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LEAD STORIES

MEA-WTO RELATIONSHIP: DEBATE MATURES, NO SOLUTION YET

WTO Members convened on 1-2 May for a special (negotiating) session of the Committee on Trade and Environment (CTE), where discussion focussed on the relationship between the WTO and so-called 'specific trade obligations' in multilateral environmental agreements (MEAs). Although the question of formal observer status has yet to be decided, secretariats from six trade-related MEAs attended as ad-hoc invitees, and responded to questions from Members (see BRIDGES Weekly, 19 February 2003, <http://www.ictsd.org/weekly/03-02-19/story4.htm>).

Countries used the opportunity to further explore how to define a specific trade obligation (STO) and other aspects of the environmental mandate contained in the Doha Ministerial Declaration, though there was little agreement on how to move forward with the mandate or on the continuing status of MEA secretariats in the negotiations.

In paragraph 31 of the Doha Declaration, adopted in November 2001, Members agreed to negotiations on: (i) the relationship between WTO rules and specific trade obligations set out in MEAs; (ii) procedures for regular information exchange between MEA secretariats and relevant WTO committees, and the criteria for granting of observer status; and (iii) liberalisation of trade in environmental goods and services.

MEA-WTO: divergent approaches

At the meeting, most Members continued to press for a bottom-up, or an 'STO approach' that would base discussions on examples of specific trade obligations in MEAs. Members at this stage are still attempting to define what constitutes an STO, which MEAs should be considered, and ultimately how to go about clarifying the WTO-MEA relationship. A WTO Secretariat paper compiling submissions thus far on 31(i) (TN/TE/S/3/Rev.1, available at <http://docsonline.wto.org>), and an updated matrix on trade measures pursuant to selected MEAs

(WT/CTE/W/160/Rev.2) were released to help underpin the discussions.

A submission from Hong Kong, China (TN/TE/W/28) that elaborated its experience in implementing the Convention on International Trade in Endangered Species (CITES) was reportedly well-received by most Members that support an STO approach. Hong Kong said that, based on its experience, it was not easy to generalise a set of common criteria for defining STOs, nor was it feasible to find a one-size-fits-all solution. A possible way forward, it said, was to screen obligations in different MEAs with a view to whether they are deemed to be STOs, and if so, whether some tailor-made solutions are required. Regardless, one Member said after the meeting that it was clear now that there was a need for more structure in the MEA discussion, and mentioned clustering STOs together in certain categories, which could then be addressed as a group, as a possible way out.

The EC and Switzerland, which were demandeurs on trade and environment at Doha, reiterated their traditional views that broader concepts -- such as the mutual supportiveness of trade and environment -- should be elaborated by examples, but that a list of qualifying STOs should not be exclusive or exhaustive.

The meeting also showed that developing countries in particular have become more engaged. Most developing countries have tended to view the environment mandate with suspicion, and regard it as primarily an issue pushed by the Europeans. As a result, most are looking to limit the mandate so as to prevent it from expanding to include issues that could constrain their future market access. They are in general supported in this position by the US and Canada, who advocate that STOs be both specific and mandatory.

This was clear in Malaysia's proposal (TN/TE/W/29), in which Malaysia aligned itself with the relatively circumscribed approach forwarded by Argentina (TN/TE/W/2) and India (TN/TE/W/23), who also favour a very specific definition of STOs. According to the Malaysian submission, "... [T]here can only be one category of specific trade obligations, where the trade obligations are mandatory and specific". Malaysia cited examples of provisions that it felt could qualify as STOs set out in three trade-related MEAs that are already in force -- the Basel Convention on Transboundary Movements of Hazardous Wastes, the Montreal Protocol on Substances that Deplete the Ozone Layer, and the Convention on International Trade in Endangered Species (CITES).

Other Members (i.e. the US, Canada, India) have suggested looking at three other MEAs identified as

having explicit trade obligations but that have not yet entered into force: the Cartagena Protocol on Biosafety, the Stockholm Convention on Persistent Organic Pollutants (POPs), and the Rotterdam Convention on Prior Informed Consent (PIC).

Japan, which also submitted a proposal at the meeting (TN/TE/W/26), used all six MEAs in its analysis. Japan examined the degree of discretion allowed for each party to an MEA in taking trade measures pursuant to the MEA in question. In its submission, Japan identified two categories of trade-related MEA measures that could classify as STOs: "(i) The trade measure in question is explicitly provided for as mandatory under an MEA; and (ii) where the so-called 'obligation de résultat', or the agreement's objective, is explicitly provided for in an MEA and the trade measure in question is identified in that MEA as potential means to meet that obligation".

COP decisions

One recurring item of discussion was how to address decisions taken at MEA Conferences of the Parties (COPs) that might have trade-related provisions. According to the EC, which favours a relatively expansive vision of STOs, legally binding COP decisions that introduce amendments to MEAs should qualify as STOs. Other COP decisions aimed at interpreting or at further specifying implementation of MEAs should be recognised, the EC said, for their potential role in interpreting STOs.

For its part, Malaysia said it could only consider COP decisions to be STOs where these are "contained in Annexes, Protocols and amendments to MEAs adopted by Parties and where they have been ratified by the broader membership".

One MEA secretariat official present at the session expressed concern regarding COP decisions after the meeting, noting that MEA law is constantly evolving through various decisions from their membership, and questioned the ability of the WTO to appreciate the nature of MEA decisions.

