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## CONTENT

### BIOTECHNOLOGY

EU, China Biotech Regulations Under Microscope At WTO	1
Codex Adopts Biotech Food Standards; ICPM Sets Up Working Group On LMOs	3

### FORESTS

UN Forest Forum: Delegates Discuss Trade And Certification	4
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### INTELLECTUAL PROPERTY RIGHTS

Little Headway On Traditional Knowledge And Biodiversity At TRIPs Council	6
---	---

### TRADE IN ENDANGERED SPECIES

CITES Eases Trade Restrictions After Parties Pledge to Improve Wildlife Management	8
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### IN BRIEF

### EVENTS & RESOURCES

Events	11
Resources	13

## Biotechnology

### EU, CHINA BIOTECH REGULATIONS UNDER MICROSCOPE AT WTO

China's and the EU's biotechnology regulations were among the issues of discussion at the meeting of the WTO Committee on Technical Barriers to Trade (TBT) on 15 March and the WTO Committee for Sanitary and Phytosanitary Measures (SPS) at its meeting on 19-21 March.

#### EU labelling and traceability rules

Argentina, Canada, Australia, the US and others (including Israel, Jordan, Singapore and Egypt) expressed concern regarding the draft EU labelling and traceability requirements for genetically modified (GM) foods -- proposed by the European Commission and currently under discussion in the European Council (see *BRIDGES Weekly*, 31 July 2001: <http://www.ictsd.org/html/weekly/31-07-01/story5.htm>) -- at both the TBT and SPS

Committees. The US reiterated its criticism that the proposed rules were not workable, not enforceable, costly and more trade-restrictive than necessary (and therefore not compatible with WTO rules; see also BRIDGES Trade BioRes, 24 January 2002; <http://www.ictsd.org/biores/02-01-24/story1.htm>). They also pointed out that the aim of the proposed rules appeared to be confused, mixing up the protection of the environment, the protection of health, and consumer protection against deception. Furthermore, the US raised the issue of possible impacts on third countries -- in particular in the developing world -- that import US products for processing and re-export to the EU. In addition, the US questioned the need for tracing and labelling GM foods produced from what they referred to as "biotechnology events", but not containing traces of GM ingredients (eg oil made with GM soy).

The latter point was also picked up by Canada who said that the proposed regulations could be discriminatory as they would only apply to foods derived 'from' GMOs (eg GM soy oil), but not to foods made 'with' GMOs (eg certain wines and cheeses made with GM enzymes). In response, the EC argued that the proposed rules were not discriminatory as they equally applied to all food products from all countries. Regarding the continued EU de facto moratorium on the approval of GMOs (see BRIDGES Trade BioRes, 7 March: <http://www.ictsd.org/biores/02-03-07/story1.htm>), Canada reiterated its belief that the moratorium did not have a scientific basis. Using GM canola as an example, Canada argued that no health, food safety or environmental reasons existed to block its approval, especially in light of two favourable opinions from the EU's Scientific Committee on Plants, and highlighted the significant trade loss that had resulted from the failure to approve GM canola.

The EC stressed that the proposed rules aimed to ensure consumer safety and social acceptance of GM foods, to allow consumers to make an informed choice, and to monitor potential environmental effects. Also, the EC argued that labelling and traceability were not restricted to GM foods, but were required for all food products (as set out in new EU food safety law, see BRIDGES Trade BioRes, 7 March 2002; <http://www.ictsd.org/biores/02-03-07/story2.htm>), and that the proposed rules simply specified in more detail the labels required for GM products. The EC added that the proposed labelling and traceability regulations could, at the earliest, be finalised by the end of the year, but that discussions were likely to continue into the next year. Regarding comments raised by WTO Members, the EC said it would take them into account and respond in writing. Norway supported the EC's proposed rules, arguing that they followed the Codex Alimentarius Commission (see related story, this issue), the Biosafety Protocol and OECD guidelines.

### **China's GM regulations**

The US, Canada and Argentina also addressed China's recent biotechnology regulations, which require importers of agricultural biotechnology products to apply for official safety verification approval from China's Ministry of Agriculture, a process that could take up to 270 days complete. The regulations were originally scheduled to enter into force on 20 March, but have been temporarily waived mainly in response to US concerns. Instead, preliminary safety approvals will be issued to foreign firms during a transition period of nine months (20 March - 20 December 2002). Traders will need to apply for a temporary certificate for each cargo, which will be granted within 30 days of the application. So far, however, no permit has been issued to the approximately seven firms that have applied for certificates.

While welcoming the interim arrangement, Canada and the US used the Chinese regulations as an example for the importance of transparency and notification. In particular, they argued that the Chinese rules, whose details were announced on 7 January, did not leave a reasonable time for compliance, and that China had not developed the regulations in a transparent way. In

response, China contested that the new regulations had been developed prior to its WTO accession when China had not been under transparency obligations.

"China drags feet on GMO certificates, markets fret," REUTERS, 21 March 2002; ICTSD Internal Files.

### **CODEX ADOPTS BIOTECH FOOD STANDARDS; ICPM SETS UP WORKING GROUP ON LMOS**

The Codex Intergovernmental Task Force on Foods Derived From Biotechnology recently adopted two standards of foods derived from biotechnology, namely principles for risk analysis and guidelines for conducting safety assessments. While these standards only apply to food safety, they are likely to have far wider implications on biotech-related discussions in other fora, including other Codex Committees, the WTO and bilateral negotiations. In addition, the Interim Commission on Phytosanitary Measures (ICPM) adopted specifications for setting up an Export Working Group to develop a standard for assessing the pest-risk of living modified organisms (LMOs).

