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NEW ROUND UPDATE

Moore calls for agenda to be set by July

WTO Director-General Mike Moore told Japanese government officials at a meeting last week that a basic framework for the agenda of new round of global trade liberalisation talks should be set by the end of July 2001 for a successful launch of a new round of talks at the next WTO Ministerial Conference -- currently scheduled for 5-9 November 2001 in Qatar. Moore also agreed with Japan's Foreign Minister Yohei Kono that a new round should be comprehensive instead of dealing with issues sector-by-sector. Kono pointed in particular to ongoing agriculture negotiations (see WTO In Brief, this issue), which he said could not be successfully dealt with unless addressed comprehensively with other items. In a meeting with Finance Minister Kiichi Miyazawa, Moore underlined the need for flexibility on the part of Member countries, signs of which have already appeared over the past few months. A new global round of trade talks was necessary for the world economy and in particular for developing nations, he said.

WTO defends Qatar as venue; EC bases support on NGO access

Director-General Moore moved to diffuse growing criticism of Qatar as the venue for the next WTO Ministerial Conference (see *BRIDGES Weekly*, 30 Jan 2001, <http://www.ictsd.org/html/weekly/story4.30-01-01.htm>). He insisted that protesters would be free to demonstrate peacefully, expressing his hope that Qatar's handling of demonstrators is judged fairly. He also denied news reports that Qatar was the only country willing to host the conference, but rather said that consensus had been reached by all Members that Qatar was an acceptable venue.

The European Commission (EC) has also offered their support for the choice of venue. However, in response to concerns expressed by a number of non-governmental organisations, EC Trade Commissioner Pascal Lamy called on Qatar to "ensure the full, fair, and effective access of civil society to the WTO Ministerial meeting". This call was reiterated by EC Ambassador in Geneva Carlo Trojan, who stated that the EC's support for Qatar "is based on the understanding that these interests will be accommodated." According to Lamy, the Qatar government has talked of setting up a centre for NGOs, issuing visas to all civil society representatives, and granting them fully acceptable facilities.

US Trade Rep calls for US leadership in world trade talks

US Trade Representative-designate Robert Zoellick has warned that the US could lose "an unparalleled opportunity" to shape international trade rules if the US Congress did not move quickly to grant the administration fast-track authority to negotiate trade agreements. "We cannot afford to stand still or be mired in partisan division while other nations seize the mantle of leadership on trade from the US", he said at an inquiry of the US Senate Finance Committee. "This would be a missed opportunity -- indeed a historic mistake." He referred in particular to recent efforts by the EU and Japan to revive talks on a global trade round (see *BRIDGES Weekly*, 30 Jan 2001, <http://www.ictsd.org/html/weekly/story4.30-01-01.htm>). "They shouldn't be doing it," he said. "We should be doing it". Max Baucus, the Finance Committee's senior Democrat, warned that he would oppose granting fast-track authority unless legitimate labour and environmental concerns were included.

With regard to the inclusion of trade and environment concerns, Zoellick said that it is very important to try and improve environmental and working conditions, but that it should not be done in a protectionist fashion. Most importantly, he stated, the questions will need to be examined, "who has the right to challenge the application of the law...with what standard and with what penalty?". Meanwhile, some US corporations -- including Caterpillar and Boeing -- have changed their traditional opposition to social concerns relative to trade and have begun exploring the option of providing support for labour and environment in the context of a new round. In a 3 January letter to then-USTR Charlene Barshefsky, Caterpillar Chief Executive Glen Barton stated that environment and labour standards "should be discussed as part of future multilateral talks." Observers believe the new strategy is an attempt by companies to garner Democratic support for fast-track trade negotiating authority for the new Bush Administration.

At the Committee hearing, Zoellick also claimed that he would not immediately impose "carousel" sanctions on the EU (see *BRIDGES Weekly*, 25 July 2001, <http://www.ictsd.org/html/weekly/story4.25-07-00.htm>), but would nevertheless reserve them as a negotiation tool. The goal is "not to hit the other guy, but to open up markets", Zoellick said.

EU elaborates on investment and competition; labour and environment in new round

At a meeting hosted by the EU in Geneva on 30 January, discussions focused mainly on an informal EC proposal on a "plurilateral" approach to negotiations on investment and competition during the next round of trade liberalisation talks. In a major departure from the previous EU stance, the document -- described as a "trial balloon" not yet approved by all EU member states -- proposed that governments should not be obliged to participate in talks on investment and competition policy, but that the end results should be general enough so that all WTO Members could eventually sign on if they chose to do so. A number of countries expressed interest in the EU initiative, asking for further elaboration, while others remained more reluctant. At the same meeting, a senior EU official declared that the EU would spearhead a bid for agreement this year on a new round of trade talks. Brussels' agenda would be shaped so that a new round could be completed within three years. "We hope a more developing country-friendly agenda would help get the process [of working for agreement on a new round] going again," he added. Participants in the meeting included trade officials from Australia, Brazil, Chile, Egypt, Hong Kong, Hungary, India, Japan, Mexico, Morocco, Singapore, South Africa, South Korea, Switzerland, Thailand and Turkey.

In related news, the EU has proposed the establishment of a forum for discussing trade and social development outside the proposed new round of WTO trade talks. A senior EU official said on 30 January that Brussels "absolutely rejected" any connection between labour rights and trade sanctions, and wanted that issue to be discussed in the context of another forum than the WTO. In a move intended to reassure developing country Members, European Commissioner for External Relations Chris Patten at a business meeting in India last week categorically said, "on labour standards let me be crystal clear. We do not envisage negotiating this in a new round." He invited India to work with the EU to create a credible alternative so as to pre-empt protectionism. The inclusion of environmental concerns, however, is still very high on the EU's agenda, a trade official said, though Brussels will push for a "limited unprotectionist agenda" focusing on sustainable development.