MEAs circumspect about CTE role

An MEA secretariat official expressed disappointment with the format after the session, saying that while secretariat representatives were happy to have been invited, they were not given an opportunity to make interventions beyond answering questions from the Members. "It was an experiment," the official said, "we listened, and were given an opportunity to speak at the end. But we do not want to be there just to legitimise an eventual WTO decision". Some MEA secretariats were further constrained in responding to queries, sources

said, because they were not in a position to provide advice without a mandate from their own members.

The following secretariats attended: UN Environment Programme (UNEP), the Basel Convention; the Convention on Biological Diversity (CBD); CITES; the International Tropical Timber Organization (ITTO); the Montreal Protocol, and the United Nations Framework Convention on Climate Change (UNFCCC).

Frustration at the process in general was evident, as one MEA source said it was not clear that MEAs had anything to gain from devoting resources to the WTO-MEA endeavour, particularly as they did not see any sign that the WTO negotiations were helping them to implement their own MEA mandates.

Information exchange and observer status

The MEA secretariats were asked to leave the session after the discussion around para. 31(i) on the relationship between WTO rules and STOs, and were not present for the ensuing debate around para. 31(ii) on information exchange and observer status. While 31(ii) includes the sensitive sub-topic of criteria for observer status for MEAs, the session focused rather on procedures for regular information exchange between MEA secretariats and relevant WTO committees. One MEA official found this to be somewhat ironic, and questioned how they were supposed to figure out how to exchange information if they were not even allowed in the room.

According to a WTO official, most Members agreed at the meeting that WTO information exchange with MEAs should be formalised, but some -- primarily developing country -- Members resisted proposals that would increase their workload and/or require additional financial resources.

In a proposal submitted on 31(ii), Switzerland (TN/TE/W/30) provided a number of suggestions, including the institutionalisation of MEA information sessions at the WTO; CTE and MEA information sessions on specific topics of the Doha mandate; adaptation of existing websites; and guidelines for observer status.

It remained unclear whether MEA secretariats would be asked back to the next session, given the ongoing impasse on observer status in the Doha negotiating sessions. The next meeting of the CTE special session is on 8 July, although it will be primarily geared toward finalising the body's report to the Cancun Ministerial in September, and is therefore unlikely to involve MEA secretariats. Informal consultations will be held on 22 May, at which point it is expected that MEA

representation will be addressed, particularly with regard to the October session.

Environmental goods & services During discussions on para. 31(iii) on environmental goods and services, countries for the most part reiterated previously-stated positions on environmental goods (see BRIDGES Weekly, 19 February 2003, <http://www.ictsd.org/weekly/03-02-19/story4.htm>).

Kenya, however, suggested that Members look beyond the current definitions of environmental goods -- which for the moment are based on lists from the Asia Pacific Economic Cooperation forum (APEC) and the Organization for Economic Cooperation and Development (OECD) -- to include products of export interest to developing countries. Kenya referred in particular to goods such as organic agricultural products, and indicated that it planned on submitting its list at the next meeting of the CTE special session. The US told Kenya that it was interested in exploring this idea. Such an initiative would likely be supported, one trade source said, by the EC and Switzerland, and just might be acceptable to other developed countries. But some other developing countries that fear the definition could expand to include goods produced in an environmentally-friendly fashion (so-called process and production methods, or PPMs) would be likely to resist such a move, the source said.

CTE regular session

The CTE met for its regular session on 29-30 April, where delegates focused on the 'non-negotiating' mandate contained in the Doha Declaration. This included EC papers on TRIPs - CBD (EC, WT/CTE/W/223), and on eco-labelling based on a life-cycle approach (WT/CTE/W/225), a Japanese proposal on fisheries subsidies and over-fishing (WT/CTE/W/226), and presentations on the environmental aspects of Doha round talks on rules (WT/CTE/GEN/10) and services (WT/CTE/GEN/11). Many Members told the EC that eco-labelling should be addressed at the TBT Committee, and that ambiguity remained over life-cycle analysis. Japan was overwhelmingly asked to raise its issue in the Negotiating Group on Rules under the rubric of fisheries subsidies.

While the CTE is mandated to make recommendations to the Fifth Ministerial Conference (in Cancun in September) on potential future negotiations, there were no formal proposals of this nature submitted.

ICTSD reporting.

TRIPS COUNCIL: GI EXTENSION ISSUE CROPS UP IN NEGOTIATIONS ON MULTILATERAL SYSTEM

During its special session from 29-30 April, the Council for Trade-related Aspects of Intellectual Property Rights (TRIPs) continued negotiations on the establishment of a multilateral register of geographical indications (GIs) for wines and spirits, based on a first draft text circulated by TRIPs Council Chair Ambassador Eui-yong Chung of Korea on 16 April. The contentious implementation issue of whether the higher level of protection awarded to wines and spirits should be extended to other GIs arose for the first time in the negotiations, sparked by Bulgaria and supported by a number of other 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 (e.g. Champagne, Bordeaux and Cognac), and some countries (mainly Asia, Europe and Africa) are calling for this protection to be extended to other products (e.g. Basmati rice, Darjeeling tea or Camembert cheese). In the Doha Declaration, Members agreed to finalise negotiations on a multilateral system of GIs for wines and spirits by the Fifth WTO Ministerial Conference, to be held in September 2003.

