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LEAD STORIES

SERVICES: DEVELOPING COUNTRY WTO MEMBERS JOIN FORCES TO MOVE AHEAD ON 'HORIZONTAL' ISSUES

At a 28 October special session of the Council for Trade in Services (CTS), discussions centred on two 'horizontal' services issues of major importance to developing countries: 'credits' for autonomous liberalisation (AL), and review of the implementation of GATS Article IV (facilitating developing countries' integration into global services trade).

On autonomous liberalisation, a group of 24 developing country Members tabled a list of possible alternative options for establishing modalities for granting 'credits' for AL -- a move which several other Members reportedly welcomed as a "positive step forwards". As a contribution to make progress related to the contentious issue of conducting a general evaluation of the services liberalisation process [assessment], a group of eight Central American and Caribbean Members put forward a proposal on how to implement an effective review mechanism of the implementation of GATS Article IV so as to increase participation of developing countries in world trade. According to one source, this proposal -- which will be formally discussed at the CTS resume session on 1 November -- would surely meet with "a high degree of political support by industrialised countries." In this context, it was further indicated that this move was to be seen as an attempt by developing countries to bring certain elements of the current services negotiations from the bilateral to the multilateral level.

Autonomous liberalisation

The group of 24 developing countries circulating the 'list of questions' responded to the CTS Chair's draft modalities on addressing the AL issue by adding "some ideas to move forward" on some of the still unresolved issues in this debate. One of these open questions is the question of whether all Members or only developing countries should be eligible for 'credits' for AL (BRIDGES Weekly, 12 June 2002, <http://www.ictsd.org/weekly/02-06-12/story4.htm>). While

"not prejudging any position," a trade source said, the document indicated that when granting or requesting credits for unilaterally-undertaken services liberalisation, it should be borne in mind that the so-called 'Doha Development Agenda' is "placing [developing countries'] needs and interests at the heart of the Work Programme (paragraph 2 of the Doha Declaration), so that special consideration should be given to developing countries.

The group of 24 developing countries includes Argentina, Bolivia, Brazil, Ecuador, Dominican Republic, Guatemala, Honduras, India, Indonesia, Malaysia, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru, the Philippines, Senegal, Sri Lanka, Thailand, Venezuela and Uruguay.

GATS Article IV monitoring mechanism

A group of developing countries including Bolivia, Barbados, Colombia, Cuba, Ecuador, Nicaragua, Peru and Trinidad and Tobago tabled a proposal outlining options on how to implement the "reviews and evaluation agreed upon by Members" in paragraph 15 of the services negotiation guidelines -- a provision which the group views as "an integral part of the principle of special and differential treatment [S&D] for developing and least-developed countries" (LDCs).

Paragraph 15 provides that to ensure the effective implementation of GATS Article IV (dealing with increasing participation of developing country Members in world trade) and Article XIX.2 (containing S&D-related provisions for developing countries in the market access negotiations), the CTS "when reviewing progress in negotiations, shall consider the extent to which Article IV is being implemented" and it should suggest "ways and means of promoting the goals established therein." Furthermore, it "shall conduct an evaluation, before the completion of the negotiations, of the results attained in terms of the objectives of Article IV", such as strengthening services capacity and competitiveness, improving access to distribution channels and information networks, and greater market access in areas of special interest.

As such, the group of developing countries proposed to conduct the 'progress review' as a standing agenda item in the CTS for which 'benchmarks' should be established, such as reviewing the offers received in response to requests tabled (offers will be handled multilaterally as opposed to the bilateral initial requests); the degree of flexibilities developing countries could retain based on the offers made; and the "special priority to be given to the LDCs as mentioned in Article IV.3 and to the needs of small service suppliers of developing countries" as mentioned in paragraph 15 of the Guidelines. In terms of

procedure, the review mechanism should be based on relevant information provided by Members and on the analysis of offers by the WTO Secretariat, the UN Conference on Trade and Development (UNCTAD) and other relevant agencies. The group further suggested taking stock of the progress "in negotiations related to the implementation of Article IV" at the Fifth WTO Ministerial Conference scheduled for next September in Cancun, Mexico.

This proposal will be addressed at the 1 November resumption of the CTS under the agenda item "review of progress". Also under this bullet, a developing country source said, "some Members" would voice their concern about the fact that while good progress was being made in the services market access negotiations, a similar degree of movement was lacking in other sectors such as agriculture. In the context of the 'single undertaking' design of the Doha Round negotiations, the paces in the different negotiating fora thus needed to be synchronised, the source indicated.

Small economies

Small Island Developing State (SIDS) Mauritius tabled a proposal (TN/S/W/8, searchable at <http://docsonline.wto.org/>) addressing the particular problems of small economies to increase their participation in world services trade due to their "comparative disadvantage" in competitive core services such as transport, financial services and telecommunication services. The prospects of further focusing on the tourism sector in small economies were "constrained by the consideration to preserve the ecological balance and prevent environmental degradation," Mauritius further explained in its communication (see also the recent WTO Secretariat's "Discussion Paper on the Environmental Effects of Services Trade Liberalisation" (WT/CTE/W/218)). Mauritius argued that a one size-fits-all approach was not capable of recognising the unique circumstances of the small economies. Similar to its approach in the agriculture negotiations, Mauritius proposed that special consideration be granted to small economies in order to overcome their vulnerabilities and difficulties. To that end, according to Mauritius, GATS Article IV should be "effectively operationalised"; small economies should only be expected to "take commitments that are commensurate with their capacities, levels of development, and size of economies"; and, amongst other things, they should be "provided with market access in sectors and modes of supply of specific interest to them. Finally, Mauritius suggested setting up a monitoring mechanism reporting to the CTS on the implementation of Article IV "for the benefit of the small service suppliers of the small economies."

Further proposals tabled: US communication on "Small and Medium-Sized Services Enterprises" (TN/S/W/5); EC communication on "Coverage of CPC 84 - Computer and Related Services" (TN/S/W/6 and S/SCS/W/35).

ICTSD reporting.