"Moore, Kono agree progress crucial by summer for trade round," KYODO NEWS INTERNATIONAL, 30 January 2001; "WTO Moore says world econ, developing nations need new trade round," BRIDGE NEWS, 31 January 2001; "Qatar okays peaceful demos at WTO meeting," AFP, 30 January 2001; "WTO defends controversial venue of Qatar," AFP, 31 January 2001; "WTO Ministerial Meeting in Qatar: access for NGOs and civil society," EC TRADE, 1 February 2001; "Zoellick warns on world trade talks," FT, 31 January 2001; "U.S. Will reassert leadership on Trade, Pushing EU and Japan Aside, Zoellick Says," WTO REPORTER, 31 January 2001; "EU Initiative on New Trade Round Draws Mixed reception From WTO Members," WTO Reporter, 1 February 2001; "US firms rethink the link between trade, labor rights," WALL STREET JOURNAL EUROPE, 5 February 2001; "EU moots dialogue outside WTO framework to solve issues," DH NEWS Service, 29 January 2001; "WTO: EU to look at optional competition, investment rules," BRIDGE NEWS, 30 January 2001; "EU to spearhead new trade round bid this year," REUTERS, 30 January 2001.

CANADA SEES FOREST THROUGH WTO AS US-SOFTWOOD LUMBER CONFLICT TAKES SHAPE

On 17 January, Canada requested consultations with the US regarding the WTO compatibility of a US law which delays the reimbursement of duties levied against Canadian lumber exports to the US once those duties have been declared WTO incompatible. The move by Canada is considered by many to be a pre-emptive strike against anticipated US countervailing duties which Canadian authorities expect will be activated following the expiration of the Canada-US Softwood Lumber Agreement (SLA) on 31 March 2001.

Currently under the SLA, Canada limits its softwood lumber exports to the US to 14.7 billion board feet annually; exports in excess of this quota are taxed by the Canadian government. In exchange for the export restraint -- which protects US timber producers by restricting Canadian access to the US softwood lumber market -- the US agreed to curb trade actions against the Canadian softwood lumber imports.

At the core of the issue is Canada's so-called "stumpage" regime. Under Canadian forest tenure regulations, firms harvesting timber from Canadian forests are required to pay a fee for each tree removed from the forest. According to US-based Coalition for Fair Lumber Imports, however, these "stumpage fees" are set artificially low and therefore constitute an unfair subsidy. It is on these grounds that duties have in the past been levied against Canadian softwood imports to the US. In 1996, Canada and the US agreed to mitigate the conflict via the Softwood Lumber Accord.

Canada's requested consultations with the US address a certain piece of US legislation -- Section 129(c)(1) of the Uruguay Round Agreement Act and its accompanying Statement of Administrative Action -- which enables the US to maintain antidumping and countervailing duties even after their use has been ruled WTO incompatible. Initiating consultations on Section 129(c)(1) at this early date places Canada in a favourable position in the event the US applies countervailing duties to Canadian softwood lumber imports after the SLA expires and in the event Canada successfully challenges the hypothetical US duty at the WTO in a separate case. If successful, Canada's challenge would benefit Canadian softwood lumber exports by requiring the US to terminate its countervailing duty.

More recently, Canadian Trade Minister Pierre Pettigrew said publicly that Canada would not seek to renew the SLA, believing that free trade in softwood lumber between the countries is the best option. Pettigrew's desire to forego a renegotiation may have to do with an outstanding NAFTA Chapter 11 case brought against Canada resulting from the SLA. Pope & Talbot, Inc. a US-based investor with assets in Canada, claims that the SLA restricts its ability to export softwood lumber to the US and is seeking a compensation package through NAFTA worth \$US 500 million.

Meanwhile, US Trade Representative Richard Zoellick, in comments to the US Senate, expressed his preference for a "rules based" solution.

Canada's request for consultations with the US can be obtained from the WTO Documents Online (http://docsonline.wto.org/gen_search.asp) using the following symbol: WT/DS221/1.

"Lumber Deal With US Dead, Pettigrew Says," NATIONAL POST, 6 February 2001; "Softwood Lumber Trade Fight Looms as US-Canada Accord Expires," BLOOMBERG, 3 February 2001;

"Canada Challenges US Law On Implementation Of WTO Decisions," *INSIDE US TRADE*, 26 January 2001; "Canadian Lumber Groups Combine To Fight Likely Subsidies Case," 26 January 2001; "Canada To Challenge US Again At WTO Over Lumber Threat," *BLOOMBERG*, 18 January 2001; ICTSD Internal Files.

WTO DISPUTES RISE AGAIN: BANANAS, PATENTS & AIRCRAFT

At the 1 February meeting of the WTO Dispute Settlement Body (DSB), Members dealt with new developments in several longstanding disputes, including the EC-US banana dispute; the US-Brazil row over Brazil's patent legislation; and the Canada-Brazil aircraft subsidies dispute.

EC-US Banana Dispute

At the DSB, the European Communities presented a status report on its implementation of recommendations adopted by the DSB concerning the EC regime for the importation, sale and distribution of bananas (see *BRIDGES Weekly*, 16 Jan 01, <http://www.ictsd.org/html/weekly/story1.16-01-01.htm>). According to the report, the legal instrument modifying the EC banana trade regime (Council Regulation No. 404/93) should be formally adopted shortly, thus implementing the controversial "first come-first served" (FCFS) trade system which the EC deems WTO-compatible.

As to the WTO-compatibility of the EC's new regime, opinions diverge amongst the countries concerned in the dispute. One WTO source affirmed that the reactions of implicated Members following the EC presentation at the meeting were "rather cool". The US, Guatemala, Honduras and Mexico -- with the notable exception of Ecuador -- find the FCFS system too favourable towards the EU's former colonies in the African, Caribbean and Pacific (ACP) group. For their part, ACP banana exporters -- who benefit from the current banana import regime by means of preferential tariff quotas and import licenses -- are concerned with the new system as they see their preferential treatment diminished and fear they will no longer be able to maintain current levels of exports. In short, the EC solution seems to be nobody's deal, the source said.

The US, with its multinationals Dole and Chiquita locating the majority of their banana production in Latin American countries, says that the EC FCFS proposal appears to continue the EU's WTO-inconsistent practice of dividing its banana market into separate arrangements. A letter from the US Trade Representative issued the day following the DSB meeting states that the effect of the EC approach "is that bananas entering from Latin American nations would face the burdens and the costs of a FCFS system, and bananas from ACP countries would enjoy essentially an 'all-come-all-served' regime."