#### **Inclusion of "traceability" concept might impact trade debate**

Delegates at the third meeting of the Codex Task Force in Yokohama, Japan, on 4-8 March agreed to include the "tracing of products" and food labelling as risk management tools. The standards thereby refer to the concept of "traceability" (ie a system for tracing all foods and food components from their origin to the point of final consumption) but without explicitly referring to it. This issue was one of the key items that had held up adoption of the standards at the last meeting of the Task Force (see BRIDGES Weekly, 4 April 2001; <http://www.ictsd.org/html/weekly/03-04-01/inbrief.htm>) and continues to cause disagreement between the US and EU in the context of proposed EU labelling and traceability requirements for genetically modified organisms (GMOs) which the US regards as "not workable" and unnecessarily trade restrictive (see BRIDGES Trade BioRes, 24 January 2002; <http://www.ictsd.org/biores/02-01-24/story1.htm>). Some observers believe that the agreement reached at the Codex meeting might mark a breakthrough in international negotiations on the use of traceability systems and at least partially vindicates the EU's insistence on introducing a labelling and traceability system for GM foods.

While not explicitly mentioning precaution, the principles for risk analysis would require authorities to take into account uncertainties identified in safety assessments and allow them to implement appropriate risk management measures. The precautionary principle is being advocated in particular by the EU and has been included in the EU's food safety regulations (see BRIDGES Trade BioRes, 7 March 2002; <http://www.ictsd.org/biores/02-03-07/story2.htm>).

Also of interest are references to "substantial equivalence" (ie the safety assessment should include a comparison between the biotech food product and its conventional counterpart), which is described as a "starting point" for safety assessment, rather than a safety assessment in itself. More importantly, the standards recognise that "in the foreseeable future, foods derived from modern biotechnology will not be used as conventional counterparts." This statement was included despite US efforts to define conventional counterparts as including GMOs based on the assumption that the process of genetic modification per se does not make the resulting food product different from conventional foods.

The standards will now be submitted to the Codex Alimentarius Commission at its next meeting in July 2003 in Rome, Italy, where countries can make further comments. The Commission will then adopt the standards (with minor changes if required) or send them back to the Task Force

for further debate. The Commission is expected to adopt the standards given the consensus expressed in the Task Force.

### **ICPM sets up working group on LMOs**

Meeting on 11-15 March in Rome, Italy, the ICPM adopted specifications which set up an Expert Working Group that is instructed to formulate a draft standard providing guidance on the conduct of pest risk analyses for LMOs. The specification broadly sets out the scope of the standards and the tasks of the working group with more detailed terms of references to be developed once the date of the first meeting has been decided upon. A tentative date has been set for June depending on the availability of funds. Delegates failed to agree, however, whether the standards for LMOs should constitute a supplement to the existing standard on pest risk analysis (as proposed by the EC) or whether to draw up a stand-alone standard. A decision on this issue was postponed to a later date.

The ICPM currently functions as an interim body until the revised text of the International Plant Protection Convention (IPPC) comes into force. Once in force, the Commission on Phytosanitary Measures will take over from the ICPM as the IPPC's governing body. The IPPC aims "to secure common and effective action to prevent the spread and introduction of pests of plants and plant products, and to promote appropriate measures for their control".

### **Background**

While Codex and IPPC standards are only voluntary, the Codex Alimentarius Commission is recognised by the WTO Agreement on Sanitary and Phytosanitary Measures (SPS) as the international organisation responsible for standard-setting related to food safety while the IPPC is responsible for standards related to plant health. WTO Members "shall base" their measures related to human and plant health on these standards, guidelines or recommendations. Such measures "shall be deemed to be necessary to protect human, animal or plant life of health, and presumed to be consistent with the relevant provisions" of the SPS Agreement. The third international standard-setting body recognised in the SPS Agreement is the Office International de Epizooties (OIE) for animal health and zoonoses.

### **Additional resources**

The Codex standards can be accessed at <http://www.codexalimentarius.net>. Documents of the meeting are available at [http://www.codexalimentarius.net/ccfbt3/bt02\\_01e.htm](http://www.codexalimentarius.net/ccfbt3/bt02_01e.htm).

Documents of the ICPM meeting are available at <http://www.fao.org/ag/agp/agpp/pq/En/Archive/Icpm4/ICPM02e.htm>.

"Codex Task Force agrees on final draft of principles for the evaluation of GM foods," FAO/WHO PRESS RELEASE, 8 March 2002; "Participants agree on int'l safety standards for GM foods," JAPAN ECONOMIC NEWSWIRE, 8 March 2002; "Global safety rules for biotech foods agreed," ENS, 12 March 2002.

### **Forests**

#### **UN FOREST FORUM: DELEGATES DISCUSS TRADE AND CERTIFICATION**

Delegates at the Second Session of the United Nations Forum on Forests (UNFF-2) in New York (4-15 March), discussed, inter alia, the relevance of trade policies and certification systems in sustainable forest management. They, however, failed to finalise one of the main

agenda items, namely to establish the terms of reference for three ad hoc expert groups on approaches and mechanisms for monitoring; assessment and reporting; and finance and transfer of environmentally sound technologies.