FARMERS' GROUPS MEET IN GENEVA AND BOLIVIA TO IMPACT ON WTO NEGOTIATIONS

Convening in Geneva from 23-25 October, farm leaders from Asia, Europe, West Africa and North America discussed options for establishing fair and equitable agricultural trade rules at the WTO in an overall effort to "balance" the ongoing farm trade negotiations held under the Doha mandate. Shortly beforehand, several farmers' organisations from the Cairns Group of agriculture-exporting countries met on the sidelines of the Cairns Group's 18-21 October Ministerial Meeting at Santa Cruz de la Sierra, Bolivia, where they expressed their support for a recent Cairns Group proposal on export subsidies, market access, and domestic support. However, in a parallel international seminar on "Peasants in International Trade Agreements," Bolivian peasant organisations criticised the Cairns Group for acting in the interests of agro- business only, and called on the Bolivian government to leave the Cairns Group so as to be able to safeguard its vulnerable rural producers.

Respecting both domestic and export-related concerns of all farmers

In the joint declaration signed by the participants of the Geneva meeting, farm groups called on WTO Members *inter alia* to acknowledge that "agriculture cannot be treated in the same way as industrial sectors", that farming in all countries "fulfils a multitude of functions" - including food security, rural development and environment -- and that "special and differential treatment [S&D]...in the areas of market access, domestic support, and export subsidies" should allow developing countries to "sufficiently address" their non-trade concerns. In order to be balanced, trade rules further needed to "respect domestic concerns of farmers and meet the needs of export-dependent farmers", the groups stated.

Closing the meeting with a press conference held at the WTO, Bob Friesen, President of the Canadian Federation of Agriculture (CFA), stressed that it was important to note that "this is not a declaration only from economically powerful first-world nations." He added that the declaration was "from farmers from developed

and developing countries coming together in the interests of all farmers around the world".

The signatories of the final Geneva declaration are: Canadian Federation of Agriculture, Canada; COPA/COGECA, European Union; Icelandic Farmers Union, Iceland; Ja Zenchu, Japan; National Agricultural Cooperative of Korea, Korea; Norwegian Farmers Union, Norway; Réseau des organisations paysannes et de producteurs agricoles de l'Afrique de l'Ouest (ROPPA), Benin, Burkina Faso, Côte d'Ivoire, Gambia, Guinée, Guinea-Bissau, Mali, Niger, Senegal and Togo; Sri Lanka Cooperative Marketing Federation, Sri Lanka; and Swiss Farmers Union, Switzerland. Farmers' representatives from the Philippines, Thailand, Malaysia and India also participated in the discussions.

Canada refuses to sign Cairns Group farm leaders' statement

The Canadian Federation of Agriculture also represented Canada at the meeting of 12 Cairns Group farm leaders, held in parallel with Cairns' 24th Ministerial Meeting in Bolivia. The CFA, backed by the Canadian government, declined signing the final farm groups' statement, as it considered it to be against the interests of Canadian farmers. Canada, which is a member of the Cairns group, had also failed to sign on to a recent Cairns Group proposal tabled at the special session of the WTO Committee on Agriculture (CoA) -- due mainly to differences in endorsing the Group's approach on tariff and domestic support reduction (see BRIDGES Weekly, 2 October 2002, <http://www.ictsd.org/weekly/02-10-02/story3.htm>).

Ministers from 17 Cairns Group members (not including Fiji) convened in Bolivia to reinforce the Group's negotiation stances put forward in the WTO agriculture negotiations. Trading partners China, the US and Uganda attended the meeting as guests.

Bolivian peasants demand participation and more emphasis on food security

Designed as a counter-event to the Cairns Group Ministerial and its farm leaders' meeting, a group of small producers, peasant farmers, indigenous people and family farmers met for an international seminar where they criticised Bolivia and the Cairns Group for "supporting big agro-industrial firms and agricultural exporters in eliminating the few instruments that developing countries have to protect themselves against the perverse international market." As a result, participants of the seminar called on the Bolivian government to better involve parliament and civil society in farm trade policy-making and to move away from Cairns-type open-market approaches to a strategy

which would envisage flexibilities for developing countries to effectively protect their small farmers.

As these demands would "not be supported by the Cairns Group," participants concluded that "Bolivia must leave the Cairns Group and seek alliances with other countries which emphasise special and differential treatment for developing countries."

Farmers Protest Agricultural Research Methods

On 30 October, farmer's groups, peoples' movements and civil society from ten countries including Colombia, Thailand, India, Cambodia, Indonesia and Senegal met at the sidelines of the Annual General Meeting of the Consultative Group on International Agriculture Research (CGIAR) held in Manila, the Philippines. During the Peoples' Street Conference, participants called on donors and the international community to replace the CGIAR's "top-down, one-size-fits-all approach" to agricultural research with research that is "farmer-centred, farmer-led, pro-poor, and rooted in the principle of farmers' rights, genuine land reform and food sovereignty". The CGIAR is an informal association of 58 members that supports agricultural research and related activities of an international public goods nature carried out by 16 autonomous research centres. Country members of the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD) account for some two-thirds of CGIAR financing (USD 336 million in 2001). CGIAR has recently come under fire by several farmers' group because of its new international mandate to focus of research in biotechnology (see BRIDGES Weekly, <http://www.ictsd.org/weekly/02-06-12/story2.htm>).

The Cairns Group Ministerial Communiqué can be viewed at http://www.cairnsgroup.org/meetings/min24_communique.html.

The final declaration of the Geneva farm group meeting can be viewed at <http://www.cfa-fca.ca/>.

GENEVA WATCH, 25 October 2002; "Canada Forges International Trade Alliance," CFA PRESS RELEASE, 25 October 2002; "Bolivia Must Leave The Cairns Group Now!" AG-IMPACT, 24 October 2002.

OTHER NEWS

APEC LEADERS ENDORSE ENDING AGRICULTURAL SUBSIDIES

Leaders of the 21-member Asia Pacific Economic Cooperation (APEC) forum met on 26-27 October in Los Cabos, Mexico, for the 10th annual APEC Economic Leaders Meeting, where governments called for reductions in agricultural subsidies alongside discussion of other key trade and development issues. Amidst a US-led effort to focus the meeting on counteracting terrorism, leaders also advocated finalising the WTO Doha negotiations by 2005, and stressed the importance of finding solutions for the many contentious issues to be dealt with before the WTO Cancun Ministerial next September.