US-Brazil patent legislation dispute

A second US request for the establishment of a WTO panel in a dispute over Brazilian measures affecting patent protection was granted at the DSB meeting (see *BRIDGES Weekly*, 16 Jan 01, <http://www.ictsd.org/html/weekly/story1.16-01-01.htm>). Brazil had blocked the first US request of a DSB ruling in this affair, but according to rules on DSB procedures, a second demand cannot be blocked and thus permits an automatic establishment of a panel at this stage.

At stake is Article 68 of Brazil's 1996 industrial property law, which imposes "local working", i.e. local production, of a patented invention as a condition for enjoying exclusive patent rights. The US claims that the Article discriminates against foreign owners of Brazilian patents, and thus is prohibited under Articles 27.1 and 28.1 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement).

The US move came under severe criticism by several non-governmental organisations (NGOs); particularly harsh reactions have come from the organisation Médecins sans Frontières (MSF). MSF called upon the US government to withdraw its request for a WTO dispute settlement procedure, arguing that the measures demanded by the US might handicap the successful Brazilian programme to combat AIDS, which is largely based on Brazil's ability to manufacture affordable treatment. "The US complaint threatens the Brazilian AIDS policy, which includes providing free drugs to HIV infected people. The lives of hundreds of thousands of patients depend on this system," said Bernard Pécoul, director of MSF's Access to Essential Medicines campaign. The organisation further declared that the Brazilian patent policy has been the key to the success of the strategies to offer universal access to HIV/AIDS medication in Brazil. According to Pécoul, the US action will also intimidate countries that would like to take up Brazil's offer to help them produce AIDS medicine.

The US refutes these accusations and claims that the Brazilian government is intentionally misleading NGOs into believing that the ruling could prevent Brazil's ability to supply low-cost medicines for AIDS treatment. According to a US trade official, the US is challenging Article 68 of Brazil's industrial property law, which has to do with jobs and where the product is made, and not Article 71 of the same law, which allows for the issuing of compulsory licences for health-related reasons such as medical emergencies. "The Brazilians know this WTO case is not about their health policy," the official said.

The panel is expected to issue its ruling by the end of 2001.

In a related development, Brazil now claims that the US is itself guilty of imposing "local working" requirements for the protection of patents within its borders. On 31 January, Brazil therefore requested consultations with the US on this issue. US officials reject Brazil's claim.

Canada-Brazil aircraft subsidies dispute

At the DSB meeting, Canada requested the establishment of a WTO compliance panel pursuant to Article 21.5 of the Dispute Settlement Understanding (DSU) in order to determine whether recent amendments to Brazil's aircraft subsidy programme PROEX (Programma de Financiamento as Exportações) are compatible with WTO rules.

Brazil was opposed to the establishment of a panel, thereby raising the question whether a defending party can block the first demand for a compliance panel ruling, as is the case with requests for ordinary panels. Since the parties weren't able to reach an agreement on this point, the request was turned down by the DSB.

For its part, Brazil seized the occasion to make a statement on its discontent with Canada's decision to subsidise in turn Canadian aircraft company Bombardier. (see *BRIDGES* Weekly, 30 Jan 01, <http://www.ictsd.org/html/weekly/story2.30-01-01.htm>).

This longstanding conflict now enters its fifth year; the WTO has already issued two panel and two Appellate Body rulings against the Brazilian subsidy programme. Brazil insists that its new version of the PROEX (called PROEX 3) is in line with the rulings. Canada suggests that Brazilian opposition to the establishment of a compliance panel is due to the fact that it knows that PROEX is not compliant, but that Brazil wishes to keep aircraft supplier Embraer afloat.

Canada can renew its request at the next DSB meeting scheduled for 6 March, at which time the request would normally be automatically accepted.

In related news, Canada has temporarily banned Brazilian beef imports, citing concerns about bovine spongiform encephalopathy (BSE), or "mad cow" disease. The move was immediately followed by the US and Mexico -- Canada's partners in NAFTA (North American Free Trade Agreement).

Brazilian officials claimed that the ban is "scientifically unjustified", but did not suggest that Canada's decision to ban its beef constituted a form of retaliation in the aircraft battle.

"USTR Letter on Bananas," *INSIDE US TRADE*, 2 February 2001; "US ACTION AT WTO THREATENS BRAZIL'S SUCCESSFUL AIDS PROGRAMME," *WTO INFO*, 1 February 2001; "U.S. Blasted for WTO Move Against Brazil Patent Law," *WTO REPORTER*, 2 February 2001; "U.S. Responds to Criticisms Of Brazilian Patent Complaint," *WTO REPORTER*, 5 February 2001; "Canada Defends Subsidy for Sale Of Commercial Jets to U.S. Airline," *WTO REPORTER*, 2 February 2001; "Canada downplays Brazil's threat of removing compensation," *BRIDGENEWS*, 29 January 2001; "WTO rules not made for Canada-Brazil dispute," *BRIDGENEWS*, 31 January 2001; "Canada bans Brazilian Beef," *FINANCIAL TIMES*, 4 February 2001; "Brazil sees NAFTA beef ban amid Canada trade feud," *REUTERS*, 2 February 2001; ICTSD Internal Files.

WTO: IMPLEMENTATION TO REMAIN A PRIORITY

At an informal Heads of Delegation meeting on Implementation held at the WTO on 5 February, delegates agreed to resume talks on developing country implementation concerns where they left off at the end of 2000 (see *BRIDGES Weekly*, 19 Dec 00, <http://www.ictsd.org/html/weekly/story3.19-12-00.htm>). As such, Members will continue discussions around paragraphs 21 and 22 of the 1999 Draft Ministerial Text (see <http://www.ictsd.org/html/seattleministerial.htm>), which spell out the implementation demands of developing country Members in a wide variety of issue areas such as textiles, subsidies, antidumping, and intellectual property rights.