Chair's text reflects divergent positions

Members' views on the draft text followed the usual positions, which also found reflection in the text itself in the form of various options (labelled A, B and B1 and B2). Option A presented the views of countries such as the US, Canada, Australia, Chile, Argentina, Japan and others, who are seeking a non-binding system that does not require Members to protect registered terms. Rather, the register would function as a database that could be consulted by a Member "when making decisions regarding recognition and protection of geographical indications for wines and spirits". Non-participating Members "shall be encouraged, but shall not be obliged" to use the system as an information source.

In contrast, the European countries favour Option B, which would allow Members to challenge proposed registrations and would require registered terms to be protected in all WTO Member countries, including non-participating Members. This Option is further differentiated into B1 proposed by the EU, which envisages bilateral consultations in case of a challenge, and B2 proposed by Hungary and supported by

Switzerland, which suggests settling unresolved challenges by arbitration.

Hong Kong, China submitted a compromise proposal aimed at providing an "alternative model" for establishing the multilateral system (TN/IP/W/8, available at <http://docsonline.wto.org/>). The paper proposed leaving the protection to be determined at the domestic level (along the lines of Option A), which the EU and others criticised as too "voluntary". Supporters of Option A were generally more favourable, but expressed concerns about certain details, including a suggestion to consider registration in the system as "prima facie" evidence in a Member's domestic legal system. The submission included an estimate of the registration costs, which are expected to amount to USD 180 per term.

Bulgaria raises GI extension issue

For the first time in the negotiations, Bulgaria brought up the issue of GI extensions when suggesting to replace all references to "wines and spirits" in the draft text with products "protected under Article 23 of the TRIPs Agreement". This wording, which was supported by the EU, Switzerland, Kenya, India, Thailand and others, would allow the multilateral system to be expanded to include products other than wines and spirits should Members agree to expand the higher level of protection under Article 23. Opponents of GI extension, including the US, Australia, Chile and others, strongly opposed the proposal, arguing that it would go beyond the mandate for negotiations (Article 23.4 of the TRIPs Agreement and Article 18 of the Doha Declaration). Discussions on GI extension continue to deeply divide WTO Members in the TRIPs Council where countries differ on whether to begin negotiations on this issue (see BRIDGES Weekly, 25 September 2002; <http://www.ictsd.org/weekly/02-09-25/story2.htm>).

Australia concerned over registration of 'traditional expressions'

Among the contentious issues were concerns raised by Australia that the EU might attempt to register "traditional expressions" in the multilateral system, such as "ruby", "tawny" or "vintage". The concerns were, inter alia, based on previous legislative efforts by the EU to protect such expressions, according to Australia (see BRIDGES Weekly, 3 July 2002, <http://www.ictsd.org/weekly/02-07-03/story4.htm>).

Australia called on Members to officially agree that such expressions "are not intellectual property" and that "no claim would be made during or after the negotiations" that they meet the definition of GIs. In a communication submitted to the TRIPs Council, the EU reiterated a previous statement that traditional expressions "could never be in the multilateral register".

Pressure on EU mounts over its GI rules

Australia has requested consultations with the EU over its system of protecting GIs, alleging that the EU system violated the WTO Agreement on Technical Barriers to Trade (TBT) and the TRIPs Agreement as it discriminated against non-EU products and undermined exclusive rights to trademarks. Australia also joined the US complaint against the EU system as a third party. The US had updated a three-year old WTO complaint on 5 April, arguing that the EU system violated the national treatment and most favoured nation obligations of the General Agreement on Tariffs and Trade (GATT) and the TRIPs Agreement. In the press release announcing the complaint, the US explicitly highlighted the issue of GI extension, noting that "the EU is currently pressing for additional protection for EU geographical indications in the Doha Development Agenda while at the same time failing to meet its existing WTO obligations to protect GIs of other WTO Members".

The next and last (scheduled) special session of the TRIPs Council is set for 2-3 July. The Chair is expected to hold informal consultations in the upcoming weeks in an effort to compile a single text without options by the July meeting.

The Chair's text is available at http://www.ictsd.org/iprsonline/ictsd/docs/wto_JOB0375.pdf. Submissions to the special session are searchable at <http://docsonline.wto.org/> using the document symbol TN/IP/W/*.

ICTSD reporting.

OTHER NEWS**EU PUTS FORWARD CAUTIOUS SERVICES OFFER**

The EU tabled its initial services offer on 29 April, two months after a 31 March WTO deadline. According to the negotiating mandate on services that Members agreed at Doha in 2001, "participants shall submit initial requests for specific commitments by 30 June 2002 and initial offers by 31 March 2003", and a limited number of offers have been trickling in before and after the deadline (see BRIDGES Weekly, 2 April 2003, <http://www.ictsd.org/weekly/03-04-02/story2.htm>). The EU initial services offer reduces certain restrictions and expands market opportunities for foreign suppliers. It is presented in a conditional manner, subject to substantive offers of similar depth from other Members. The services sector is of fundamental importance for the EU, accounting for two third of its gross domestic product (GDP) and employment. The EU is also a world leader in various services sectors including telecoms, financial services, business and environmental services.

The EU offer has both horizontal and sectoral aspects. At the horizontal level, the EU offer modifies part of the EU general regime on investment, removing prior authorisation requirements in some member states, such as Portugal. Regarding real estate, some of the restrictions for acquiring and/or renting property are removed. Subsidies in the services sector are maintained, which some observers raised concerns over, questioning how useful the liberalisation commitments would be to developing country suppliers.