According to official APEC documents, the forum was created in 1989 to "promote economic dynamism, a sense of community, and enhance trade and economic cooperation amongst its 21 Pacific Rim member countries".

Ending agricultural export subsidies

While a number of APEC member countries -- including Japan and the US -- have taken active measures of their own to safeguard their agricultural sectors, leaders at the Los Cabos meeting put increased pressure on the EU to liberalise its own farm system, in particular the elimination of export subsidies. According to the forum's final declaration, "[APEC has] agreed that one of the objectives of the [WTO] negotiations should be the abolition of all forms of agricultural export subsidies and unjustifiable export prohibitions and restrictions." Some see this wording as significant in comparison to the related text that came out of the Doha Round. The Doha mandate calls only for a focus on a reduction of agricultural export subsidies "with a view to phasing (them) out". US Trade Representative Robert Zoellick said at the meeting that the APEC stance on agricultural subsidisation was "basically a vote of support from 21 economies to the major agriculture export subsidiser, the EU, to say it's time to step forward if we're going to move forward on the Doha negotiations."

It was rumoured that APEC members Japan and South Korea, who are major providers of domestic agricultural support, were among those most opposed to this new agreement. Despite being the only member officially providing agricultural export subsidies, the US was pleased with the new APEC agricultural objective. Ironically, during the summit, Mexican President Vicente Fox targeted recent hikes in US farm support,

saying, "the US agriculture subsidies will hurt Mexican farmers and must be phased out under the North American Free Trade Agreement."

WTO Doha mandate

According to the final statement, APEC leaders feel the Doha negotiating mandate holds "real" potential in assisting developing countries, in particular improving market access for goods and services, agricultural reform, and the clarification and betterment of trade disciplines. They believe that it is important to bolster efforts in establishing the WTO talks through encouraging and organising "confidence building activities in all areas of the agenda," including competition, investment, transparency in government procurement, trade facilitation, and trade and environment. APEC also expressed that further capacity building is required if all economies are to be able to effectively participate in the Doha negotiations. To help achieve this level of participation, the statement said, APEC would like the WTO to build upon the leadership shown by the regional forum in creating "more effective and coherent programs and delivery of trade-related technical assistance."

Health and environment

Leaders at the APEC meeting in their statement recognised the imperative of investing in health to promote economic growth, poverty alleviation, worker performance and productivity. It was noted that room for improvement existed for member countries to increase the effectiveness of investment at every stage of the health care process, including a need to focus on the most vulnerable populations and primary prevention against disease.

In an attempt to achieve these goals, industrialised countries were directed to aid developing countries in creating capacity to form "their own self-sustaining health-care services accreditation regimes." In addition, the meeting mandated the establishment of a life-sciences innovation forum for key stakeholders in the region, in order to address difficulties associated with risk detection and prevention, and the treatment and cure of communicable diseases impacting member populations.

WTO Director-General Supachai Panitchpakdi, who attended the summit, also touched on health issues. He stated that he was optimistic that by the end of 2002 WTO Members would reach "a firm agreement on how to make use of the intellectual property rights agreement for the benefits of those countries who must gain access to inexpensive pharmaceutical products to help in the elimination of their pandemic diseases". WTO Members are mandated to agree by the end of

the year on a solution to the problem of countries with insufficient pharmaceutical manufacturing capacities in making effective use of compulsory licensing under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs). However, the process is currently stalled (see BRIDGES Weekly, 24 October 2002, <http://www.ictsd.org/weekly/02-10-24/story3.htm>).

Endorsements and adoptions

During the summit, leaders endorsed the APEC Trade Facilitation Action Plan and a host of other initiatives. The Action Plan, which calls for the provision of appropriate capacity building assistance for developing countries, is meant to operationalise APEC's commitment to reduce transaction costs by five percent in the APEC region by 2006.

A Statement to Implement APEC Transparency Standards was adopted, and it was stressed that while it should be put into effect as soon as possible, the latest possible date for such implementation is January 2005.

APEC members are: Australia, Brunei Darussalam, Canada, Indonesia, Japan, Republic of Korea, Malaysia, New Zealand, Republic of the Philippines, Singapore, Thailand and United States, People's Republic of China, Hong Kong (its designation has been changed to Hong Kong, China since 1 July 1997) and Chinese Taipei, Mexico and Papua New Guinea, Chile, Peru, Russia and Vietnam.

For further information, visit <http://www.apec2002.org.mx/index.cfm>.

"APEC Meeting: Leaders pledge to elimination of agricultural export subsidies," AFX NEWS, 27 October 2002; "APEC Economic leaders' declaration," APEC, 27 October 2002; "APEC - WTO's Supachai sees trade deal on access to drugs sealed by year's end," AFX NEWS, 24 October 2002; "APEC Ministers Back Antiterrorism Moves, Elimination of Agriculture Export Subsidies," WTO REPORTER, 28 October 2002; "Mexico to Fight U.S. Farm Subsidies," ASSOCIATED PRESS, October 22, 2002.

WTO: IMPLEMENTATION WOES RECEIVE NO BOOST FROM ANTI-DUMPING

At a 21-22 October informal meeting of the Committee on Anti-Dumping Practices' Working Group on Implementation, Members discussed the two implementation issues ascribed to the body by Ministers at the Doha Ministerial Conference last November. These refer to the time period that is to be

used when assessing whether to apply anti-dumping duties on a developing country (in terms of calculating their volume of imports), and how to operationalise the 'special regard' that developed countries 'must' show developing countries before imposing anti-dumping duties. While Members diverged over how to proceed with the draft recommendations on the former item, they have yet to reach the stage of draft recommendations on the latter. The Chairman, Mr. Cristian Espinosa (Ecuador), reportedly emphasised to Members that the November 2002 deadline was fast approaching and that the mandate must be completed this year.