According to WTO sources, Members emphasised at the 5 February meeting that the implementation issue would continue to be a "priority" amidst ongoing WTO negotiation processes in agriculture and services. However, the sources conjectured that while India, Egypt, Pakistan and Brazil were continuing to push the implementation issue strongly, it was unlikely that major concessions would be forthcoming outside the context of broader negotiations.

At the meeting, Mexico proposed that there should be five formal General Council Special Sessions on Implementation in 2001. While no dates were set, India called for the convening of a formal Implementation General Council as early as next week.

Last year's Implementation process did little to meet developing country Members' demands. After the last meeting on 15-16 December, Pakistan's ambassador to the WTO, Munir Akram, said that most of the developing countries' concerns had not been addressed and the results were "modest indeed". The glass was not just half empty, he said, there was "barely any water in it".

ICTSD Internal Files.

LDCS ADDRESS MAINSTREAMING TRADE AT WTO

On 29-30 January, representatives from Least-Developed Countries (LDCs) and inter-governmental organisations gathered at the WTO for a seminar on "The Policy Relevance of Mainstreaming Trade into Country Development Strategies: Perspectives of LDCs". The meeting, held under the auspices of the Integrated Framework (IF), was the first in a series on 'mainstreaming trade' sessions co-hosted by the six core agencies of the IF's Inter-Agency Working Group (IMF, ITC, UNCTAD, UNDP, World Bank, and WTO). These six organisations aim to coordinate their trade assistance programmes through the IF to enhance trade-related technical assistance for LDCs.

According to the 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 concept is premised on the perception that trade is an engine for growth and can significantly contribute to development if trade reforms and liberalisation are accompanied by mutually supportive companion policies, including investment in social, legal, infrastructural, and institutional areas. The approach reveals a deliberate shift away from traditional outward-oriented growth strategies, which assume that the benefits of trade liberalisation will automatically appear as markets open and trade barriers are lifted.

A number of important points were raised during the IF seminar relating to tackling the global dimensions and core domestic issues that hinder LDC development. One developing country participant pointed out that some poorer countries are not experiencing sustained growth despite the fact that they have already mainstreamed their trade policies. Thus mainstreaming trade is only one part of the picture, he said, as trade plays a supporting role for other important national infrastructure, development, and policy goals. Sequencing was also key, he said.

Other major conclusions emanating from the session included the following: (a) sustainable development strategies should include both pro-poor and pro-growth approaches; (b) efforts should focus on improving the capacity of LDCs to formulate their own national development agendas and priorities; (c) country ownership of and responsibility for these development processes, as well as effective coordination across ministries and national offices, are essential to their success; (d) multilateral agencies and bilateral donors were encouraged to improve coherence through collaboration by coordinating delivery of trade policy-related technical assistance; (e) the trade policy review process can be improved and made more responsive to LDC needs; (f) the need for increased market access for developing countries; and (g) recognition of the need for improved statistics and ongoing evaluation.

Subsequent to the IF seminar, the Organisation for Economic Cooperation and Development (OECD)'s Development Assistance Committee (DAC) hosted a meeting at the WTO on 31 January to put the final touches on a set of donor guidelines for designing trade policy capacity-building

strategies in collaboration with contributions from developing countries, IF agencies, bilateral agencies and independent experts. The intent was to improve donor efficiency in technical assistance, the subject of a panel discussion at the IF gathering. According to the DAC, a companion guide to the donor guidelines is being prepared by the UK Department for International Development (DFID) to assist practitioners design trade policy-related technical assistance. Once completed, these documents will be distributed to bilateral and multilateral donor agencies, as well as to practitioners in the field.

New UN Financing for Development Report

In related developments, the recently unveiled United Nations "Financing for Development" initiative and an associated UN report (see <http://www.un.org/esa/ffd/>) have urged developing nations to strengthen legal and financial institutions, fight corruption, and improve transparency of financial markets while calling for developed nations to increase efforts to improve market access for developing countries and continue debt relief. In its section on trade, the UN report emphasises, inter alia: (a) addressing issues related to the decline of public revenues from trade liberalisation; (b) strengthening regional cooperation/ integration for expansion of global trade; (c) capacity-building and technical assistance, including assistance for trade negotiations and dispute settlement; and (d) special needs of Africa, the least developed countries, small island developing States, landlocked and transit developing countries and other developing countries as well as countries with economies in transition with special difficulties in attracting financing for development.

For further information on the seminar visit the WTO site at: http://www.wto.org/english/news_e/news01_e/ifseminar_january01_e.htm; or visit the Integrated Framework website at: <http://www.ldcs.org/>.

"An Integrated Framework for Trade-Related Technical Assistance, including for Human and Institutional Capacity-Building, to Support Least-Developed Countries in Their Trade and Trade-Related Activities," WTO DOCUMENT WT/LDC/HL/1/Rev.1, 23 October 1997, http://www.wto.org/english/tratop_e/devel_e/framework.htm; "Report of the Meeting: Committee on Trade and Development held at the WTO on 27-28 October 1997," WTO DOCUMENT WT/COMTD/12, 12 November 1997, http://www.wto.org/english/tratop_e/devel_e/hlm_report.htm; "Joint statement on the mandated review of the integrated framework for trade-related technical assistance to least-developed countries (IF) by the six core agencies," WTO DOCUMENT, 6 July 2000, http://www.wto.org/english/news_e/news00_e/ifstat_e.htm; "UN Plans to Tell Poor Nations How to Attract Private Investment," BLOOMBERG, 31 January 2001; "UN releases landmark report on financing for development," AGENCE FRANCE-PRESSE, 31 January 2001; ICTSD Internal Files.

CIVIL SOCIETY GAINS MOMENTUM AT PORTO ALEGRE

The World Social Forum (WSF) brought together more than 4000 participants in the city of Porto Alegre in the south of Brazil. The event, running concurrently with the World Economic Forum (WEF) in Davos, Switzerland from 25-30 January, assembled representatives of nearly 150 non-governmental organisations (NGOs), but also 400 local, regional and national parliamentarians and 250 mayors from cities around the world. In 16 plenary sessions and 400 workshops a very wide range of issues were addressed.

The WSF's organisers stressed the forum as a wider arena to create and exchange ideas to promote sustainable development, social justice and human rights. Issues on the agenda ranged from progress governments are making towards "education for all" and what policies they can or should adopt to regulate the use of genetically modified organisms and guarantee food health.