Sectoral commitments

At the sectoral level, the offer expands on existing EU commitments in a number of sectors, including telecom, financial services, transport, postal and courier services, computer services, environmental services, distribution, construction, tourism, new agencies and entertainment services. Various services sectors of a sensitive nature are excluded from the offer, including education, health, social services, and audiovisuals, in order to address civil society concerns and the interests of some regional authorities in Europe. Regarding public utilities, the EU offer does not change the current limitations favouring of public utilities within the EU.

Water for human use and wastewater management are also covered by the EU offer. In this regard, the Commission stressed that, "this sub sector only concerns the distribution of water through 'mains' and excludes any cross border transportation". Civil society

groups, including Friends of the Earth Europe, WDM and the Center for International Environmental Law signalled disappointment, having opposed liberalisation of the water sector in general.

Temporary entry into the EU

While many developing countries had requested actual commitments in mode four (Temporary Entry of Foreign Nationals), the EU offer only introduces some superficial commitments under this mode. The EU has offered the following potential commitments:

*Corporate managers and specialists will be allowed to stay for an extended period of three years. Graduate corporate trainees will be allowed to stay a maximum period of 12 months. In either case, an economic needs test will not be required.

*Foreign companies with a contract to provide services to a client in the EU will be allowed to send highly skilled corporate employees to the EU for a maximum period of six months (within a period of 12 months). This period was previously limited to three months. The offer does not, however, apply to important services sectors such as research and development, construction, higher education and entertainment.

*A new category of contractual services is offered. Self-employed, highly skilled people will be allowed to enter the EU for up to six months. This applies only to architectural, engineering and integrated engineering services, computer, management consulting and translation services. The entry of individual service suppliers is subject to a numerical ceiling, for which the modalities and level are still to be determined.

According to the civil society group GATS Watch, the "EU offer on mode four appears to be very poor. The possibility of concessions in mode four has been used by the EU and by businesses to sell the GATS negotiations to developing countries. The current EU offer shows that this is for the most part an empty promise". This can be detected in the lack of offers regarding less skilled labour, and in the lack of mention of "GATS-type" visas -- an idea presented by various developing countries to clearly differentiate temporary movement of persons from migration flows (which are not covered by the GATS), and as a way to facilitate the burdensome and sometimes ineffective normal visa procedures.

The EU offer and other WTO Members' offers can be found at:
<http://www.ictsd.org/issarea/services/index.htm>.

ICTSD reporting; "WTO Services: EU proposes to improve trading opportunities giving developing

countries a better deal," EU DG TRADE PRESS RELEASE, 29 April 2003; "EU makes a detailed services proposal in the WTO," EU DG TRADE PRESS RELEASE, 30 April 2003; "European Commission releases 'provisional GATS offer'," GATSWATCH PRESS RELEASE, 1 May 2003.

IN BRIEF

AFRICAN COUNTRIES CALL FOR END TO COTTON SUBSIDIES

Benin, Mali, Burkina Faso and Chad, on behalf of West and Central African countries, recently circulated a WTO proposal on the complete elimination of cotton subsidies. The countries highlighted this issue as a potential "global deal," calling for a decision at the upcoming WTO Ministerial to be held in Cancun in September. They stressed that they were not requesting special treatment, simply a level playing field for their unsubsidised cotton, and also suggested that farmers in poor countries negatively affected by cotton subsidies in rich countries -- mainly the US -- be compensated for the damage incurred during a transition period leading to full elimination. According to Oxfam International, cotton subsidies amount to about USD 4 billion per year, and cotton subsidies have led to the halving of cotton prices since the mid-1990s, with devastating effects on African countries and their poverty alleviation efforts. As an example, one US grower, Tyler farms in Arkansas, received a USD 6 million subsidy in 2001 -- an amount 25,000 Mali farmers earn in a year. Some observers noted that cotton subsidies may become a "make or break" issue at Cancun. The proposal, which has not yet been made available to the public, was provided to the WTO negotiating group on agriculture on 30 April.

In related news, Australia joined as a third party in a dispute initiated by Brazil regarding US cotton subsidies (see BRIDGES Weekly, 2 April 2003, <http://www.ictsd.org/weekly/03-04-02/story3.htm>). According to the Australian Cotton Industry Council, Australia would have seen seven percent higher earnings from cotton this year had it not been for US subsidies, of which direct export subsidies were particularly harmful.

ICTSD, together with Oxfam and the IDEAS Centre, will be holding a panel on "Can Negotiations on Agriculture Deliver Pro-development Reforms? The Case of West African Cotton" on 17 June at the WTO's Public Symposium in Geneva.

ICTSD reporting; "Four African states urge end to U.S. cotton support," REUTERS, 1 May 2003; "African Nations Seek Cancun Resolve On Full Elimination of Cotton Subsidies," WTO REPORTER, 2 May 2003; "Australia joins Brazil in WTO move on US cotton," REUTERS, 5 May 2003.

OECD MEETING USED TO INJECT MOMENTUM INTO DOHA ROUND TALKS

Trade Ministers meeting on WTO issues in conjunction with the annual Organisation for Economic Cooperation and Development (OECD) Ministerial Council meeting held in Paris from 29-30 April, agreed to focus on getting results in six key areas of the Doha Round of trade negotiations. The areas highlighted were agriculture, non-agricultural products, services, special and differential treatment (S&D) for developing countries, anti-dumping and trade rules, and the so called Singapore issues of investment, government procurement, trade facilitation and competition policy. The 13 key Members' meeting also agreed to find a solution to the issue of TRIPs and access to essential medicines, preferably in advance of the WTO Ministerial meeting in Cancun in September this year, to inject more momentum into the talks that have been stalling. US Trade Representative Robert Zoellick and EU Trade Commissioner Pascal Lamy reportedly had suggested Members seek to secure such an "interim agreement" on key issues at Cancun, seeking to use the opportunity to overcome tensions created by the war in Iraq. In addressing the meeting, WTO Director General Supachai Panitchpakdi stressed the need for ministers to advance the negotiations, noting that "there is an increasingly urgent need to make sure that your instructions to your negotiators in Geneva in specific areas are consistent with your commitment to a successful outcome overall [of the Doha Round]".