Background

In the Decision on Implementation agreed at Doha, Ministers gave the Committee on Anti-Dumping Practices two items for which it was to draw up recommendations within 12 months. Thus by November 2002, it was to have recommendations on how to ensure the maximum possible predictability and objectivity in the application of time frames with regards to dumping investigations (Article 5.8); and on how to operationalise Article 15 (special regard for developing countries), which is a special and differential (S&D) treatment provision (i.e. a provision which aims to provide additional flexibility to developing countries).

While anti-dumping is primarily being dealt with in the Negotiating Group on Rules (see BRIDGES Weekly, 24 October, <http://www.ictsd.org/weekly/02-10-24/story1.htm>), developing country Members are keen to have these two items resolved in the Working Group on Implementation. This is due to the fact, speculated one trade source, that should the deadline on these two items be missed (as has occurred on a number of implementation issues, see BRIDGES Monthly, available later this week at <http://www.ictsd.org>), they would likely be subsumed into the broader anti-dumping negotiations in the Rules body, and thus be open to trade-offs on other anti-dumping issues. The S&D provision, Article 15, is also being discussed in the Committee on Trade and Development's review of all S&D provisions -- which has itself missed one deadline so far (see BRIDGES Weekly, 24 October, <http://www.ictsd.org/weekly/02-10-24/story2.htm>).

Time frames for dumping investigations

Members are working on a third draft concerning the time period to be used in assessing the negligibility of the volume of imports from a developing country in a dumping investigation (G/ADP/AHG/W/124/Rev.3, searchable at <http://docsonline.wto.org/>). Divisions here generally fall on a North-South divide, with developed country Members seeking the maximum flexibility to choose which time period to use, and developing

countries wanting Members to agree on a standardised time frame for all. Another area that has yet to be worked out is whether the same period should be used for all investigations.

The current draft to clarify Article 5.8, depending on the bracketed language that is agreed upon, could provide Members with a number of options, which they would then have to use consistently (unless they could prove that a change in time period was required). Alternative language would direct Members to use the most recent 12 consecutive months prior to initiation for which data are available (one of the options in the suggestion above), providing only one alternative should domestic legislation prohibit the primary method.

Article 5.8 of the Agreement provides that there shall be immediate termination in cases where the authorities determine that the volume of dumped imports, actual or potential, is negligible. While it does define the volume of dumped imports to be considered negligible (three percent), it does not establish a period of time over which imports are to be counted in determining whether the volume of imports is negligible.

Paying 'special regard' to developing countries

Discussions on Article 15 centred around three proposals, one from Brazil, India, & Indonesia (no document number available); Turkey (G/ADP/AHG/W/141, searchable at <http://docsonline.wto.org/>); and the US (G/ADP/AHG/W/138, searchable at link above). The joint proposal reportedly called for a number of changes to provide more favourable treatment to developing countries, including inter alia, raising the thresholds for which developing countries are to be excluded from anti-dumping duties. The Turkish proposal has some similar elements, however they want these to apply to all Members. The US paper, which had seen discussions at the previous meeting, looks at the use of price undertakings (agreements to raise prices on the products under investigation rather than applying anti-dumping duties) for developing countries. On this item, a number of countries sought clarifications around the procedures of how such a mechanism might operate.

The next meeting for this Working Group on Implementation is 25 November 2002.

ICTSD reporting.

MEMBERS QUESTION APPELLATE BODY OVER NEW PROCEDURES

At a 23 October session of the WTO Dispute Settlement Body (DSB), a number of Members criticised the Appellate Body over new procedures unveiled on 27 September relaxing rules around the participation of third parties who wish to make oral statements in Appellate Body hearings. Under the new procedures, countries wishing to make statements would not be required to submit written notifications to the Appellate Body or the WTO Secretariat, as previous rules required. However, Appellate Bodies hearing individual cases would still be able to determine whether or not to allow third parties to make oral statements.

The new procedures were a response to the dispute between Peru and the EC over trade description of sardines (see BRIDGES Weekly, 2 October 2002, <http://www.ictsd.org/weekly/02-10-02/story2.htm>). The final Appellate Body decision of the sardines dispute was formally adopted at the 23 October meeting.

In the sardines case, Colombia had been barred from the Appellate Body proceedings -- despite its participation in the panel process -- due to its failure to submit a written request to participate in the appellate hearings. However, the Appellate Body did accept an amicus brief (i.e. 'friend of the court' submission) from Morocco. At the time, Peru argued that accepting the brief from Morocco would allow WTO Members to circumvent dispute settlement rules concerning third party rights, including submitting written notifications. At the 23 October meeting, many developing countries criticised the Appellate Body for its decision on amicus briefs in the Sardines case. India said that amicus briefs should not be allowed, as they gave those parties more rights than third parties in disputes. Primarily for this reason, many Members object to the submission of amicus briefs, a point that was raised by Ecuador, which criticised the Appellate Body for its "preoccupation" with amicus briefs, "even though they know perfectly well the opinion of the majority of Members". In its defence, the Appellate Body points out that nothing in the Dispute Settlement Understanding prevents WTO Members from submitting amicus briefs.

Canada, the EC, India, Japan and Mexico said that while they did not object to the Appellate Body's new procedures, they questioned the discretion of the Appellate Body to accept or reject requests for oral statements, while the US said that some confusion could have been avoided if Members had been previously consulted on the issue.

According to Article 17.9 of the Dispute Settlement Understanding, working procedures for the Appellate Body shall be drawn up in consultation with the DSB Chair and the Director-General, and communicated to Members for their information. Members will be meeting informally to draft guidelines for the Chair of the DSB on the extent to which the DSB Chair should consult with Members before the Appellate Body can make changes to its working procedures.

ICTSD reporting; "WTO Appellate Body Under Fire Again For Amicus Rulings in Dispute Proceedings," WTO REPORTER, 25 October 2002.