Among the major overall goals expressed by the participants were the cancellation of developing countries' debt; the building of democratic structures which allow the participation of civil society; the democratisation of international institutions such as WTO, IMF and World Bank; the inclusion of labour and social conditions in trade pacts; recognition that water is the irreplaceable basis for life; and the taxation of international flows of capital through the Tobin tax or similar systems.

One of the issues unifying the participants of the WSF was the concern that the power of multinational corporations is undermining democratic institutions. Observers noted that despite the bewildering array of interests and protest groups represented at the WSF, there is a real sense of a movement trying to find its feet. But others lamented that the emotional tone of many discussions did not help persuade doubters about its seriousness. Speakers at the meeting announced that they would be present to protest in Quebec, Canada at the Summit of the Americas on 20-22 April, at the G-8 summit in Genoa, Italy, to be held on 20-22 July, and at the WTO Ministerial Conference in Qatar in November. On the future of the WSF, participants agreed that the event should be held annually and decided to meet again in Porto Alegre next year, coinciding with the WEF Annual Meeting 2002 in Davos.

Although participants came from over 120 countries to Porto Alegre, the heavy dominance of Brazilian and French was noticeable. A group representing the interests of African descendants in Brazilian society protested against the fact that there were no representatives of this important part of Brazil's population in the organising committee and only one woman. The organisers promised to review this situation for next year's edition of the meeting.

For more information on the WSF visit: <http://www.worldsocialforum.org>.

"Porto Alegre, une étape décisive vers un autre monde"; LE COURRIER, 3 February 2001; "New Reference Point for Globalisation Debate", IPS DAILY JOURNAL, 1 February 2001; "Little accord over globalisation", FINANCIAL TIMES, 29 January 2001; "Alternative Davos to be annual", BBC, 29 January 2001; "Anti-Davos' Forum Is Another Sign of Sea Change", IHT, 27 January 2001; "Brazil hosts alternative Davos", FINANCIAL TIMES, 26 January 2001; "Alternative to Davos Agenda", FINANCIAL TIMES, 24 January 2001; ICTSD Internal Files.

IN BRIEF

VANCOUVER URGES GOVT OF CANADA TO OPPOSE INVESTOR-STATE PROVISIONS. On 30 January, the City Council of Vancouver, British Columbia (BC), Canada, passed unanimously two resolutions relating to municipal jurisdiction in international trade and investment agreements. The first resolution petitioned the Canadian federal government to use its intervenor status in a BC Supreme Court review of the North American Free Trade Agreement (NAFTA) Chapter 11 Metalclad case (see *BRIDGES Weekly*, 5 Sep 00, <http://www.ictsd.org/html/weekly/story4.05-09-00.htm>) "to defend the ability of local governments

to act in the interest of citizens and the environment and to ensure that measures taken by local governments are not subject to challenge under NAFTA's [Chapter 11] investor-state provisions". Secondly, the City Council petitioned the federal government to refuse to sign any new trade and investment agreements -- such as the proposed expansion of NAFTA being negotiated in the free trade area of the Americas -- that include investor state provisions similar to those included in NAFTA. Vancouver's City Council on 28 April 1998 passed resolutions opposing the now-abandoned OECD Multilateral Agreement on Investment (MAI), and on 2 May 2000 requested the federal government to file a permanent and explicit exemption in the WTO's General Agreement on Trade in Services (GATS) limiting its application to areas of federal jurisdiction only. The latest resolution has come about as a result of a NAFTA investor-state lawsuit in which a NAFTA panel ruled in favour of US-based waste disposal company Metalclad, which claimed damages based on the refusal of the Mexican town of Guadalcázar to grant a construction permit for its plant. "Vancouver City Council Motion," 30 January 2001.

US TO RE-EXAMINE GSP FOR INDIA. The US Trade Representative (USTR), acting on complaints by American National Soda Ash Corporation that India has failed to provide the US "equitable and reasonable access to India's soda ash market", notified last week that a review is being undertaken to determine whether India offers equitable and reasonable market access to US goods and services or not. If the conclusion is negative, the US will withdraw existing benefits on some products imported from India. The US Generalised System of Preferences (GSP) program grants duty-free treatment to certain commodities imported from designated beneficiary developing countries. Once granted, GSP benefits may be withdrawn, suspended or limited in scope by the US President. A note released by the USTR on 19 January indicates that in 1999, more than \$US1 billion in imports from India were under the duty-free GSP programme. In the first nine months of 2000, more than \$US966 million in imports from India received duty-free treatment under GSP, an increase of 13 percent over 1999. The American National Soda Ash Corporation petitioned the US government on 12 June 1998. The US raised its concerns with the government of India over the course of two years, without resolution. An Indian exporter urged India's Commerce Minister Murasoli Maran to "immediately settle" the issue of soda ash imports so that the GSP is not withdrawn. "US to review grant of GSP to India" CHENNAI, 30 January 2001.

IU REVISING BODY TRYING TO OVERCOME LOGJAM. The Contact Group of the Commission on Genetic Resources for Food and Agriculture (CGRFA) of the UN Food and Agriculture Organisation (FAO) will hold its Fifth Inter-sessional Meeting from 5-10 February in Rome, Italy. The CGRFA is in charge of the revision of the International Undertaking on Plant Genetic Resources for Food and Agriculture (IU). The goal of this meeting is to overcome the difficulties negotiators faced at their last meeting held in Neuchâtel, Switzerland, on 12-17 November 2000 (see *BRIDGES Weekly*, 5 Dec 00, <http://www.ictsd.org/html/weekly/story5.05-12-00.htm>). Among the contentious issues of the revision is a proposed mandatory benefit-sharing system for commercial benefits arising from the use of the collections of plant genetic resources of the IU as described in Article 14.2(d)(iv) of the draft text. These collections are an essential part of the so-called Multilateral System (MS) (Articles 11 and 12), which are expected to help facilitate access to plant genetic resources (Article 13) and promote benefit-sharing (Article 14). After the negotiating Contact Group agreed in August 2000 on a mandatory system, the Neuchâtel meeting brought a considerable setback as the US, Canada, Australia and New Zealand declared that they did not agree with the text as it had been negotiated. At its 119th Council meeting, the FAO had called for a final text of the revised IU for the 31st Session of the FAO Conference scheduled for November this year. The revision of the IU should harmonise the agreement with the Convention

on Biological Diversity (CBD) and give it legally binding status. The process has been underway since 1993. To obtain a copy of the present IU draft text visit: <http://www.fao.org/WAICENT/FAOINFO/AGRICULT/cgrfa/meetings.htm>. The IISD Earth Negotiations Bulletin offers an extensive coverage of the meeting at: <http://www.iisd.ca>. ICTSD Internal Files.