In their Decision on combating deforestation and forest degradation, delegates urged countries to promote sustainable forest management "through trade policies and practices, including in the WTO", and "to negotiate in the context of the Doha Work Programme" in order to implement Intergovernmental Panel on Forests / Intergovernmental Forum on Forests (IPF/IFF) proposals for action. This compromise text was suggested by South Africa in an effort to resolve the disagreement between developing countries on the one side, who proposed the inclusion of references to the elimination of tariff and non-tariff barriers on forest products in the context of the WTO Doha agenda, and developed countries on the other side who were opposed to such references. The IPF/IFF proposals of action were prepared to support the efforts of UNFF in developing a plan of action for the implementation of IPF and IFF proposals, including financial provisions.

In their Ministerial Declaration, delegates also stressed the importance of voluntary certification schemes in achieving the objective of sustainable forest management. Several delegates pointed out, however, that such schemes should not be used as a barrier to trade for tropical timber. Malaysia's Deputy Minister of Primary Industries, Datuk Anifah Aman, for instance, said that "unending allegations, attacks and misinterpretations" had led an increasing number of municipalities and local governments in developed countries to ban or restrict the use of tropical timber. "Timber certification should not be used as a non-tariff barrier, as it is against the principle of free trade," he added. Issues related to certification were also discussed at a WTO side-event to UNFF-2, where the WTO Trade and Environment Division outlined how forestry may be relevant to the WTO. While the WTO membership had not made forestry a priority issue as yet, the secretariat representative pointed out that eco-labelling has been discussed more generally at the WTO Committee for Trade and Environment (CTE) and the CTE was mandated by the Doha Work Programme to give particular attention to labelling requirements for environmental purposes in its work (para. 32, iii).

At UNFF-3, to be held from 26 May to 6 June 2003 in Geneva, Switzerland, delegates will discuss, inter alia: means of implementation; progress in implementation, specifically related to economic aspects of forests, forest health and productivity, and maintaining forest cover to meet present and future needs; and common items. Furthermore discussion will focus on finalising the terms of reference of the three expert groups.

### **Why Is International Trade Important To Sustainable Forest Management?**

The IPF/IFF has identified trade as one of the important tools for the implementation of sustainable forest management, as the buying and selling of wood and non-wood forest products and services has a significant effect on sustainable forest management, forest harvesting and the value of forest products. One of the main items of discussion in the context of international trade is certification/labelling of forest products. It has been suggested that certification might provide an incentive to manage forests sustainably, as products certified to come from sustainably managed forests might experience an increase in market share and suppliers might receive a price premium for selling a "green product". The biggest market for certified products, both in terms of production and consumption, is found in Western Europe as developing countries often lack the resources to implement such schemes. As a result, many developing countries are concerned that their non-certified products might be discriminated against and that thus, certification and labelling schemes might constitute a non-tariff barrier to trade. Others, however, argue that certification schemes are usually voluntary and that countries are not forced to comply with them.

In the multilateral trading system, labelling is generally covered by the WTO Agreement on Technical Barriers to Trade (TBT) which allows governments to introduce regulations if they are necessary to fulfil legitimate objectives, including "protection of human health or safety, animal or plant life or health, or the environment". WTO rules also state that Members should give the same treatment to "like" products, i.e. they should not discriminate against a product on the basis of the process and production methods (PPMs) used. As eco-labelling schemes are often based on such PPM criteria (eg on sustainable forest management), some argue that they might not be compatible with WTO rules, at least in cases where they are mandatory. While to date no mandatory labelling scheme has been challenged at the WTO, the question of voluntary PPM-based eco-labelling was addressed in the context of the US-Tuna dispute where the GATT [General Agreement on Tariffs and Trade] Panel found that a voluntary US labelling scheme certifying that tuna was fished in a way not harmful to dolphins was compatible with trade rules. While the US-Tuna Panel Report was not adopted, it is likely to influence future discussions on this issue.

### **Additional Resources**

IPF/IFF proposals for action, <http://www.un.org/esa/sustdev/unffddocs/ipf-iff-proposalsforaction.pdf>

"Trade and Sustainable Forest Management," United Nations Economic and Social Council, E/CN.18/2002, Note by the Secretary-General, 2002;  
[http://www.un.org/esa/sustdev/unffddocs/unff\\_ss2-itto.pdf](http://www.un.org/esa/sustdev/unffddocs/unff_ss2-itto.pdf).

"Trading Away the Last Ancient Forests," Richard Tarasofsky and Stefanie Pfahl, Greenpeace International, 2002. A summary of this report is available at  
<http://www.greenpeace.org/politics/wto/Doha/reports/forestsummary.pdf>. For hard copies or pdf version of the study contact [juergen.knirsch@greenpeace.de](mailto:juergen.knirsch@greenpeace.de).

"Summary of the Second Session of the United Nations Forum on Forests," ENB, 18 March 2002. "In-Session Seminar: Certification and Forest Product Labelling: A Review," FAO, 2000 (FO:APFC/2000/10).

### **Intellectual Property Rights**

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#### **LITTLE HEADWAY ON TRADITIONAL KNOWLEDGE AND BIODIVERSITY AT TRIPS COUNCIL**

During discussions on patentability of life forms, traditional knowledge and biodiversity, WTO Members at the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPs) on 5-7 March largely repeated previously stated positions with the main decisions restricted to procedural matters. Discussions also focused on extending the additional protection of geographical indications (GIs) for wines and spirits to other products.

#### **Little movement on life patentability, TK and biodiversity**

Discussions on the review of Article 27.3(b) (patentability of life forms), traditional knowledge (TK) and the relationship between the Convention on Biological Diversity (CBD) and WTO rules made little headway with Members mainly reiterating their previously stated positions. In the past, Brazil, India and some other developing countries have highlighted what they see as possible conflicts between the CBD and the TRIPs Agreement, and suggested that these could be resolved through a revision of Article 27.3(b) incorporating conditions on patentability to disclose the source of genetic material and relevant TK, and provide evidence of fair and

equitable benefit sharing and prior informed consent. Most developed countries, in contrast, including the EC, US and Japan, have generally resisted such amendments to the TRIPs Agreement, arguing that there is no conflict between the two agreements and that they can be simultaneously applied.