IN BRIEF

US PLANS NEW LABOUR AND ENVIRONMENT SANCTIONS FOR TRADE AGREEMENTS

The Bush Administration is currently consulting with Congress regarding the creation of a new format for sanctions for its trading partners in order to enforce labour and environment standards for those who gain trade advantages through failing to maintain those standards. The new system, to be based on fines, is meant to allow for trade deal creation and simultaneously encourage trade partners to maintain safeguards for workers and the environment. Future fines would be paid to a commission under the auspices of the two governments involved and should eventually be used to assist the offending country with enforcement. US Democrats and American labour unions and environmental NGOs have criticised the Bush Administration for failing to create and implement effective labour and environmental safeguards in trade agreements. Daniel Seligman of the Sierra Club believes these planned reforms are "a giant step backward" and "seem(s) to be more the appearance of progress than a substantial achievement for workers and the environment." However, US trade officials have said that members of Congress have responded positively to the proposed program. Officials have clarified that if the government at fault chose not to pay the fines, the plan entails "alternative collections, like import charges" to be substituted.

"US crafts labor, green sanctions on trade pacts," PLANET ARK, 25 October 2002.

EU COD FISHERIES ON THE VERGE OF COLLAPSE: REPORT

On 25 October, in their latest report, the International Council for the Exploration of the Seas (ICES) warned that the cod populations in the waters from western Norway to the Atlantic shores of Scotland are so depleted that they run the risk of collapse. The report went further to say that all the fisheries in these areas should be closed immediately or it may be too late to save the cod population. The committee, which releases a report every six months reviewing a total of 135 fish and shellfish stocks, said that the cod have been overfished by large pelagic trawls that have brought numbers to their lowest ever recorded levels. The level of cod left in the oceans is so serious that the Council also recommended that mixed fisheries that catch cod as by-catch should also be closed unless they could prove that their fishing methods do not inadvertently catch cod. The reports by the ICES form the primary scientific input used by the EU Ministers to negotiate national quotas and total allowable catches (see BRIDGES Weekly, 28 May 2002, <http://www.ictsd.org/weekly/02-05-28/inbrief.htm> - 3).

On 28 October, EU Fisheries Commissioner Franz Fischler rejected the council's call to close the fisheries due to the economic implications in many coastal areas of such an action. He said, however, that the Commission was likely to propose an effective suspension on cod fishing next year. In 1992, the collapse of cod stocks off the east coast of Newfoundland forced the Canadian government to close the fishery there, costing 40,000 people in the region their jobs. Current negotiations on rules at the WTO are looking at 'clarifying and improving' WTO disciplines on fisheries subsidies. In that context, the EU, together with Japan and S. Korea, is being asked by many other WTO Members to do away with subsidies that contribute to overfishing.

"Northern European Cod Collapse Predicted," ENS, 28 October 2002; "EU rules out cod fishing ban, eyes strict curbs," REUTERS, 28 October 2002.

ZAMBIA TAKES FINAL DECISION ON REJECTING GMO MAIZE

On 29 October, the government of Zambia made a final decision saying it would not accept genetically modified (GM) maize to ease the severe shortages that are currently plaguing more than 2.5 million people within the country. The government finalised the ban after a team of scientists was sent to the US, Europe, and South Africa to study GM foods. The team concluded that there was not sufficient evidence to prove that GM foods were safe and should therefore not be allowed in

the country. The decision has angered many people within Zambia who oppose the current government. A leader of the UPND opposition party, Saqwibo Sikota, publicly stated that there was no evidence that GM foods are harmful to consumers. He further stated that if the government could have requested that the maize be milled prior to bringing it into the country so that it could not be planted. Zambia currently needs 21,000 tonnes of food aid each month in order to feed the population that is facing famine. World Food Programme spokesman Richard Lee said that the organisation would now have a very hard time meeting the needs of the people in Zambia.

"Zambia rejects GM food aid, decision final," REUTERS, 29 October 2002; "Criticism of Zambia's GM decision," BBC NEWS, 30 October 2002.

US, THAILAND SIGN BILATERAL TRADE AGREEMENT

On 23 October in Los Cabos, Mexico during the Asia Pacific Economic Cooperation (APEC) summit, US Trade Representative Robert Zoellick and Thai Minister of Commerce Adisai Bodharamik signed a bilateral trade agreement, the Trade and Investment Framework Agreement (TIFA). The deal involves the creation of a Joint council to further liberalise and facilitate trade and investment between the two countries. The Joint Council has declared that they plan to improve cooperation in dealing with issues such as the protection of "intellectual property rights, information technology, biotechnology policy, and capacity building, as well as coordination in the APEC and the WTO." In trading USD 20.7 billion in (two-way) goods during 2001, Thailand is the US' 19th largest goods trading partner. The US is Thailand's largest foreign investor, with over USD 7 billion in US foreign direct investment during 2001. The US already has TIFAs in place with Indonesia and the Philippines.

"United States and Thailand Sign Bilateral Trade and Investment Framework Agreement," US Department of State, October 23, 2002; "APEC MEETING Bush offers free trade deal carrot to Southeast Asian nations," AFX News, 27 October 2002.

CANADA ACCUSED OF ILLEGAL DUMPING OF ELECTRONIC WASTE IN ASIA

The Society Promoting Environmental Conservation (SPEC) and the Seattle-based Basel Action Network (BAN) announced on 22 October that Canada has been allowing the export of toxic electronic waste to China,

breaking with its commitments under the Basel Convention on the Transboundary Movement of Hazardous Wastes. In April of 2000, China announced a ban on the importation of certain wastes, including e-waste and waste computers. Under the rules of the Basel Convention, Parties to the Convention such as Canada cannot export waste to countries that have banned their import, even if the exporting country does not see the waste as hazardous. SPEC and BAN have called for Canada to remedy its procedures in this area and follow the policies that it agreed to when signing the Basel Convention.

"Environmentalists Expose Illegal Canadian Electronic Waste Dumping in Asia," BAN, 23 October 2002.

WTO IN BRIEF

WTO MINI-MINISTERIAL SHIFTS VENUES DUE TO SECURITY CONCERNS

According to comments made on 30 October by Australian Trade Minister Mark Vaile, a meeting of 25 trade ministers from major WTO Members in Sydney on 15 November has moved to a more secure location away from the Sydney city centre. The new location -- the Novotel Hotel at Sydney Olympic Park -- was selected due to security concerns following news that thousands of anti-globalisation protestors are expected to gather to protest the meeting. Ministers are meeting for the so-called 'mini- Ministerial' one year after the WTO's Doha Ministerial to discuss key trade issues in preparation for the Fifth WTO Ministerial in Cancun, Mexico in September 2003. Of the 25 countries attending -- which together count for approximately 80 percent of global trade -- 17 are from developing countries. WTO Members are facing a number of deadlines of importance to developing countries for the end of 2002, including on intellectual property rights and public health, implementation concerns, and special and differential treatment for developing countries.