MOZAMBIQUE WINS CASHEW AND SUGAR BATTLES. The World Bank and IMF have conceded to Mozambique's demands to ban the export of cashew nuts and protect its sugar industry after a five-year protracted battle. Cashews became a symbol of trade liberalisation in the country when in 1995 the Bank forced Maputo to allow the unrestricted export of unprocessed cashew nuts to India in a move Mozambique opposed. The African nation sought protection for its sugar and cashew industries, which had recently been injected with foreign financial assistance. Contrary to the World Bank's prediction of higher prices from the free market, India's position as a monopoly buyer reduced prices, leading to job losses and low revenue for Mozambique's cashew and sugar farmers. On 18 December the IMF Executive Board agreed to a policy whereby Mozambique would close some cashew factories and protect the rest. The protection will be two-fold: an 18 percent export duty on unprocessed cashew nuts, plus local industry will be given the right of refusal to buy nuts before they are exported. The decision represents a reversal in the policy of the IMF and World Bank, after they had come under intense pressure from government, trade unions and business in Mozambique and international campaign groups. "Mozambique wins long battles over cashew and sugar protection" AIM, 30 January 2001.

WTO IN BRIEF

AGRICULTURE TALKS RESUME FOR FIRST 2001 MEETING. As this edition of *BRIDGES* Weekly Trade News Digest went to press, the WTO's Fifth Special Session of the Committee on Agriculture was completing its second day of debate on the reform of world agriculture. Scheduled for discussion at the talks are a total of 17 proposals outlining how the WTO Agreement on Agriculture should be reformed. Representing the EU at the discussion, Franz Fischler, EU Agriculture Commissioner, urged Members to recognise that agriculture must be treated unlike any other sector and, in reference to the recent BSE crisis, said that "European agriculture is also about the environment, consumers and food safety." Not surprisingly, a comprehensive EU proposal on agriculture submitted to the Committee in December 2000 (G/AG/NG/W/90; see http://www.wto.org/english/tratop_e/agric_e/negoti_e.htm) received a great deal of scrutiny as the talks opened on 5 February. Both India and Pakistan, supported by several other developing country states, accused the EU of protecting European farmers at the expense of developing country agriculture producers. Among the other proposals discussed, the Japanese submission (G/AG/NG/W/91) received harsh criticism from Australia. Pointing to Japan's reference to "multifunctionality" -- a concept used to conflate the economic, cultural and environmental benefits of agriculture production -- Australia accused Tokyo of taking the negotiation process lightly. The US is expected to reiterate Australia's concern for the Japanese submission. South Korea and the Czech Republic were among those in support of Japan. The Fifth Special Session of the Committee on Agriculture wraps up discussion on 7 February. *BRIDGES* Weekly Trade News Digest will provide a more thorough analysis of the Fifth Special Session in next week's edition. "EU Says Mad Cow Scare Must WTO Rethink," REUTERS, 5 February 2001; "EU Under Fire From Poorer States On Farm Plan," REUTERS, 5 February 2001; "Australia, Others Criticize Japan's WTO Farm Proposal," KYODO NEWS, 5 February, 2001; ICTSD Internal Files.

WTO LAUNCHES NEW DOCUMENT ONLINE FACILITY. The WTO launched its new Documents Online (DOL) facility last week, offering user access to over 100,000 official WTO documents in English, French and Spanish and enabling users to conduct simple or complex searches of these documents according to their preferences. In particular, the DOL facility offers two main features. First, an Advanced Search facility for which a search is constructed by entering criteria in one or more data fields, e.g. document symbol, date, title, etc., thereby allowing users to perform searches without needing to enter specific document symbols. Second, the Browse facility provides access to frequently requested documents, including official records of WTO Bodies and Committees, various Dispute Settlement documents, and documentation pertaining to the WTO Ministerials. As the old Documentation Dissemination Facility will not function after 2 February 2001, existing bookmarks (favourites) should be changed to the new facility which can be found at: <http://docsonline.wto.org>. ICTSD Internal Files.

HONG KONG POISED TO TAKE OVER WTO GENERAL COUNCIL CHAIR. Hong Kong is expected to take over the chairmanship of the WTO General Council from next month when the present chairman, Ambassador Kåre Bryn of Norway, completes his one-year term. According to trade and diplomatic sources, WTO Members were in agreement that Hong Kong's permanent representative to the WTO, Mr. Stuart Harbinson, would take over the position when the General Council holds its next formal meeting on 8-9 February in Geneva. Mr. Harbinson, a former chair of the WTO's high-level Dispute Settlement Body, is said to enjoy widespread support among developed and developing country Members. If appointed, Mr. Harbinson would likely be the chair when the Council approves China's long-awaited accession to the WTO, although he reportedly would not be in a position to influence the pace of China's admission. He would also play a key role in preparing the next WTO Ministerial Meeting in Qatar this November. Under the WTO system, top-ranking ambassadors or representatives of developed and developing countries take turns to chair the General Council. "Hong Kong takes top WTO chair," SCMP, 31 January 2001; ICTSD Internal Files.