"Stalled WTO Trade Talks, Sluggish Growth Expected to Top Agenda at OECD Ministerial," WTO REPORTER, 28 April 2003; "Key Members Agree to Seek WTO Accord on 6 Areas in," JIJI PRESS, 30 April 2003; "Major WTO Members Seek Accord On Key Issues," NIKKEI, 30 April 2003; "Lead the way towards compromise, Supachai urges OECD ministers," WTO PRESS RELEASE, 30 April 2003.

G-8 ENVIRONMENT MINISTERS SET PRIORITIES FOR JUNE SUMMIT

The environment ministers of the G-8, the eight major industrialised countries, met in Paris in late April to discuss environmental priorities for the upcoming G-8 Summit to be held in Evian, France, on 1-3 June. As

the "priority fields for action", Ministers identified access to safe drinking water and basic sanitation, access to energy, reducing air and water pollution, combating climate change through mitigation and adaptation, desertification and deforestation, as well as biodiversity conservation. Ministers further "strongly" supported the successful completion of the current trade round at the WTO, noting specific opportunities in the negotiations on environmental goods and services. They supported the idea of public procurement policies that encourage development and diffusion of environmentally sound goods and services, as well as consumer information tools for environmental and public health and safety issues "where appropriate, on a voluntary basis... bearing in mind that they should not be used as disguised trade barriers".

"G8 environment heads focus on water, energy, Africa," ENS, 29 April 2003.

MEETING DEBATES TRADE, NON-TRADE ISSUE LINKS

A meeting focusing on the linkages between trade on the one hand and labour and environmental standards on the other was held in Washington, D.C. from 22-23 April. Organised by the Consumer Unity & Trust Society Centre for International Trade, Economics & Environment, an Indian NGO, and the US-based Carnegie Endowment for International Peace, the meeting is part of a series of sessions intended to enhance the understanding of the linkages between trade and non-trade concerns, and to find consensus in this regard. Participants from a number of countries, representing academia, civil society organisation and trade unions debated the issue, which has become increasingly polarised between the North and South. At the meeting, John Langmore of the ILO stressed the need to strengthen social and economic structures to help countries comply with labour standards. T. N. Srinivasan, Yale University, stressed that assistance rather than sanctions should be used to enforce core labour standards and to provide alternatives to child labour. Other participants noted that while abolishing child labour is a positive objective, many developing countries are worried about hidden motives behind linking the issue with international trade. On trade and environmental standards, participants debated whether environmental policy should be set at the local, national or international level, and whether universal standards make sense in countries that do not have the capacity to comply with them. Overall, many participants felt that labour and environmental issues need not be inextricably linked to trade, suggesting that other institutions, such as the ILO may be more appropriate in this regard.

ICTSD reporting.

WTO IN BRIEF

ANTI-DUMPING PROBES ON THE DECLINE

The WTO Committee on Anti-Dumping Practices met from 1-2 May to review Members' anti-dumping (AD) legislation, and the Secretariat released information on WTO Members' use of AD investigations. The Committee reviewed the legislation from China, Costa Rica, the Dominican Republic, the EC, Latvia, Lithuania, New Zealand, Nicaragua, Pakistan and Zimbabwe. The US and Korea raised concerns regarding the EU's extension of anti-dumping duties the new EU member states, urging that the EU first conduct a review. The EU responded that while the existing AD measures would apply in the expanded EU-25, any party with an interest could apply for a review on a case-by-case basis.

In conjunction with the Committee meeting, the Secretariat released data on WTO Members' use of AD investigations, noting a decline in 2002 as compared with 2001. 149 investigations were launched during the second half of 2002, with Chinese exports attracting the largest number of investigations. India initiated the largest number of investigations, 54, followed by Thailand, the US and Australia with 14 or 13 investigations. The largest number of investigations involved the base metal sector, although the chemicals sector was almost as heavily investigated, and a significant number of probes were carried out in the plastics sector as well. The information comes from the Members' semi-annual reports on AD, which can be accessed at <http://docsonline.wto.org> (document series G/ADP/N/98).

The next meeting of the AD Committee is scheduled for 23 October this year.

ICTSD reporting; "WTO Secretariat reports significant decline in new anti-dumping investigations," WTO PRESS RELEASE, 2 May 2003.

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/index.htm>. If you would like to submit an event, please email events@ictsd.ch.

Coming Up: 8 - 14 May

28 April - 9 May, New York, US: 11TH SESSION OF THE UN COMMISSION ON SUSTAINABLE DEVELOPMENT. For further information, contact: Division for Sustainable Development Secretariat, tel: +1 212 963-3170; fax: +1 212 963-4260; email: dsd@un.org; Internet: http://www.un.org/esa/sustdev/csd11/csd11_2003.htm.

