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### LEAD STORIES

AGRICULTURE: G-20 GROUP DISCUSSES WAY AHEAD; COLOMBIA, PERU LEAVE ALLIANCE	1
GATS: BUSINESS AS USUAL DESPITE CANCUN FAILURE	2
DSB UPDATE: GIS, QUARANTINE LAWS AND LUMBER	3

### OTHER NEWS

FTAA: US-BRAZIL STANDOFF DIMS PROSPECTS FOR MIAMI MINISTERIAL	4
ACP-EU MINISTERS MEET TO LAUNCH PHASE II OF EPA NEGOTIATIONS	5

### IN BRIEF

INDO-ASEAN FREE TRADE PACT BY 2011	7
UNCTAD RELEASES 2003 TRADE AND DEVELOPMENT REPORT	7
CEMAC & ECOWAS LAUNCH FIRST ACP-EU BILATERAL DEALS	8
SIXTH INTERNATIONAL COCOA AGREEMENT COMES TO FORCE	8
CANCUN CASTS SHADOW OVER WIPO ASSEMBLIES	8
TICAD CONFERENCE REAFFIRMS COMMITMENT TO AFRICAN DEVELOPMENT	9

### EVENTS & RESOURCES

EVENTS	9
RESOURCES	11

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### LEAD STORIES

#### **AGRICULTURE: G-20 GROUP DISCUSSES WAY AHEAD; COLOMBIA, PERU LEAVE ALLIANCE**

With close to a month having passed since the collapse of negotiations at the fifth WTO Ministerial in Cancun, Mexico, from 10-14 September, the halls of the WTO remain quiet. No trade block has so far taken the leadership to get the talks back on track and the question of what Members, or constellations of Members -- if any -- might make a first move remains open. While the G-20+ Group of developing country Members reportedly is set to put the negotiations back on track, it has not come forth with any concrete proposals or positions. The EC has warned it is in a "listening mode," and will not take the initiative. Rather, Europe is taking its time and is set to release a comprehensive "reflection paper" in November. The US has been explicit in explaining that it will move ahead with "will do" countries on a bilateral basis, leaving others behind.

On 2 October, the Geneva-based ambassadors of the G-20 Group met for a political assessment of the Cancun trade talks and to coordinate their overall approach in the post-Cancun process. Foreign ministers of the G-20+ are also planning to convene for a one-day meeting on 10 October in Buenos Aires, Argentina, to further develop the Group's post-Cancun agenda. In the meantime, Colombia left the G-20+ after announcing on 1 October its intention to commence negotiations on a free trade agreement (FTA) with the US this year. Fellow Andean Community member Peru followed suit on 3 October.

#### **G-20+ wants to resume negotiations in Geneva**

In their analysis on the collapse of the Cancun talks, members of the Group reportedly rebutted all recent attacks against the alliance as "totally unfounded". Several WTO Members, especially the EC and US, have accused the G-20+ of forcing the Cancun collapse due to its unwillingness to move from pure rhetoric to negotiations. In return, the Group blamed the EC and US for the Cancun failure because of their

intransigence -- particularly on the issues of cotton and the Singapore issues. To put the round back on track, the two key players would need to show flexibility and make serious offers with respect to agricultural market access, export competition and domestic support, a G-20+ source stated.

With respect to the Cancun follow-up, the Group agreed to resume the Geneva process as soon as possible. A source stressed that the alliance was fully committed to the agricultural deadlines agreed at Doha. Alluding to the fact that the Cancun talks ended before Members could turn their full attention to the agenda item on agriculture, one member of the Group also said it was "finally time to give agriculture a chance to be discussed". In this context the G-20+ reportedly supports an initiative of the Director-General Supachai Panitchpakdi and the Chair of the General Council Carlos Perez del Castillo to keep up the momentum through the remainder of the year and to prevent the disengagement of key actors such as the US and the EC. "We are prepared to engage and are looking forward to the early resumption of negotiations," said Brazilian Ambassador Luiz de Seixá.

However, according to sources, the Group did not yet touch on procedural questions such as which text to use as the basis for follow-up work, or other strategic issues such as how to respond to the fact that the so-called peace clause preventing disputes on agricultural subsidies is set to expire by the end of the year (BRIDGES Weekly, 25 September 2003, <http://www.ictsd.org/weekly/03-09-25/story2.htm>).

Reportedly, Supachai and Chair Perez del Castillo will gather delegates in a Head's of Delegation meeting on Friday, 10 October, to discuss the way forward, including on the tricky issue of agriculture. Chair Perez del Castillo has been sounding out Geneva-based Members and travelling to the capitals of key countries seeking to find a way to move on.