FORMER WTO LEADERS DEFEND GLOBAL TRADE SYSTEM IN JOINT STATEMENT. Three former Directors-General of the WTO and its predecessor the General Agreement on Tariffs and Trade (GATT) released an unprecedented joint statement last week, expressing their "full confidence in the WTO trading system" and calling on governments to focus on the conditions for the launch of a new trade round at the Ministerial Meeting of the WTO later this year. Arthur Dunkel (GATT 1980-93), Peter Sutherland (GATT/WTO 1993-1995) and Renato Rugiero (WTO 1995-99) described the WTO as "one of the most precious tools of global economic management at the disposal of governments" which provides an "effective framework" for nations to pursue their economic and development goals. They also expressed their belief that the public undermining of the WTO has gone too far, calling in particular on businesses and governments to "speak up for the WTO". However, while stating that the principles that underlie the system are not in serious dispute, they conceded that the WTO could be improved, in particular with regard to internal and external transparency. Furthermore, they requested all WTO Members -- in particular the EU and US -- to "exercise the utmost restraint in the recourse to the (WTO's) dispute settlement system", asking them instead to revert to good faith consultation and direct bilateral negotiation. Regarding labour rights and environment, the three former WTO leaders agreed that these areas should not be linked as issues to be dealt with by the WTO, but rather should be discussed within a new forum that would bring together the heads of all relevant trade, financial and development institutions. The full statement can be found at: http://www.wto.org/english/news_e/news01_e/jointstatdavos_jan01_e.htm.

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

16 February, International Environment House, Geneva, Switzerland: INFORMAL 'CAFÉ-CROISSANTS' DIALOGUE ON "IMPLEMENTATION ISSUES AND THE CALL FOR A NEW ROUND: WHERE ARE WE?". The meeting will be held from 09:30 to 11:30 in Room 3, International Environment House, 13 chemin des Anémones, Châtelaine, Geneva. Ambassador Munir Akram of Pakistan will give a brief 15-30 minute presentation on the subject matter, after which the floor will be given over to participants for an informal and open discussion from a sustainable development perspective.

ICTSD Café and Croissants are informal and off-the-record dialogues at which visiting speakers discuss a current issue at the intersection of trade and sustainable development with an invited audience drawn from Geneva's international organisations, NGOs and academia. Our international audiences are also welcome to participate in this event, although we understand that many may not be able to do so due to travelling constraints. Participants are invited in their personal capacity. Given that there is limited seating, please RSVP to ICTSD your intention to participate by email at: ictsd@ictsd.ch or by fax at: (41-22) 917-8093.

Coming Up This Week

5-9 February, Nairobi, Kenya: 21st SESSION OF THE UN ENVIRONMENT PROGRAMME (UNEP) GOVERNING COUNCIL. For further information contact: B. Miller, UNEP; tel: (254-2) 62-3411; fax: 62-3748; email: millerb@unep.org; Internet: http://www.unep.org/GC_21st/.

5-10 February, Rome, Italy: FIFTH INTERSESSIONAL MEETING OF THE CONTACT GROUP OF THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE. For further 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>.

12 February, Geneva, Switzerland: UN ENVIRONMENT PROGRAMME (UNEP)-WTO FISHERIES SUBSIDIES REFORM WORKSHOP. Organised by UNEP's Economics and Trade Unit and the WTO. For further information contact: Hussein Abaza, UNEP; tel: (41-22) 917-8179; email: hussein.abaza@unep.ch; Internet:

<http://www.unep.ch/etu/trade/fishery/fishsub.htm>.

From

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Linkages,

<http://www.iisd.ca/linkages/journal/>.

WTO Events

An updated list of forthcoming WTO meetings is posted at: 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.

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

7 February: INFORMAL WTO COUNCIL FOR TRADE IN SERVICES. Members will discuss GATS negotiating guidelines (see <http://www.ictsd.org/html/weekly/story5.30-01-01.htm>). For further information contact: Nuch Nazeer, WTO Information and Media Relations Division; tel: (41-22) 739-5393.

8-9 February: 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 further information contact: Nuch Nazeer, WTO Information and Media Relations Division; tel: (41-22) 739-5393.

12 February: WTO SPECIAL COMMITTEE ON SUBSIDIES AND COUNTERVAILING MEASURES. For further information contact: Luis Ople, Information and Media Relations Division; tel: (41-22) 739-5374.

13-14 February: WTO COMMITTEE ON TRADE AND ENVIRONMENT. On the agenda, inter alia: items 2 through 8 of the CTE Work Programme (see http://www.wto.org/english/tratop_e/envir_e/cte00_e.htm), and pending requests for observer status for IGOs. For further information contact: Hans-Peter Werner, WTO Information and Media Relations Division; tel: (41-22) 739-286; Internet: http://www.wto.org/english/tratop_e/envir_e/envir_e.htm.

16 February: 32ND SESSION OF THE WTO COMMITTEE ON TRADE AND DEVELOPMENT (CTD). On the agenda, inter alia: consideration of input by Members to the United Nations high level Financing for Development event in 2002; consideration of "A Strategy for Technical Assistance in the WTO" report by the Secretariat; and continuation of consideration of "Implementation of Special and Differential Treatment Provisions in WTO Agreements and Decisions." In addition, possible elections of the Chairperson of the CTD and the Chairperson of the Sub-Committee on Least-Developed Countries. For further information contact: Lucie Giraud, Information and Media Relations Division; tel: (41-22) 739-5075.

22-23 February: WTO SYMPOSIUM ON TOURISM SERVICES. The purpose of the symposium is to evaluate current developments in international tourism that may be of relevance to the GATS negotiations, and particularly to the proposal for a tourism annex. The items in the agenda are without prejudice to their eventual discussion in the Council for Trade in Services or to the position of any delegation on any of the issues. For further information contact: Mr. Dale B. Honeck, Counsellor, Trade in Services Division, WTO; tel: (41-22) 739-5149; fax: 739-5771; email: dale.honeck@wto.org; Internet: http://www.wto.org/english/news_e/news01_e/symposium3r.doc.

Other Forthcoming Events

24 February, Brussels, Belgium: CIVIL SOCIETY-EUROPEAN COMMISSION TRADE DIALOGUE. EU non-governmental development organisation (NGDO) networks that make up the informal grouping known as the EU-WTO Steering Group of NGDOs will hold a meeting on the 'structured' dialogue process between the European Commission and civil society on WTO/trade issues. Issues to be discussed are: investment, competition, WTO reform and the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs). For further information visit: http://europa.eu.int/comm/trade/csc/dcs_nig.htm.