12-13 May, London, UK: 3RD ANNUAL EMISSIONS TRADING CONFERENCE. This conference is on the global emissions trading market and will cover the latest developments in this field through various case studies focused on the EU. For more information, please visit: http://www.euromoneyenergy.com/event_programme.asp?eventid=ECK75&site=energy.

12-16 May, Rome, Italy: 29TH FAO COMMITTEE MEETING ON WORLD FOOD SECURITY. The FAO Committee on World Food Security reviews and follows up on policies regarding world food security, including food production, sustainable use of natural resources for food security, nutrition, physical and economic access to food and other food security related aspects of poverty eradication, and the implications of food trade for world food security. For further information, contact: FAO Economic and Social Department, tel: +39-6-5705-4358; Internet: <http://www.fao.org/Unfao/bodies/cfs/cfs29/cfs2003-e.htm>.

12-17 May, Panama City, Panama: ITTC-34. The thirty-fourth session of the International Tropical Timber Council (ITTC-34) will. The First Preparatory Committee for the negotiations of the Successor Agreement to ITTA, 1994 will be held immediately following the session. For further information contact: Alastair Sarre, ITTO Secretariat, tel: +81- 45-223-1110; fax: +81-45-223-1111; e-mail: editor@itto.or.jp; Internet: <http://www.itto.or.jp>. For daily meeting coverage by IISD's Earth Negotiations Bulletin, visit: <http://www.iisd.ca/forestry/itto/ittc34/>.

12-24 May, New York, US: SECOND SESSION OF THE PERMANENT FORUM ON INDIGENOUS

ISSUES: The second meeting of the Permanent Forum on Indigenous Issues will focus on "Indigenous Children and Youth". The meeting is organised by the UN High Commissioner for Human Rights. For further information, contact: Secretariat of the Permanent Forum, tel: +1-917-367-5100; e-mail: indigenouspermanentforum@un.org; Internet: <http://www.un.org/esa/socdev/pfii/pfii2.htm>.

13 May, New Delhi, India: INTERACTIVE WORKSHOP ON THE RELEVANCE OF GM TECHNOLOGY TO FOOD. This interactive one-day workshop, jointly organised by Gene Campaign and PAEDIA, will address the need for an informed discussion and debate on the relevance of GM technology to food from a Third World perspective. For further information, contact: Prabhu Ram, Gene Campaign; tel: +91-11-26517248/26856841; fax: +91-11-26965961; e-mail: genecamp@vsnl.com; Internet: <http://www.genecampaign.org>.

13-14 May, Tokyo, Japan: EXPERT MEETING ON 'AGRICULTURE FOR PEACE'. For more information on this event, please contact Prof. A.H. Zakri at: phone: +81 3 5467 23233; fax: +81 3 5467 2324; email: zakri@ias.unu.edu (NA); Internet: <http://www.ias.unu.edu/index.cfm>.

14 May, London, England: THIRD ANNUAL WTO CONFERENCE: DISPUTE RESOLUTION AT THE CROSSROADS. This event, organised by the British Institute of International and Comparative Law (BIICL), the Georgetown University Institute of International Economic Law (IIEL), and the Journal of International Economic Law (JIEL), will feature panel discussions on the nature and goals of dispute settlement, trade remedies, compliance issues, and new WTO laws as they relate to dispute resolution. For more information on this event, please visit: <http://www.biicl.org/events/2003Events/5May/May%2003%20Events.htm>.

14-15 May, Geneva, Switzerland: SECOND INTERNATIONAL FORUM ON TRADE FACILITATION - SHARING THE GAINS OF GLOBALISATION IN THE NEW SECURITY ENVIRONMENT. This forum, organised by the UN Economic Commission for Europe in cooperation with other international organisations dealing with trade facilitation, will focus on the need to allow weaker participants in the global trading system to receive a fair share of the benefits of trade facilitation, and on new initiatives aimed at increasing security in the international trading system. The Forum will seek to define practical measures to progress trade facilitation in the new international environment, highlighting possible ways of constructing an equitable mechanism of facilitating trade allowing small and large countries and businesses to share the benefits. Parallel to the

Forum, workshops on technical issues and intellectual property rights in trade facilitation will be organised. For further information, contact Forum Coordinator Mario Apostolov, tel: +41 22 9171134; fax: +41 22 9170034; e-mail: mario.apostolov@unece.org; internet: <http://www.unece.org/trade/forums/forum03/index.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, and are open to WTO Members and accredited observers only.

8 May, Geneva, Switzerland: WTO COMMITTEE ON IMPORT LICENSING.

8 May, Geneva, Switzerland: WTO WORKING PARTY ON SUBSIDY NOTIFICATIONS.

8-9 May, Geneva, Switzerland: WTO COMMITTEE ON SUBSIDIES AND COUNTERVAILING MEASURES.

9 May, Geneva, Switzerland: WTO TRADE NEGOTIATIONS COMMITTEE.

12 May, Geneva, Switzerland: WTO COMMITTEE ON SPECIFIC COMMITMENTS.

12 May, Geneva, Switzerland: WTO WORKING PARTY ON THE ACCESSION OF VIET NAM.

12 & 14 May, Geneva, Switzerland: WTO TRADE POLICY REVIEW BODY - NEW ZEALAND.