The main decisions in this part of the meeting related to procedural issues. In particular, the WTO Secretariat was asked to compile summaries of previously raised points, other intergovernmental organisations were invited to report on their work, and national governments were instructed to provide information on how they deal with plant variety innovations if they have not done so already. Members remained divided over whether to address the issues of TK and the CBD-WTO relationship in the context of 27.3(b) or separately. Brazil and India in particular insisted that they should be combined, while the US, EC, Japan and Korea preferred them to be addressed under separate agenda items. In the end, Members left this question unresolved and Brazil asked the Chair to hold further informal consultations.

The debate on these issues had stalled prior to the Fourth WTO Ministerial Conference in November, leading some analysts to speculate that they could only be resolved within a new round of trade talks. While negotiations on these issues were not explicitly launched at the Conference, the Ministerial Declaration for the first time included references to TK and folklore, linking discussions on TK and the CBD-WTO relationship to the reviews under Articles 27.3(b) and 71.1. [Article 71.1 deals with reviews of the implementation of the Agreement, including with a possible view to modifying or amending it.] According to one developing country delegate, the discussions have thus become part of the larger package of items in the work programme (to be completed by the end of 2004), thereby possibly providing the urgency required to achieve movement in the debate.

### **The cultural dimension of geographical indications**

Discussions on extending the higher level of protection for GIs that is currently available for wines and spirits to other products saw countries roughly divided into "old world" and "new world" camps. The EU and Bulgaria, supported by others, continued their call for negotiations on GI extensions, claiming that they would benefit trade and development, in particular for the developing world, by allowing countries to market their products and obtain higher prices. Sri Lanka added that GIs would create a "level playing field" for those countries that did not produce wines and spirits. Others, however -- most notably Australia supported by Canada -- highlighted the "cultural diversity dimension", arguing that immigrants who had brought products and their associated names to other countries should be allowed to continue to use them. Some also highlighted the danger of GIs being used to block imports and warned that the their administrative costs would be too high for many countries.

Geographical indications, as defined in the WTO TRIPs Agreement, are identifications of the country or region where the quality, reputation or other characteristic of a product is essentially attributable to the geographical region. Additional protection of GIs already exists for wines and spirits (eg Champagne, Bordeaux and Cognac), and some countries (mainly Asia, Europe and Africa) are calling for this protection to be extended to other products (eg Basmati rice, Darjeeling tea or Camembert cheese). Some believe that by giving value to biological resources, GIs can provide an incentive to preserve native varieties, the environment in which the respective resources are grown, and the traditional knowledge associated with them. Others, however, are concerned that GIs will only bring new obligations for developing countries while the benefits will mainly go to developed countries that are better prepared at the national level to take advantage of GI extensions and that might use GIs as a trade barrier against developing countries' exports.

The meeting ended with TRIPs Council Chair Ambassador Boniface Chidyausiku of Zimbabwe handing over his post to Ambassador Eduardo Perez Motta of Mexico. Meetings for 2002 are currently scheduled for 25-27 June, 17-19 September and 25-27 November.

### **Additional Resources**

Background information on Article 27.3(b) is available at [http://www.wto.org/english/tratop\\_e/trips\\_e/intel2\\_e.htm#patents](http://www.wto.org/english/tratop_e/trips_e/intel2_e.htm#patents).

For further details regarding discussions on TRIPs and public health that took place during the TRIPs Council meeting, see <http://www.ictsd.org/weekly/02-03-12/story2.htm>

"Australia assails EU over WTO talks on geographical indications," WTO REPORTER, 8 March 2002; ICTSD Internal Files.

### **Trade in Endangered Species**

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#### **CITES EASES TRADE RESTRICTIONS AFTER PARTIES PLEDGE TO IMPROVE WILDLIFE MANAGEMENT**

At the close of a four day meeting in Geneva, Switzerland, the Standing Committee of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) agreed on 15 March to lift or modify imposed trade measures in response to pledges by United Arab Emirates, the Russian Federation, Fiji, and Vietnam to reform their wildlife management and practices. "As this week has demonstrated, the CITES regime is effective because we can create powerful incentives for motivating governments to follow the rules and cooperate with one another," said Kenneth Stansell of the US, chairman of the Standing Committee. "CITES is an invaluable instrument for promoting the conservation and sustainable management of wild plants and animals," he added. According to sources, trade suspensions or threatened trade suspensions helped to prompt the United Arab Emirates, the Russian Federation, Fiji, and Vietnam to commit to enacting legislation that would conform with CITES standards.

In related developments, the CITES Secretariat announced on 6 March that it had accepted the Caspian littoral states' proposal for a 2002 Caspian-wide quota of some 142 tons -- i.e. 9.6 percent less than last year -- of caviar from five sturgeon species as it considered the efforts undertaken by Azerbaijan, Kazakhstan, Russia and Turkmenistan to comply with the requirements under the so-called Paris Agreement satisfactory. According to the Agreement, the five Caspian states had to suspend all further harvesting of sturgeon stocks for 2001 as well as conduct a stock assessment and develop a common sturgeon management plan before the end of 2001 (see BRIDGES Weekly, 26 June 2001, <http://www.ictsd.org/html/weekly/26-06-01/story7.htm>). CITES declared that "for the first time, the Caspian Sea's wild sturgeons are being managed through a unified system rather than through competing national systems". Some conservation groups, however, had called on CITES not to lift the ban on caviar, as a recent survey had revealed a 40 percent drop in mature beluga sturgeon since 1995 in the Northern Caspian. Furthermore, no mature beluga sturgeon had been detected in the middle and southern Caspian Sea.