### **Colombia-US FTA in reach**

At a press conference following a meeting with US President George W. Bush, Colombian President Alvaro Uribe announced on 1 October that he was expecting free trade talks with the US -- Colombia's main trading partner -- to begin as early as this year. US Trade Representative (USTR) Robert Zoellick and Uribe had discussed a possible US-Colombian FTA already prior to Cancun. Despite praising Colombia's "sense of commitment to economic reform," a USTR spokesperson pointed out that there were some issues where progress still was needed. Observers pointed out that Colombia had been part of the G-20+ during Cancun, and that US Senator Chuck Grassley, chair of

the powerful Senate Finance Committee, had warned countries following Cancun that he would not support any bilateral trade agreements with G-20+ members. The US is currently also in the process of negotiating FTAs with members of the Central American Free Trade Area (CAFTA) and Southern Africa. As in the case of Colombia, trade sources linked Peru's withdrawal from the G-20+ to dynamics related to bilateral or regional trade negotiations outside the WTO.

According to sources, the G-20 group has now 20 members comprising Argentina, Bolivia, Brazil, Chile, China, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Guatemala, India, Mexico, Nigeria, Pakistan, Paraguay, Philippines, South Africa, Thailand and Venezuela. El Salvador left the G-21 already during the Cancun Ministerial.

ICTSD reporting; "Agriculture: Cracks emerge over Ag in G-21; Colombia, Peru split from group," WTO REPORTER, 8 October 2003; "Latin American foreign ministers to discuss world trade talks collapse at session in Argentina," AP, 7 October 2003; "G-21 nations said to be eager to restart Doha Round farm talks," WTO REPORTER, 3 October 2003.

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## **GATS: BUSINESS AS USUAL DESPITE CANCUN FAILURE**

Unlike in other WTO bodies -- such as the Committee on Agriculture, where negotiations are currently suspended -- Members have been meeting from 29 September to 6 October in sessions of the Council for Trade in Services (CTS) as well as its subsidiary bodies. Not much movement has, however, been seen in Members' positions or on the issues since the fifth WTO Ministerial in Cancun in mid-September.

It took several Members by surprise that the meetings of the CTS were held and "business as usual" prevailed even after the collapse of negotiation in Cancun. Dramatising the situation, one developing country trade diplomat even stated that "after a nuclear war one thing survives: cockroaches, now it's the GATS". However, how the CTS actually will proceed remains to be decided. According to trade sources, Members felt that they should follow the pace of the other committees. Yet there was no consensus or certainty on the issue. Due to the nature of the request-offer mode of the services negotiations, the CTS could theoretically move ahead. However, Members need to take into account the Doha round negotiations, which are understood to be a single undertaking.

A special (negotiating) session of the CTS was held on 6 October. During the meeting, a proposal on mode 4 (movement of natural persons) prepared by India (TN/S/W/14, available at [http://docsonline.wto.org/gen\\_search.asp](http://docsonline.wto.org/gen_search.asp)) and thirteen other developing countries, including Argentina, China and South Africa submitted in May was discussed. The paper was also the subject discussions in the Working Party on Domestic Regulation a week earlier. According to the group of developing countries, the commitments of Members in mode 4 are primarily horizontal and bound for only a small subset of personnel. The paper proposed four categories of individuals under mode 4, however "the objective [of the paper] is not to achieve perfect harmonisation of categories in the domestic regimes of all Members, but use of certain common categories of interest to all Members".

Even though many of the subsidiaries of the CTS are lagging behind, there was some progress in the Working Party on GATS Rules (WPGR) with respect to subsidies. The WPGR decided that the WTO Secretariat would, by the next meeting, compile information on subsidies employed by Members. The data would be collected from neutral sources including the World Bank, UNCTAD as well as information from the Trade Policy Reviews. There were no advances on either the issue of emergency safeguard measures (ESM) or Government Procurement.

On 9 October the Council on Trade in Services will resume meetings. Members are set to discuss, inter alia, how the CTS will proceed.

ICTSD Reporting.

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## **DSB UPDATE: GIS, QUARANTINE LAWS AND LUMBER**

The WTO Dispute Settlement Body (DSB) met on 2 October to discuss various issues, including the US-Canadian dispute regarding countervailing duties on softwood lumber from Canada, the Australian quarantine regime for imports and the European Community's protection of trademarks and geographical indications (GIs) for agricultural products and foodstuffs.

### **Panel on GIs established on the request of the US and Australia**

The US and Australia secured the establishment of a WTO panel at the DSB to investigate the EC's protection of trademarks and GIs for agricultural products and foodstuffs. The US and Australia claim that there is discrimination between EU members and

other countries in the EC's protection of GIs, referring to food names with a regional link, such as Parma ham and Roquefort cheese.

The US launched an initial complaint to the dispute settlement body that was blocked in April this year, alleging that the EC failed to protect US trademarked geographic names. Under EC law, a foreign country is only given full GI protection of homegrown brands if it provides the same guarantees for European products. The US does not favour recognising Europe's 600 GIs in return for the registration of only a few products, such as Idaho potatoes and Florida oranges. The EC believes, however, that GIs are important to the future of their agricultural policy and consumers, and are pushing for the extension of GI protection under the WTO rules. Many of the products with protected names are exported and the protection gives an advantage when competing on quality rather than quantity. According to an EU-conducted 1999 consumer's survey, 40 percent of consumers were willing to pay a ten percent premium price for origin-guaranteed products.