13 May, Geneva, Switzerland: WTO GENERAL COUNCIL ON COHERENCE - WB/IMF.

13 May, Geneva, Switzerland: WTO WORKING GROUP ON TRADE AND TRANSFER OF TECHNOLOGY.

13 May, Geneva, Switzerland: WTO WORKING PARTY ON GATS RULES.

14 May, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN SERVICES.

Other Forthcoming Events

20-21 May, Brussels, Belgium: CONFERENCE ON EU EMISSIONS TRADING AND THE EMERGING CLIMATE CHANGE REGIME. The first Centre for European Policy Studies (CEPS) Climate Change Conference will be held right before the European Parliament votes on the emissions trading directive and the Commission launches its proposal for the directive on project mechanisms. For further information contact Isabelle Tenaerts, tel: +32 2 229 3956; email: ITenaerts@ceps.be; Internet: <http://www.euconferences.com/index2.htm>.

22 May, Centurion, South Africa: WORKSHOP ON GM FOOD IN SOUTH AFRICA. This workshop, organised by TRALAC (Trade Law Centre for Southern Africa), will focus on South Africa's trade in genetically modified food products. It is aimed at food producers, distributors and retailers, lawyers, economists and trade experts. Further information on the workshop can be obtained from Karien Bezuidenhout at: karienbezuidenhout@tralac.org.

2-3 June, Mexico City, Mexico: MONTERREY BRIDGE COALITION MEXICO ACTION SUMMIT. This meeting is aimed at leaders and stakeholders from around the world, allowing them to explore how increased food production to feed the rural poor can be made compatible with natural resource management and biodiversity stewardship. The participants will examine how international trade and domestic subsidy policies can be reformed to make sustainable development possible, and the summit will provide an action programme for cooperation between business, governments, multilateral institutions and civil society from developing and developed countries. For further information, contact: Monterrey Bridge Coalition, Future Harvest Foundation, tel: +1-202-223-1313; Internet: <http://www.futureharvest.org/>.

11 June, Brussels, Belgium: WORKSHOP ON BEST PRACTICES FOR SETTING VOLUNTARY STANDARDS. The ISEAL Alliance invites participation in a workshop to further develop a Code of Good Practice for Voluntary Standard-Setting Procedures. Building on ISEAL's public consultation currently underway, this interactive workshop seeks to strengthen the credibility of voluntary standards by improving the way they are developed and applied. For more information contact Abra Brynne, ISEAL Outreach Coordinator, email: secretariat@isealalliance.org; Internet: <http://www.isealalliance.org/events/index.htm>.

16-17 June, Bern, Switzerland: WORLD TRADE FORUM 2003. The World Trade Institute and the World Bank are organising this events, which will focus on the following question: What can the multilateral trading

system realistically deliver for developing economies? Legal, economic, empirical, and institutional analyses that pertain to the above theme will be presented. For more information, contact Simon Evenett, at email: simon.evenett@wti.org or conferences@worldtradeinstitute.ch.

20-22 June, Bern, Switzerland: European Research Workshop on International Trade. The World Trade Institute and the Centre for Economic Policy Research will host this workshop following the World Trade Forum 2003. For more information, contact Simon Evenett, at email: simon.evenett@wti.org; Internet: <http://www.cepr.org/meets/Diary/forthcomingmeetings.asp?mnum=6>.

25-26 June, Brussels, Belgium: EUROPEAN EMISSIONS TRADING 2003. This pan-European event will focus on company mitigation of carbon risk and on profit-making opportunities in the new European emissions trading market. It will feature cross-industry case studies from across Europe. For further information visit: <http://www.iqpc.co.uk/cgi-bin/templates/105222083231237792968700002/genevent.html?topic=168&event=3331>.

5-8 October, Marburg, Germany: WORKSHOP ON BIOLOGICAL RESOURCES AND MIGRATION. This international conference will cover the migration of biological resources such as plants, animals, microorganisms and water and combine these fields with the migration of people in various countries and continents. It will serve as a discussion forum for scientists from various disciplines and responsible politicians in OECD and EU member countries. For further information contact Dietrich Werner, Philipps-Universität Marburg, tel +49-6421-28 21546; fax: 49-6421-28 28997; email: werner@mail.uni-marburg.de; Internet: <http://www.biol-resource-migration.de>.

8-10 October, Bangkok, Thailand: WORKSHOP ON NON-TARIFF MEASURES AND TRADE FACILITATION. Australia and the US, with support from the APEC Trade and Investment Liberalisation Fund, are sponsoring a workshop on quantitative methods for assessing non-tariff measures (NTMs) and trade facilitation. The topics include quantitative restrictions, trade facilitation, government procurement, trade and investment, and various standards with trade implications. Participants will include international experts and professionals from developing APEC countries. Abstract submissions are welcomed. For more information, contact Philippa Dee, Productivity Commission, tel: +61 2-6240-3253; fax: +61 2- 6240-3322; e-mail: pdee@pc.gov.au; Internet: <http://www.usitc.gov/apec.pdf> or <http://www.pc.gov.au/news/apecworkshop.html>.

RESOURCES

TRADE RULES BEHIND BORDERS: ESSAYS ON SERVICES, INVESTMENT AND THE NEW TRADE AGENDA. By Pierre Sauvé (Cameron May 2003). This collection chronicles a decade of original thinking on some of the forces that are shaping the evolution of trade rules and institutions in a world of deeper integration. Rooted in the author's hands-on experience as a negotiator, international civil servant and academic, the essays provide readers with a clear road map of where we have been and where we are heading on the new trade agenda, particularly in the areas of services and investment. Topics addressed include: the complexity of service sector reforms; developing country interests in services trade; the GATS' unfinished rule-making agenda on emergency safeguards, subsidies and government procurement; the public policy controversies surrounding the treatment of cultural industries and education services in the WTO; the rationale for, and against, embedding comprehensive disciplines on investment in a trade policy setting; regional versus multilateral approaches to services and investment liberalisation; and the influence of civil society on agenda formation in 21st century trade policy. For more information visit <http://www.jus.uio.no/lm/cm.books/isbn-1874698295.html>.