### **Background**

CITES was adopted in 1973 to ensure the long-term survival of any species that are potentially threatened by international trade. Its 157 member countries regulate international trade in wild animal and plants covered by CITES via a permit system which differentiates between species listed in Annex I (species threatened with extinction), Annex II (potentially endangered species)



and Annex III (unilaterally protected species). The Convention requires all Parties to refuse any import of specimens of CITES-listed species from, and any export or re-export of such specimens to countries whose legislation does not meet the requirements of implementation of CITES and that are engaged in significant amounts of international trade in endangered species.

Another important feature of CITES is that it includes provisions affecting non-parties. In particular, non-parties, where export or re-export is to or import is from, are required to provide similar documentation (eg export permits) to that required of parties (Article X). This provision was further elaborated in the non-binding resolution on trade with non-parties (see [http://www.cites.org/eng/resols/9/9\\_5.shtml](http://www.cites.org/eng/resols/9/9_5.shtml)) which, inter alia, more clearly sets out the process behind and details of the required documentation. These provisions could potentially lead to a conflict with WTO rules as WTO Member not party to the Convention, which are affected by a trade measure under CITES, could challenge this measure as a hidden trade barrier at the WTO (provided that the country imposing the measure was also a WTO Member). While no trade measure imposed under an MEA has so far been challenged at the WTO, some fear that the unresolved relationship between MEAs and WTO rules might result in a 'chilling effect' in terms of developing new MEAs and implementing them effectively once they are adopted. As mandated by the Doha Ministerial Declaration, WTO Members will address this issue by negotiating on the relationship between MEAs and WTO rules in the Committee for Trade and Environment (CTE), but the Declaration effectively skirts the non-party issue by stating that these "negotiations shall not prejudice the WTO rights of any Member that is not a party to the MEA in question."

#### **Additional Resources**

Documents of the CITES Standing Committee meeting are available at <http://www.cites.org/eng/cttee/standing/46/agenda.shtml>. For further details see the CITES Press Release at [http://www.cites.org/eng/news/press\\_release.shtml](http://www.cites.org/eng/news/press_release.shtml).

"Trade Sanctions Motivate Change in Wildlife Mavericks," ENS, 18 March 2002; "CAVIAR: UN Asked To Reconsider Trade Ban", REUTERS, 8 March 2002; "Caspian Sea States To Resume Caviar Trade," CITES PRESS RELEASE, 6 March 2002; "Caspian Caviar Ban Lifted," BBC NEWS, 6 March 2002; "Avoid Eating Beluga Caviar - Conservation Groups," REUTERS, 8 March 2002.

#### **In Brief**

**PHILIPPINES CONSIDERS BIOTECH REGULATIONS.** The Philippine government plans to require importers to notify whether their products contain genetically modified organisms (GMOs), the Department of Agriculture announced on 13 March. As stated in draft rules drawn up by the Department of Agriculture in consultation with various agencies and sector representatives, the government would compile a list by 30 June 2003 of approved commodities allowed into the country. After that date, any imported GMO not included in the list would require a permit. Importation for direct use as food or feed or for processing would only be allowed for GMOs whose importation has been authorised by the Bureau of Plant Industry, that have been authorised for commercial distribution in the country of origins, and that do not pose a significant threat to human and animal health (irrespective of their intended use). The proposed rules, which will regulate the field testing, growing, commercialisation and import of GMOs, are expected to be issued within the month.

"Philippines to require verification of GMO crop imports, DOW JONES, 13 March 2002;  
"Philippines eyes regulations on GMO imports," REUTERS, 13 March 2002.

**WHALE MEAT TRADE BAN LIKELY TO STAY IN PLACE, SAYS IWC.** Chairperson of the International Whaling Commission (IWC), Bo Fernholm, said in an interview earlier this month that Members of the global whaling body were unlikely to revoke the current ban on commercial whaling at the upcoming IWC's annual meeting in Shimonoseki, Japan, on 20-24 May. He pointed out that the differences between the pro-whaling camp -- Japan and Norway in particular -- and the anti-whaling group -- led by countries such as the US and Australia -- were too substantial to reach a mutually acceptable compromise. A removal of the current ban would require the support of three quarters of the IWC's 42 Members. On 6 March, Australia had expressed its disapproval of plans by Japan and Norway to resume the trade of whale meat possibly by May this year. After an 11-year hiatus, Japan plans to import approximately 10 to 20 tonnes of red meat from minke whales from Norway over a time span of several months. In addition, Japan plans to increase its annual scientific catch. "Whaling nations are aggressively charting a course to resume hunting whales on a commercial basis, " said Australian Environment Minister David Kemp. Both Japan and Norway gave up commercial whaling in 1986 to comply with an IWC moratorium, but Japan re-commenced scientific research whaling in 1987. This year Japan plans to catch 50 Sei whales, 150 minke whales, 50 Bryde's whales and 10 sperm whales. Norway resumed limited whaling in 1993, arguing that it would use the meat for domestic consumption only. Australia, on the other hand, has for a long time been advocating the creation of a South Pacific whale sanctuary, which, together with existing sanctuaries in the Indian and Southern Oceans, would outlaw whaling around the Antarctic (see BRIDGES Weekly, 11 July 2000, <http://www.ictsd.org/html/weekly/inbrief.11-07-00.htm>). Australia also announced that it would campaign for an end of the trade in whale products and of whaling at the IWC meeting in May.