"Australia Moves Sydney WTO Meeting To More Secure Venue," DOW JONES, 30 October 2002.

EUROPEAN PARLIAMENTARIANS MAKE DEMANDS OVER WTO SERVICES OFFERS

Over 70 members of the European parliamentarian on 22 October issued a statement calling on the European Commission to ensure that the Parliament be consulted before any decision is made relating to any 'offers' of liberalisation being prepared by the Commission. The EC's initial 'requests' to 29 of its principle developed and developing country trading partners were leaked on 16 April 2002 (see BRIDGES Weekly, 23 April 2002, <http://www.ictsd.org/weekly/02-04-23/story3.htm>). Initial offers for services liberalisation at the WTO are due by 31 March 2003. The parliamentarians, who hail from a broad range of primarily left-wing parties, say that before submitting any offers to either the European Council of Ministers (133 Committee) or other WTO Members, offers should be first aired in the European Parliament. The signatory legislators say it is necessary that debate on the mandate for the Commission regarding services negotiations take place in a plenary session of the European Parliament including the Commission, and in each national Parliament, in public session, with its government. According to the statement, the EU must cease requests for the liberalisation of developing countries' public services through the WTO, that member countries maintain the ability to safeguard public services such as health and education, and that there be no more binding WTO services commitments until a full and independent economic, social and environmental impact assessment is conducted.

"Parliamentarians' call to oppose liberalisation of public services," STOPWTOROUND, 22 October 2002.

EVENTS & RESOURCES

EVENTS

For a more comprehensive list of events in trade and sustainable development, please refer to ICTSD's web calendar at: <http://www.ictsd.org/cal>. If you would like to submit an event, please email events@ictsd.ch.

Coming Up This Week: 31 October - 6 November

23 October - 1 November, New Delhi, India: EIGHTH CONFERENCE OF THE PARTIES TO THE UN FRAMEWORK CONVENTION ON CLIMATE

CHANGE. For further information, visit <http://unfccc.int/cop8/index.html>.

28 October - 2 November, Rome, Italy: 123RD SESSION OF THE FAO COUNCIL. The UN Food and Agriculture Organization (FAO) will discuss the report of the 28th Session of the Committee on World Food Security and activities of the World Food Programme. For further information, visit <http://www.fao.org/>.

28 October - 1 November, Manila, Philippines: CONSULTATIVE GROUP ON INTERNATIONAL AGRICULTURAL RESEARCH ANNUAL GENERAL MEETING. For further information on this event, visit <http://www.worldbank.org/html/cgiar/publications/agm2002/agm2002.html>.

31 October, Geneva, Switzerland: ACHIEVING THE DOHA DEVELOPMENT AGENDA. The third seminar in the series held by The International Policy Council on Agriculture, Food and Trade (IPC). The seminar will focus on special preferences, non-trade concerns and consumer concerns. IPC Members and panellists for the seminar include a European agri-business leader; Uruguay Round negotiators for the European Union and the United States; and leading agricultural trade economists from both developed and developing countries. For further information, visit <http://www.agritrade.org/New Home Page.htm>.

1 November, Quito, Ecuador: FREE TRADE AREA OF THE AMERICAS (FTAA) 2002 MINISTERIAL MEETING. The Government of Ecuador will host the seventh FTAA Ministerial Meeting. Trade Ministers from the 34 FTAA member countries will meet to review the progress achieved to date and to give guidance to negotiators for the final phase of the negotiations. The Ministerial meeting will be preceded by the twelfth meeting of the FTAA Trade Negotiation Committee (TNC), which will take place on October 28- 31, 2002, also in Quito. Other events being held in Quito in parallel with the official meetings, are: the Americas Business Forum (ABF); "Towards Sustainability in the Americas" organised by the Ecuadorian Centre for Environmental Law (CEDA); and "Another America is Possible" organised by the Hemispheric Social Alliance. For further information on the conference or these other meetings, visit http://www.dfait-maeci.gc.ca/tna-nac/civil_society-e.asp.

3-15 November, Santiago, Chile: CITES CONFERENCE OF THE PARTIES (COP- 12). A total of 54 proposals for amendment of Appendices I and II were submitted to the Secretariat and are now available on the website of the Convention on International Trade in Endangered Species. Working documents for the meetings will be placed on the website as they become

available. For further information, visit <http://cites.org/eng/news/meetings/cop12.html>.

4 November, London, England: THE JOHANNESBURG SUMMIT: WHAT HAPPENED AND WHAT DO WE DO NEXT? This meeting will discuss what was (and what was not) agreed about the future of international co-operation on sustainable development at the Johannesburg Summit. The speakers will examine how the agreements made can best be taken forward by national governments and by all the other actors (including businesses, NGOs, scientists, inter-governmental organizations and local governments) who were at the Summit and whose involvement is vital if sustainable development is to move from being on the world's wish list to being a concrete reality. For further information or to register, email meetings@riia, or telephone +44 020 7957 5732 / 22.

4-6 November, Guangzhou, China: ASIA-PACIFIC RESEARCH NETWORK CONFERENCE ON CHINA AND THE WTO. The conference will address the issue of China's entry into the WTO and its implications, especially for the Asia-Pacific region. For further information, contact the APRN Secretariat, 3/F SCC Bldg., 4427 Int. Old Sta. Mesa, Manila 1016 PHILIPPINES; tel: (632) 713-2729 / (632) 713-2737; fax: (632) 716-0108; email: secretariat@aprnet.org; Internet: <http://www.aprnet.org/fourth.htm>.

WTO Events

An updated list of forthcoming WTO meetings is posted at: http://www.wto.org/english/news_e/meets.pdf. 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.

1 November, Geneva, Switzerland: WTO COMMITTEE ON SUBSIDIES AND COUNTERVAILING MEASURES. Issues to be discussed during the meeting include new and full subsidy notifications submitted previously.