SEARCHING FOR THE HOLY GRAIL? MAKING FDI WORK FOR SUSTAINABLE DEVELOPMENT. By Lyuba Zarsky and Kevin Gallagher, Global Development and Environment Institute, Tufts University (March 2003). The authors stress that Foreign Direct Investment (FDI) is potentially a powerful engine to promote -- or undermine -- prospects for sustainable development. Focusing on developing countries, they explore some of the factors that determine whether FDI helps or hinders sustainable development. The report is available at http://www.ase.tufts.edu/gdae/highlights/holy_grail.pdf.

WHY ARE MOST EUROPEANS OPPOSED TO GMOS? FACTORS EXPLAINING REJECTION IN FRANCE AND EUROPE. By Sylvie Bonny (National Institute of Agricultural Research). A strong movement of opposition to GMOs developed in the late 1990s in many countries, especially in Europe, although these technologies were presented as highly promising and their advantages were often highlighted. The aim of this paper is to examine why GMOs have been rejected in Europe, using France -- which is fairly representative, although the opposition movement is particularly strong -- as a case study. The author examines various factors, actors and processes that have led to the strong opposition to GMOs. In the first part of the article, the author recalls the results of several recent surveys, showing the level of acceptance or refusal of

genetic engineering in several countries. She then examines factors of rejection: the focus on the potential risks of GMOs and the extensive publicity given to them, coupled with the inadequacy of the answers provided, and the unfavourable risk-benefit balance. Finally, she points out that various fears and objections with regard to the evolution of agriculture and to the functioning of society (i.e. limited trust in institutions and firms) appear to crystallise around GMOs. The article can be accessed at: <http://www.ejbiotechnology.info/content/vol6/issue1/full/4/index.html>.

THE FUTURE OF THE CSD - SURVEY REPORT. Stakeholder Forum (April 2003). As a contribution to the discussion on the future of the CSD, Stakeholder Forum conducted an international survey of stakeholders and governments. The survey was carried out through a written questionnaire that was emailed to stakeholders, intergovernmental bodies and governments through various e-groups (e.g. CSD / WSSD caucuses) and to direct contacts. The results of the survey were compiled into a summary and a full report. The report aims to provide an initial outline of some stakeholder preferences regarding the future structure and activities of the CSD. It also includes direct references to some of the respondents' comments or suggestions for alternative approaches. For agenda items, respondents preferred Agenda 21, CSD and WSSD commitments rather than the WEHAB issues. The option for convening international, regional and subregional workshops supporting implementation processes was popular and respondents supported the increased involvement of the World Bank, International Monetary Fund and World Trade Organization in the follow-up to Johannesburg, with the majority agreeing that these institutions should report their activities to ECOSOC. The report was prepared to feed into the deliberations at the 11th session of the CSD. To access the report, visit: <http://www.earthsummit2002.org/csd-survey-web.pdf>.

EVOLUTION OF COMMITMENTS UNDER THE UNFCCC: INVOLVING NEWLY INDUSTRIALISED ECONOMIES AND DEVELOPING COUNTRIES. By Niklas Höhne, Jochen Harnisch, Dian Philipsen, Kornelis Blok, and Carolina Galleguillos (German Federal Environmental Agency). This recent study by ECOFYS/Germany provides the history and background information on the evolution of commitments under the UNFCCC and, in particular, the Kyoto Protocol. There is a particular focus on the involvement of newly industrialised economies and developing countries in further commitments. For this purpose, existing approaches to further commitments are identified, assessed and further developed. To access the report, visit:

http://www.umweltdaten.de/klimaschutz/Climate_Change_01-03_UBA.pdf.

"Trade liberalisation and export performance in selected developing countries" in the JOURNAL OF DEVELOPMENT STUDIES 39 (1, 2002) pp. 140- 164. By Amelia Santos-Paulino. This article examines the impact of trade liberalisation on export growth for a sample of 22 developing economies. The research applies dynamic panel data models based on fixed-effects and generalised methods of moments (GMM) estimators. In addition, heterogeneous panels for the complete sample, as well as for different regions of the world, are estimated using a time-series/cross- section technique. The main findings are that trade liberalisation is a significant determinant of export performance, but its effect varies across continents. Export duties have a small detrimental effect on export growth, while relative price changes and world income growth have the expected signs.

"The trade-induced learning effect on growth: cross-country evidence" in the JOURNAL OF DEVELOPMENT STUDIES 39 (2, 2002) pp. 137-154. By Yih- chyi Chuang. The author notes that one of the important trade effects on growth is technology diffusion through learning by doing. Chuang has proposed a trade-induced learning theory in which the nature of traded goods and the trading partners are two key factors determining the effectiveness of the trade-induced learning. Using cross-country data, this article constructs a set of the trade-induced learning variables by taking into account trading partners and the characteristics of the traded goods and further tests the trade-induced learning hypothesis. The results show that holding other variables constant, trade-induced learning has a positive and significant effect on growth and the estimated effect implies that a one-standard-deviation increase in the trade-induced learning variable is estimated to generate an effect of between 0.4 to 1.0 percentage points on the annual growth rate.

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