"Interview: Whale Body Head Sees No Change In Talks," REUTERS, 18 March 2002;  
"Australia blasts Japan, Norway on whale meat trade", REUTERS, 8 March 2002.

**INTERSECTION OF BIOTECH AND SD ADDRESSED AT ALEXANDRIA CONFERENCE.** At a 16-19 March International Conference on "Biotechnology and Sustainable Development: Voices of the South and of the North" held in Alexandria, Egypt -- co-sponsored by the government of Egypt together with international organisations such as the Food and Agriculture Organization (FAO), UNESCO, the World Bank, and the Organisation for Economic Development and Cooperation (OECD) -- delegates called on developing countries to invest more in biotech research to better compete with multinational life science corporations which were 'locking up patents at an incredible rate'. OECD Secretary-General, Donald Johnston, told the conference that new farming techniques -- including biotechnology and genetically modified organisms (GMOs) -- could potentially support sustainable development in poor countries as genetically engineered plants could increase crop yields and develop resistance to drought, salinity and pests. Biotech could also be used in the development of medicines to treat diseases such as diabetes and hepatitis. However, some participants pointed out that the widespread reservations on the use and consumption of GMOs would persist until biotech food was proven to be safe and scientists could show that GM crops were more advantageous to the environment or consumers than traditional plants. Delegates also argued that biotechnology was not the only solution to food security problems as the world was already producing sufficient amounts of food. Others emphasised the importance of creating so-called "gene banks" to conserve international and national collections of seeds and other plant genetic resources. For further information, see <http://www.egyptbiotech.com/2002/>.

"Poor States Urged to Research Biotech, Fight Hunger"; "UK Geneticist Sees Worries Over GM Foods Persisting"; "OECD Chief Urges Rich Nations To Open Markets," REUTERS, 19 March 2002; "Gene Banks' Seen Vital For Future Food, Health"; "Biotech Industry Seen Failing To Explain".

**UNEP FISHERIES TRADE WORKSHOP HIGHLIGHTS CHALLENGES FACING POLICYMAKERS.** On 15 March, a Workshop on Impacts of Trade-Related Policies on Fisheries and Measures for Sustainable Fisheries Management organised by the UN Environment Programme (UNEP) brought together government and non-governmental participants to address some of the most difficult and politically sensitive issues in the trade and sustainable development interface. The meeting focused on general impacts of trade liberalisation and fisheries management via the presentation of a group of case studies, while discussion principally focused on subsidy-related issues. Although attendees generally favoured addressing subsidies that were harmful for fisheries and trade, they were divided on how to approach them, with some participants calling for advancing a broad-based understanding of the specific factors that impacted individual fisheries (referred to as a matrix approach). Others called for a targeted approach of studying a few key areas where subsidies were thought to be particularly distortive or beneficial. Participants also discussed the definition of subsidies in the fisheries sector and their inclusion in talks at the WTO. Among the benefits of a clearer definition, according to some, would be to improve the framework for notifications in the WTO. Most participants seemed to favour a narrower definition that built on the current definition in the WTO's Subsidies and Countervailing Measures Agreement and perhaps extended to sector specific clarification; there was little support for expanding the definition of subsidies to include the costs of fisheries management services or of inadequate enforcement.

ICTSD Internal Files.

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## Events & Resources

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### 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>. For further information on WTO events, contact the WTO Information and Media Relations Division, Geneva; tel: (41-22) 739 5007; fax: 739 5458; email: [enquiries@wto.org](mailto:enquiries@wto.org).

#### Coming up in the next two weeks

18-22 March, Monterrey, Mexico: INTERNATIONAL CONFERENCE ON FINANCING FOR DEVELOPMENT. The Conference will bring together high-level representatives from governments, the UN, and other leading international trade, finance and development-related organisations. Discussions will focus on: mobilising domestic financial resources, FDI and other private flows; international trade; ODA; debt relief; and international monetary, financial and trading systems. For more information contact: Harris Gleckman, Coordinating Secretariat; tel: (1 212) 963 4690; email: [gleckman@un.org](mailto:gleckman@un.org) or Federica Pietracci, tel: (1 212) 963 8497; email: [pietracci@un.org](mailto:pietracci@un.org); Internet: <http://www.un.org/esa/ffd>.

19-22 March, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN SERVICES.

21-22 March, Geneva, Switzerland: WTO COMMITTEE ON TRADE AND ENVIRONMENT REGULAR & SPECIAL SESSION.

25-28 March, Geneva, Switzerland: WTO COMMITTEE ON AGRICULTURE.