26-27 February, Kuala Lumpur, Malaysia: WORKSHOP ON INTERLINKAGES, SYNERGIES AND COORDINATION AMONG MULTILATERAL ENVIRONMENTAL AGREEMENTS. For further information contact: Motoyuki Suzuki, United Nations University; tel: (81-3) 3499-2811; fax: 3499-2828; Internet: <http://www.unu.edu/capacitybuilding/index.htm>. From IISD Linkages, <http://www.iisd.ca/linkages/journal/>.

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. Submissions of publications to ICTSD's documentation centre would also be welcome (contact Marc Galvin, mgalvin@ictsd.ch).

THE JOURNAL OF CORPORATE CITIZENSHIP. This quarterly journal provides a global forum for researchers and practitioners to explore varying perspectives and to further define the role, scope and purpose of business in a globalised economy. It sees 'Corporate Citizenship' as a broad term that is being increasingly used by business, governments and academic researchers to develop an understanding of the changing relationship of business and society, or of business in society. For subscription or further information visit: <http://www.greenleaf-publishing.com>.

THE DELTA COMPENDIUM. Published by Sustainable Business Associates, December 2000. Designed to be a technical reference, the DELTA Compendium gathers numerous examples of practical applications of environmental corrective measures. The DELTA programme is designed to improve companies' environmental performance in the Southern & Eastern Mediterranean region. The DELTA Compendium provides businesses, researchers, consultants, government officials, engineers & technicians, NGOs and support organisations with the practical & technical knowledge on environmental management, giving them an insight into its day-to-day 'on-the-ground' application. For further information contact: Sustainable Business Associates, Ch. du Petit-Flon 60, 1018 Lausanne, Switzerland, tel: (41-21) 648-4884; fax: 648-4885; email: sba@planet.ch; Internet: <http://sba.hello.to>.

WORLD ENERGY EVALUATION: ENERGY AND THE SUSTAINABILITY CHALLENGE. By the UN Development Programme (UNDP), the UN Economic and Social Affairs Department and the World Council of Energy. The document provides a basis for the Ninth session of the UN Commission on Sustainable Development in April 2001, at which worldwide progress on Agenda 21 implementation will be discussed. The report includes sections related to linkages between

Energy and Sustainable Development; energetic resources and technological options; potential future for energy; and political options. It is based on the research of almost 100 scientists, energy experts, social researchers, and development professionals. For further information contact: Caitlin Allen, United Nations Development Programme (UNDP); email: caitlin.allen@undp.org.

LITERATURE SURVEY ON INTELLECTUAL PROPERTY RIGHTS AND SUSTAINABLE HUMAN DEVELOPMENT. By Graham Dutfield, commissioned by the Department for International Development, UK, working draft, August 2000. A comprehensive annotated bibliography on IPRs in agriculture, biotechnology, traditional knowledge and the WTO TRIPs Agreement. To obtain a copy visit: http://www.dfid.gov.uk/public/what/pdf/iepd_dutbiblo.pdf.

*CORRECTION. In last week's BRIDGES Weekly, an incorrect email address was given pertaining to the resource entitled, INTERNATIONAL ENVIRONMENTAL POLICYMAKING AND TRANSATLANTIC CO- OPERATION: SETTING THE AGENDA FOR RIO+10, by Matthias Buck, Kelly Kollman, and Alexander Carius, November 2000. Please note that the email address info@ecologic.de should be replaced by: office@ecologic.de. We apologise for this oversight. Electronic Resources

INFORMATION KIT ON THE EU-ACP COTONOU AGREEMENT. Published online by the European Centre for Development Policy Management (ECDPM). Focusing on key aspects of the new Agreement, the Info Kit presents basic information and explains the main provisions and changes from Cotonou's predecessor, the EU-ACP Lomé Agreement. Each fiche in the kit is written in a plain and jargon-free manner, as far as is possible, and the reader is introduced to the key elements and guided to further sources of information and analysis. Available at: <http://www.oneworld.net/ecdpm/en/cotonou/index.html>.

CANADIAN EXPERT PANEL REPORT ON THE FUTURE OF FOOD AND BIOTECHNOLOGY, by The Royal Society of Canada, 30, January 2001. Released on 5 February, this report provides recommendations on a series of questions related to the safety of new food products being developed through the use of genetic engineering technologies. The Expert Panel was convened in February, 2000 at the joint request of the Minister of Health (Health Canada), the Minister of Agriculture and Agri-Food (Canadian Food Inspection Agency), and the Minister of the Environment (Environment Canada). For further information contact: Sandy Jackson, The Royal Society of Canada, tel: (1-613) 991-6999; fax: 991-6996; email: sjackson@rsc.ca. Document can be downloaded via: <http://www.rsc.ca/foodbiotechnology/indexEN.html>.

POSITION VACANCIES

The European Centre for Nature Conservation (ECNC)

Technical Officer for Data Management on Biodiversity. 42,500 - 47,500 Euro per annum. Located at the Muséum National d'Histoire Naturelle, in Paris (France), you will be responsible for maintaining EUNIS (the European Nature Information System) and IT infrastructure. Working under the supervision of the biodiversity information senior officer, you will also act as a liaison between the ETC/NPB and the European Centre for Nature Conservation. The required qualifications are: a background in Biological/Ecological sciences; excellent skills and experience in database management (MS-Access); excellent skills and experience in applying IT tools; capacity for integrating the wider European and international context of work; fluency in English and

French; and a good sense of initiative and contacts. Applications for this position, written in English, and a current CV should be sent by 20 February, 2001, to: the European Centre for Nature Conservation, PO Box 1352, 5004 BJ Tilburg, the Netherlands; fax: (31-13) 466-3250; email: i.r.vaneck@ecnc.nl. Applications should be marked: vacancy ETC/NPB. For more information on the vacancy, please contact Ms. Sandra Rientjes, Acting Head of Programme and Strategy Unit (email: rientjes@ecnc.nl) or Mrs. Pascale Bartels, Head of Resource and Communication Unit, tel: (31-13) 466-3240.

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