAL AIR QUALITY IMPROVEMENT INITIATIVE WORKSHOP. The North American Commission for Environmental Cooperation (NACEC) is inviting the public to participate with its Joint Public Advisory Committee (JPAC) in a workshop bringing attention to the need for including environmental considerations at the earliest planning stages of trade and transportation corridors and begin to focus national and tri-national attention on the need for coordinating corridor development. On 16 March, the public is also invited to participate in a plenary discussion with JPAC members. Registration is free and on a first-come, first-served basis. The agendas for the JPAC session and a registration form may be found on the JPAC web page at <http://www.cec.org/jpac>. To confirm your attendance at these meetings or for further information contact: Jocelyne Morin, NACEC; email: jmorin@ccemtl.org; tel: (1-514) 350-4366; fax: 350-4314.

20-22 March, Berlin, Germany: UNEP MINISTERIAL MEETING ON ENVIRONMENT, SUSTAINABLE DEVELOPMENT & TRADE. For more information visit: <http://www.unep.ch/etu/etp/events/upcming/berlin.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 welcome (contact mgalvin@ictsd.ch).

"National sovereignty in the world trading system: labour, environment, and the WTO," by K. Bagwell and R. Staiger in *HARVARD INTERNATIONAL REVIEW*, 22 (4, 2001): 54-59. This article pins the causes of the collapse of the Seattle WTO Ministerial largely on disagreements relating to issues of national sovereignty, and in particular over the concern voiced by labour and environmental groups that the WTO has become so powerful that it now overrides the will of its member governments.

L'AGRICULTURE, TALON D'ACHILLE DE LA MONDIALISATION. CLES POUR UN ACCORD AGRICOLE SOLIDAIRE A L'OMC. By Jacques Berthelot, 2001. This French publication takes on the conflicts the agriculture negotiations at the WTO encounter through the mystification of concepts such as "protection", "global prices" and "distortion" in trade. The author claims that the Western countries have to eliminate their dumping practices incorporated in export subsidies. For more information contact: Jacques Berthelot; email: berthelot@ensat.fr.

"Fiscal Constraints, Collection Costs, and Trade Policies." By Keiko Kubota in WORLD BANK WORKING PAPER No. 2366, June 2000. The author argues that many developing countries intervene in trade at least partly to raise revenues and that episodes of trade liberalisation are often linked to tax reform. She proposes a formal model to explain why developing countries rely disproportionately on tariffs for government revenues, when tax reforms are expected, and under what conditions trade liberalisation will take place. To download a copy visit: <http://www.worldbank.org/research/trade/majoract.html#seven>. To obtain a hard copy contact: trade@worldbank.org.

INTERNATIONAL ENVIRONMENTAL POLICYMAKING AND TRANSATLANTIC CO-OPERATION: SETTING THE AGENDA FOR RIO+10, by Matthias Buck, Kelly Kollman, and Alexander Carius, November 2000. This policy briefing note, based on the discussions that took place during the workshop, "Enhancing Prospects for Environmental Leadership: Challenges for Rio+10," was organised by the Centre for International and European Environmental Research. It characterises contemporary international environmental policymaking systems as fragmented institutions, seeing the goals in sustainable development that were set forth in 1992 at the United Nations Conference on Environmental and Development, and then again in 1997 at Rio+5, to have fallen short of expectations. This Policy Briefing Note deals with the main recommendations for the agenda for Rio+10, which will take place in 2002. To obtain contact: Ecologic, Pfalzburger Straße 43/44, D - 10717 Berlin, Germany; tel: (49-30) 86880-0; fax: 86880-100; info@ecologic.de; Internet: <http://www.ecologic.de/welcome.html>.

THE FUNCTIONING OF PATENT MONOPOLY RIGHTS IN DEVELOPING ECONOMIES: IN WHOSE INTEREST? By Dr. Taimoon Stewart, 2000, in CUTS, Centre for International Trade, Economics & Environment Research Report. In this paper, Dr. Stewart tackles the controversial issues surrounding trade-related intellectual property rights, taking a stance against advocates of strong international protection for patents. She uses historical data to show that the idea of strong patent regimes attracting high foreign direct investment is a misconception. Her research calls for developing countries to take measures in prevention of the abused control of patent monopoly power. To obtain contact: Consumer Unity & Trust Society (CUTS), D-217, Bhaskar Marg, Bani Park, Jaipur 302 016, India; tel: (91-141) 207-482; fax: 207-486/203-998; Internet: <http://www.cuts-india.org>.

Electronic Resources

The Minnesota-based non-governmental organisation Institute for Agriculture and Trade Policy (IATP) has developed a number of different listservs on globalisation and trade related issues. To view the list or subscribe subscribe go to: <http://www.iatp.org/listarchive/>.

THE ISSUES, AND WHERE WE ARE NOW - AGRICULTURE NEGOTIATIONS BACKGROUNDER. WTO Briefing Paper, updated 18 December 2000. This briefing document explains current agricultural issues raised before and in the current negotiations. It has been prepared by the Information and Media Relations Division of the WTO Secretariat to help public understanding about the agriculture negotiations. It is not an official record of the negotiations. To obtain a copy visit: http://www.wto.org/english/tratop_e/agric_e/negs_bkgrnd00_contents_e.htm.

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