25-27 March, Washington, DC, USA: 13TH ANNUAL CONFERENCE ON CLIMATE CHANGE AND OZONE PROTECTION. Organised by a coalition of industry, business, and government. The annual conference evolved from the International Conference on Ozone Protection Technologies and the International Climate Change Conference. The conference will provide an educational program and an exhibition featuring the latest ozone protection and climate change technologies and policies. For further information contact: Earth Technologies

Forum, Arlington, tel: (703) 807 4052; fax: 528 1734; email: [earthforum@alcade-fay.com](mailto:earthforum@alcade-fay.com);  
Internet: <http://www.earthforum.com>

25 March - 5 April, New York, United States: CSD10 ACTING AS 3RD PREPCOM FOR THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT. Organised by the United Nations. The third PrepCom will aim to produce the first draft of a "review" document and elements of the CSD's future work programme. For further information contact: Ms. JoAnne DiSano, Director United Nations UN Division for Sustainable Development, DESA, tel: (1 212) 963 3401/3160; fax: 963 3463; email: [maini@un.org](mailto:maini@un.org); Internet: <http://www.johannesburgsummit.org>

28 March, Ottawa, Canada: WSSD, GLOBALIZATION AND THE INTERNATIONAL GOVERNANCE AGENDA. The purpose of the workshop is to provide an informal setting for brainstorming and to gather input from Canadian stakeholders on what Canada might be doing to push progress on issues of international governance in advance of the WSSD. In particular, the focus will be on advancing the relationship of the regimes of international environmental and those for international economic governance, with an emphasis on the area of trade and investment. For further information contact: Mr. Isaak Pageot-LeBel; email: [workshop@globetrotter.net](mailto:workshop@globetrotter.net).

29-30 March, New Haven, USA: ILLEGAL LOGGING IN THE TROPICS - THE ECOLOGY, ECONOMICS AND POLITICS OF RESOURCE MISUSE. The conference is organised by the Yale School of Forestry and Environmental Studies International Society of Tropical Foresters and will explore the framing of the illegal logging problem, the extent of the problem, its perceived causes, and potential solutions. For further information contact: Barbara Bamberger, Yale School of Forestry and Environmental Studies, C/o Tropical Resource Institute, 205 Prospect Street, New Haven, CT 06511; email: [barbara.bamberger@yale.edu](mailto:barbara.bamberger@yale.edu) or [istf@pantheon.yale.edu](mailto:istf@pantheon.yale.edu); Internet: <http://www.yale.edu/istf/>

30 March, Washington, USA: 7TH INTERNATIONAL WILDLIFE LAW CONFERENCE. Organised by the Wildlife Interest Group of the American Society of International Law. Under this year's theme "The Convention on Biological Diversity: A Ten Year Report Card", the conference aims to bring together participants from around the world in an ongoing colloquy about the role of international law and legal institutions in furthering the goal of species conservation and protection of the Earth's biological diversity. For further information contact: William C.G. Burns, tel: (1 650) 281 9126; fax: (1 801) 838 4710; email: [asilwildlife@pacbell.net](mailto:asilwildlife@pacbell.net); Internet: <http://eelink.net/~asilwildlife/programs2.shtml>.

5-7 April 2002, The Hague, Netherlands: 16TH SESSION OF THE GLOBAL BIODIVERSITY FORUM (GBF16). Organised amongst others by IUCN, UNDP, UNEP and IIED. IT will be convened immediately prior to the 6th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP6) and address issues such as Managing Forest Ecosystems for Sustainable Livelihoods; Biodiversity Plans for Business; and Mainstreaming Biodiversity - The Role of Communication, Education and Public Awareness. For further information contact: Ms. Caroline Martinet, GBF Coordinator, IUCN - The World Conservation Union, Rue Mauverney 28, 1196 Gland, Switzerland; tel: (22) 999 0216; fax: 999 0025; email: [caroline.martinet@iucn.org](mailto:caroline.martinet@iucn.org); Internet: <http://www.gbf.ch>

### **Other forthcoming events**

29 April-1 May, Geneva, Switzerland: WTO PUBLIC SYMPOSIUM – THE DOHA DEVELOPMENT AGENDA AND BEYOND. The WTO is hosting the public symposium on the challenges and opportunities arising from the Doha Ministerial Declaration. Participants from governments, parliaments, civil society, academia and the media are invited to discuss how the new negotiations can address key challenges facing the multilateral trading system. For more information contact: Bernard Kuiten; tel: (41 22) 739 5676; email:

Bernard.kuiten@wto.org or Hans-Peter Werner; tel: (41 22) 739 5286; email: Peter.Werner@wto.org; Internet: [http://www.wto.org/english/tratop\\_e/dda\\_e/symp\\_devagenda\\_02\\_e.htm](http://www.wto.org/english/tratop_e/dda_e/symp_devagenda_02_e.htm)

13-18 May, Bali, Indonesia: 32ND SESSION OF THE INTERNATIONAL TROPICAL TIMBER COUNCIL AND ASSOCIATE SESSIONS OF ITS COMMITTEES. For further information contact: tel: (81 45) 223 1110; email: [itto@itto.or.jp](mailto:itto@itto.or.jp); Internet: <http://www.itto.or.jp>

20 May, Shimonoseki, Japan: 54TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION. It will be preceded by meetings of the Scientific Committee and various sub-groups. For further information contact: the International Whaling Commission; tel: (44 1223) 233971; Fax: 232876; email: [iwc@iwcoffice.org](mailto:iwc@iwcoffice.org); Internet: [http://www.iwcoffice.org/2002\\_meeting.htm](http://www.iwcoffice.org/2002_meeting.htm)

27 May-7 June, Bali, Indonesia: FOURTH PREPARATORY SESSION FOR THE 2002 WSSD. The meeting will include Ministerial and Multi-stakeholder Dialogue Segments, and is expected to result in elements for a concise political document to be submitted to the 2002 Summit. Please note that the location has been changed from Jakarta to Bali. For further information contact: Andrey Vasilyev, DESA, New York; tel: (1 212) 963-5949; email: [vasilyev@un.org](mailto:vasilyev@un.org); Major groups contact: Zehra Aydin-Sipos; tel: (1 212) 963 8811; email: [aydin@un.org](mailto:aydin@un.org); Internet: <http://www.johannesburgsummit.org/>