1 November, 09:00, Geneva, Switzerland: DISPUTE SETTLEMENT BODY.

1 November, 10:00, Geneva, Switzerland: RESUMPTION OF SPECIAL SESSION OF THE COUNCIL FOR TRADE IN SERVICES.

4-5 November, Geneva, Switzerland: COMMITTEE ON CUSTOMS VALUATION.

4 November, 15:00, Geneva, Switzerland: COMMITTEE ON TRADE AND DEVELOPMENT - DEDICATED SESSION/GENEVA WEEK. Dedicated session will focus on small economies.

4-5 November, 09:30, Geneva, Switzerland: GENEVA WEEK.

4-5 November, Geneva, Switzerland: NEGOTIATING GROUP ON MARKET ACCESS.

Other Forthcoming Events

7 November, Bern, Switzerland: ACCESS TO GENETIC RESOURCES AND FAIR AND EQUITABLE SHARING OF BENEFITS ARISING OUT OF THEIR UTILIZATION. The goal of this workshop, organised jointly by the Swiss Federal Office for Agriculture and the Swiss Agency for environment, forest and landscape, is to allow the participants to become familiar with the topic of resource genetics through a good knowledge of the International Treaty on Plant Genetic Resources and the Bonn guidelines, as well as to define more precisely the stake and implication related to the access and sharing of benefits for the different partners at the national and international level. Deadline for registration is 25 October. For further information, visit http://www.umweltschweiz.ch/buwal/eng/fachgebiete/fg_biotechnologie/info rmation/meeting/ABS/index.html.

7 November, Geneva, Switzerland: FORUM ON SMALL ISLAND DEVELOPING STATES AND AGRICULTURAL TRADE LIBERALIZATION. Organised by UNCTAD/Commercial Diplomacy Programme. Meeting will be host to a number of different topics in this area including: Challenges facing small island LDCs; Challenges facing single-commodity exporters; and Economic adjustment process and agricultural liberalisation. The forum will take place in the Palais des Nations, Conference Room XXV. For further information, contact: Ms. Miho Shirotori, UNCTAD, Geneva, Switzerland; fax. (41-22) 917 0247; email: miho.shirotori@unctad.org.

14 November, Novotel Hotel, Sydney Olympic Park, Sydney, Australia: 'MINI-MINISTERIAL' MEETING OF CERTAIN WORLD TRADE ORGANIZATION MEMBERS. A so-called 'mini-ministerial' meeting to discuss ongoing WTO negotiations. The Sydney meeting will occur a year after the WTO launched the current round of trade liberalisation talks in the Qatari capital of Doha (see BRIDGES Weekly, 13 September 2002, <http://www.ictsd.org/weekly/02-09-13/wtoinbrief.htm>).

15-16 November, Brussels, Belgium: FILLING THE DEVELOPMENT DEFICITS AND INFLUENCING THE WTO'S 5TH MINISTERIAL CONFERENCE: TRANSFORMING BLIND ECONOMIC GLOBALIZATION TO GLOBAL SUSTAINABILITY. The objectives of this annual conference are to: identify the core deficits of the latest international conferences; examine and analyse the role of the private sector, FDI, partnerships, and corporate social responsibility after Johannesburg, as follow-up to ICDA Trade and TNC Seminar in April 2002; explore ways in which ICDA's members, partners, and contacts in the South and North can work towards pressing both the WTO and the UN, especially development and trade bodies, such as UNCTAD, to play a more proactive role in advancing a gender-sensitive, people-oriented, sustainable development; outline how ICDA's members, partners, and contacts from all regions can coordinate to focus on removing the development deficits from the WTO agenda and work program in order to advance a gender-sensitive, people-oriented, sustainable development. For further information, visit <http://www.icda.be/annual-conference/>.

21 November, 18.00-20.00 Central European Time: ONLINE CHAT: 'NEW WTO TRADE ROUND: TALKING TRADE - WHAT'S GOING ON?' Does trade make a difference? What's up in the WTO? Are trade negotiations also good for development and environment? One year after the launch of the new trade negotiations round, European Union Trade Commissioner Pascal Lamy, the Egyptian Trade Minister Youssef Boutros-Ghali and a representative of WWF, Dr Keith Tyrell, will debate whether this round is on track and voice their hopes and concerns. This is your chance to discuss your views with them: they want to know what you think. The chat will be held in all 11 EU official languages. Questions may be sent in all 11 languages in advance to: chat-lamy@cec.eu.int. Questions should be as short as possible, 256 characters maximum. For further practical information on how to take part in the chat, please see http://europa.eu.int/comm/chat/lamy9/index_en.htm.

21 November, Brussels, Belgium: SUSTAINABLE TRADE AND INNOVATION CENTRE EUROPEAN BRIEFING. Events will include workshops and lectures on various areas of sustainable development with the primary focus being the European arena. For further information, fax: +32 2 539 48 15 or email: info@epe.be.

25-29 November, Rome, Italy: SIXTH CONFERENCE OF THE PARTIES TO THE VIENNA CONVENTION AND THE 14TH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL. For further information, visit <http://www.unep.org/ozone/meet2002.shtml>.

9-13 December, Geneva, Switzerland: SIXTH MEETING OF THE CONFERENCE TO THE PARTIES TO THE BASEL CONVENTION. Meeting will provide an opportunity for sharing ideas and building partnerships between governments and organizations focused on the control of transboundary movements of hazardous wastes and their disposal. Exhibition stands will also be available to groups that wish to present material pertaining to the subject matter. During meetings provisions and annexes will be made to the Basel Convention concerning the monitoring and movement of hazardous wastes. For further information, visit <http://www.basel.int/>.

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 resources@ictsd.ch. Submissions of publications to ICTSD's documentation centre would also be welcomed (see mailing address below).