5-7 June 2002, Huaraz, Peru: SECOND INTERNATIONAL MEETING ON MOUNTAIN ECOSYSTEMS. Organised by the National Group of Ecosystems of Mountains. The meeting takes place as part of the International Year of Mountains 2002 and focuses on "The Tropical Mountains toward 2020: Water, Life, and Production". For more information contact: Maria Cecilia Rozas; email: [mrozas@rree.gob.pe](mailto:mrozas@rree.gob.pe); Internet: <http://www.mtnforum.org/calendar/events/0206imma.htm>

## RESOURCES

If you have a relevant resource (books, papers, bulletins, etc.) you would like to see announced in this section, please forward a copy or review by the BRIDGES staff to Heike Baumüller, [hbaumuller@ictsd.ch](mailto:hbaumuller@ictsd.ch). Submissions of publications to ICTSD's documentation centre would also be welcome (contact Matteo Rizzolli, [mrizzolli@ictsd.ch](mailto:mrizzolli@ictsd.ch)).

GOVERNANCE FOR SUSTAINABLE DEVELOPMENT: FIVE OECD CASE STUDIES. OECD, 2002. This study addresses the challenges involved in making public sector institutions shoulder the responsibilities of sustainable development, from long-term planning to socially, economically and environmentally inclusive agendas. For further information, see <http://oecdpublications.gfi-nb.com/cgi-bin/OECDBookShop.storefront/EN/product/422002051P1>

BIODIVERSITY AND TRADITIONAL KNOWLEDGE: Equitable Partnerships in Practice. This book was edited by Sarah A Laird and deals with indigenous and local people, and biodiversity. The book draws on examples of best practice from major regions of the tropics. A copy of the book is available at: <http://www.earthscan.co.uk/asp/bookdetails.asp?key=3595> A sample chapter can be read at: <http://www.earthscan.co.uk/samplechapters/1853836982Foreword.htm>

"Globalization, the bioscience industry and local environmental responses," by D. Gibbs in GLOBAL ENVIRONMENTAL CHANGE, 10 (4, 2000): 245-257. Recent controversy over the introduction of genetically modified crops and their subsequent incorporation into foods has led to major popular debate and discussion. Despite this, there has been relatively little academic discussion of the background to these developments. In this paper it is argued that such developments need to be seen in the context of restructuring activity within the new 'biosciences industry' and closely linked to the globalisation of such corporate activity and the drive for the liberalisation of trade. By contrast, the reaction to genetically modified foods and seed has typically been national or local in scope, and limited in its effectiveness.

**WORLDWATCH POLICY BRIEF FROM RIO TO JOHANNESBURG: GROWING AWARENESS, SLUGGISH RESPONSE.** By Gary Gardner, 2002. The first in a series of Worldwatch issue briefs to be published leading up to the World Summit. The paper describes key lessons learned over the past decade about selected environmental and social challenges, the goals set for addressing those challenges, and progress, if any, in achieving those goals. Available at: <http://www.worldwatch.org/worldsummit/briefs/20020228.html>

**IMPROVE INTERNATIONAL OCEAN GOVERNANCE TO COUNTER FISHERIES DEPLETION AND DETERIORATING MARINE CONDITIONS.** Published by IUCN, 2001. The report evaluates the effectiveness of international agreements and organisations and recommends numerous improvements. It concludes that stronger institutions are needed at regional and national levels and that regular, informal, regional fora should be organised for information exchange and collaborative action. This recommendation is reinforced by greater understanding of ocean problems and a growing trend toward ecosystems-based approaches to ocean management. For a copy of the report contact: IUCN Publications Services Unit, 219c Huntingdon Road, Cambridge CB3 0DL United Kingdom; tel: (44) 1223 277894; fax: 277175; email: [info@books.iucn.org](mailto:info@books.iucn.org); Internet: <http://iucn.org/bookstore>

### ELECTRONIC RESOURCES

The UN Food and Agriculture Organization has launched a new email list on biotechnology which will inform policy-makers and technical decision-makers about current developments and issues in agricultural biotechnology, and brief scientists on the wider policy, regulatory and agricultural development aspects of their work and information relevant to the application of biotechnology in food and agriculture in developing countries. Subscribers to the list receive periodic updates, issued at least once a month, containing brief news and event items focusing on FAO's work and the work of its main UN and non-UN partners. To subscribe, send an email message to [mailserv@mailserv.fao.org](mailto:mailserv@mailserv.fao.org) leaving the subject field blank and entering subscribe FAO-BiotechNews-L in the body of the message. No other text (e.g., mail signature) should be added to the message. For additional information, contact the Coordinator of FAO-BiotechNews via e-mail at [FAO-Biotech-News@fao.org](mailto:FAO-Biotech-News@fao.org).

### POSITION VACANCY

The COUNCIL FOR RESPONSIBLE GENETICS -- the USA's oldest non-profit organization addressing the social effects of biotechnology -- is looking for an EXECUTIVE DIRECTOR who will work closely with an active board, supervise the staff, raise the funds, act as spokesperson and networker, and serve as editor-in-chief of GeneWatch magazine. The job is located in Cambridge, Massachusetts, and begins July 1, 2002. The starting salary will be commensurate with experience, plus fringe benefits. Interested people should send a cover letter and resume to the Search Committee, Council for Responsible Genetics, 5 Upland Road, Suite 3, Cambridge MA 02140. Final selection will occur after April 15, 2002. No phone calls, faxes or e-mails will be accepted.

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