INVESTMENT AND COMPETITION NEGOTIATIONS IN THE WTO - WHAT'S WRONG WITH IT AND WHAT ARE THE ALTERNATIVES? October 2002. Prepared by the Seattle to Brussels Network. Led by the European Union, a number of governments are aggressively aiming to launch investment and competition negotiations in the World Trade Organisation (WTO). According to the authors, new investment and competition agreements would increase the power of the WTO by extending its remit to many economic, social and environmental decisions. Governments will have to arrive at a decision on launching such investment and competition negotiations when they convene in Cancun, Mexico for the next WTO Ministerial in September 2003. Individual groups of the Seattle to Brussels Network have contributed to this booklet to alert civil society, the general public and parliamentarians about the developmental, environmental, labour and gender implications of future talks on investment and competition in the WTO and about alternatives to trade and investment liberalisation. To obtain a copy of this booklet, visit <http://www.s2bnetwork.org/>.

ECOLOGICAL RULES & SUSTAINABILITY IN THE AMERICAS. October 2002. By the International Institute for Sustainable Development. Preliminary working papers from this project were released in the 2001 Hemispheric Trade and Sustainability Symposium in Quebec City, Canada, as part of the Quebec City Summit of the Americas, and in other fora. They are available, with other IISD Americas Portfolio publications, at <http://www.iisd.org/>. The project was possible through support from the government of

Canada (especially DFAIT, CIDA and Environment Canada), the USAID, the AVINA Foundation and the International Development Research Centre. To obtain a copy of this publication, visit <http://www.iisd.org/> or <http://www.amazon.com/>.

Electronic Resources

GOVERNANCE FOR SUSTAINABLE DEVELOPMENT: OUTCOMES FROM JOHANNESBURG. Governance and sustainable development are intimately tied together. The future role and architecture of institutions, from local to international levels, will be crucial determinants of whether future policy and programmes for sustainable development will succeed. The following and forthcoming papers and resources on this web page outline a range of viewpoints on: Current problems with institutional architecture; Options for alternative frameworks; Recommendations for future debate. Based on a presentation given at "Global Governance 2002: Civil Society and the Democratisation of Global Governance" conference, Montreal, Canada, 13th and 16th October 2002. To view website, visit <http://www.earthsummit2002.org/es/issues/Governance/governance.htm>.

NAFTA: A CAUTIONARY TALE. 24 October 2002. By Timothy Wise and Kevin Gallagher. At the end of the month, trade ministers from throughout the Western Hemisphere will gather in Quito, Ecuador for negotiations on the proposed Free Trade Area of the Americas (FTAA). Many FTAA proponents, including the Bush Administration, herald the trade accord as a NAFTA for the hemisphere. Early drafts suggest that the proposed treaty is modelled closely on NAFTA. Less clear is why the Bush Administration believes NAFTA's spotty track record will help sell the FTAA to wary Latin American governments. To view this article, visit <http://www.americaspolicy.org/commentary/2002/0210ftaa.html>.

WTO RESOURCES

These recently released WTO documents of note from a sustainable development perspective are available on the WTO website at: To obtain a copy of this paper, visit <http://docsonline.wto.org/>.

Development

TRADE AND ECONOMIC PERFORMANCE: THE ROLE OF ECONOMIC SIZE? (WT/COMTD/SE/W/5). 23 October. Committee on Trade and Development, Dedicated Session. Note by the Secretariat. Paper discusses the role of transport costs and economies of

scale as determinants of small economies competitiveness.

WTO PROVISIONS POTENTIALLY OF PARTICULAR INTEREST TO SMALL ECONOMIES (WT/COMTD/SE/W/6). 23 October. Committee on Trade and Development, Dedicated Session. Note by the Secretariat. The note is an attempt to distinguish provisions in the Uruguay Round Agreements and documents emerging from WTO Ministerial Conferences that could possibly be of particular relevance to small economies, in the broadest sense.

MARRAKESH NET FOOD-IMPORTING DEVELOPING COUNTRIES ("NFIDC") DECISION - TECHNICAL AND FINANCIAL ASSISTANCE IN THE CONTEXT OF AID PROGRAMMES TO IMPROVE AGRICULTURAL PRODUCTIVITY AND INFRASTRUCTURE (G/AG/W/57). 23 October. Committee on Agriculture. Responses from International Development Organisations and Regional Development Banks.

TRIPs-CBD

REVIEW OF THE PROVISIONS OF ARTICLE 27.3(B), RELATIONSHIP BETWEEN THE TRIPS AGREEMENT AND THE CONVENTION ON BIOLOGICAL DIVERSITY AND PROTECTION OF TRADITIONAL KNOWLEDGE AND FOLKLORE (IP/C/W/347/ADD.4). 21 October. Council for Trade-Related Aspects of Intellectual Property Rights. Information from Intergovernmental Organizations. The document reproduces the information that the Secretariat has received from the World Bank.

Market Access

MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS (TN/MA/W/10). 22 October. Negotiating Group on Market Access. Submission by India. Paper addresses Paragraph 16 of the Doha Declaration and carrying forward the mandate of this portion of the declaration concerning the reduction and/or elimination of tariffs in the area of non-agricultural products with special circumstances being given to developing countries.

CAPACITY BUILDING FOR FOOD STANDARDS AND REGULATIONS (G/SPS/GEN/344). 21 October. Committee on Sanitary and Phytosanitary Measures. A report by the Secretariat of the Codex Alimentarius Commission based on information provided by FAO and WHO. Paper addresses issues that prevent developing countries from meeting international standards for food, animal, and plant safety. Then presents different ways in which this problem is being taken care of so that these countries may trade more

equally on the world market with developed countries in these areas.

Geographical Indications

PROPOSAL FOR A MULTILATERAL SYSTEM FOR NOTIFICATION AND REGISTRATION OF GEOGRAPHICAL INDICATIONS FOR WINES AND SPIRITS BASED ON ARTICLE 23.4 OF THE TRIPS AGREEMENT (TN/IP/W/5). 23 October. Council for Trade-Related Aspects of Intellectual Property Rights Special Session. Communication from Argentina, Australia, Canada, Chile, Columbia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Japan, Namibia, New Zealand, Philippines, Chinese Taipei, and the United States.

Antidumping

COMMUNICATION FROM THE UNITED STATES (TN/RL/W/27). 22 October. Negotiating Group on Rules. Basic Concepts and Principles of the Trade Remedy [Antidumping] Rules. Communication addresses the idea that the Anti-Dumping Agreement and the Subsidies Agreement form an important part of the rules-based international trading system.

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