Many developing countries also demand more GI protection, as they are worried that that multinationals will take over the patenting and selling of products such as "Basmati" rice or "Ceylon" tea. Regarding the current dispute, David Thual, spokesperson for the Organisation for an International Geographical Indications Network (ORIGIN) -- a group of more than 100 producers from across Asia, Africa, the Americas and Europe -- said the US and Australia were at fault when it came to guarding intellectual property rights. David Spencer, Australian ambassador to the WTO, responded that Australia and the US did protect intellectual property, but regarded names such as feta cheese and champagne as generic titles for certain products.

Although requests by US and Australia were filed separately, a single three-member panel, agreed upon by all parties involved, will review complaints. They will have one month to nominate the experts, which will subsequently have half a year to study the case before publishing its findings.

### **EC questions Australian quarantine measures**

The EC and Australia again clashed over agriculture when the EC called for a panel to be on Australian quarantine rules. Procedures that hinder the import of fruit and vegetables, including long and complex risk assessment procedures and stringent restrictions applied even after market access is granted "unjustifiably blocks the import of a number of agricultural products into Australia without scientific justification," claimed the EC. Last April, when initiating

dispute settlement proceedings, EC trade commissioner Pascal Lamy declared that Australia's quarantine system "flagrantly breaches WTO rules, despite Australia's constant claims to be the only beacon of free agricultural trade" (see BRIDGES Weekly, 10 April 2003, <http://www.ictsd.org/weekly/03-04-10/story3.htm> and BRIDGES Weekly, 4 September 2003, <http://www.ictsd.org/weekly/03-09-04/story4.htm>).

The EC highlighted the impact of the quarantine measures: exports of fresh vegetables to Australia last year totalled 8,000 tonnes, whereas exports to Canada -- a comparable market in size and wealth -- were 35,000 tonnes. In an interview, Australian trade minister Mark Vaile denied such claims and stated that "we are quite happy to have [the quarantine measures] tested in the Geneva process and we feel confident we'll be proven to be correctly applying the sanitary and proto-sanitary protocols of the WTO".

This is not the first time that Australian import restrictions have been questioned. In 1998, a WTO panel ruled that Australian import restrictions for salmon violated world trade rules, following a complaint by Canada and the US. Another panel, investigating claims by the Philippines that Australia's quarantine laws unfairly restrict imports of bananas and paw-paws, was established at the end of August this year (see BRIDGES Weekly, 4 September 2003, <http://www.ictsd.org/weekly/03-09-04/story4.htm>) This first request for a panel made at the DSB meeting was blocked by Australia. The EC can renew its request at the next meeting of the DSB scheduled for 7 November, at which time the panel will automatically be established, unless there is a consensus among all countries, including the initiator, against appointing the panel.

### **Softwood lumber dispute continues**

The US announced that it is appealing a 29 August WTO panel ruling on US countervailing duties on Canadian softwood lumber imports, which provided a mixed decision (WT/DS257/R, available at <http://docsonline.wto.org>). According to the ruling, a Canadian provincial stumpage programme, under which Canadian provinces sign agreements with lumber companies allowing them to harvest timber on provincial land in exchange for a stumpage fee and forest management obligations, amounts to an illegal subsidy. Thus, the definitive US countervailing duties were ruled legal. However, the panel ruled in favour of Canada that US cross-border comparisons for calculating subsidies were invalid under international trade rules as their calculations are based on US prices (see BRIDGES Weekly, 4 September 2003, <http://www.ictsd.org/weekly/03-09-04/story4.htm>). Article 14 of the WTO's Agreement on Subsidies and

Countervailing Measures stipulates that price comparisons should be made only within a country of purchase or provision.

In its appeal of the decision (WT/DS257/6), the US seeks to justify using cross-border comparisons because "private prices in Canada were distorted by the provincial governments' financial contributions". The US Rusty Wood, Chair of the Coalition for Fair Market Imports in the US stressed that "the practice of dumping is encouraged by provincial policies that require Canadian companies to continue harvesting trees and producing lumber irrespective of market conditions".

ICTSD reporting; "US to appeal WTO Ruling on Canadian lumber countervailing duties," WTO REPORTER, 3 October 2003; "Australia slammed over farm imports," NEWS.COM.AU, 30 August 2003; "US, Australia secure WTO panel to rule on EU protection of geographic indications," WTO REPORTER, 3 October 2003; "WTO panel to study trademark dispute," NINEMSN.COM, 3 October 2003; "WTO panel to judge Australia's case on EU food labelling rights," ABC ONLINE; "Trade giants trade blows in WTO," EUPOLITIX.COM, 1 October 2003; "Why do geographical indications matter to us?" EU MEMO, 30 July 2003.

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## **OTHER NEWS**

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### **FTAA: US-BRAZIL STANDOFF DIMS PROSPECTS FOR MIAMI MINISTERIAL**

The vice-ministers of the 34 countries of the Western hemisphere seeking to create a Free Trade Area of the Americas (FTAA) met for a Trade Negotiations Committee (TNC) meeting in Port-of-Spain, Trinidad and Tobago, from 30 September to 3 October. Delegates arrived with different sets of priorities, and left without making much progress in bridging positions. The meeting failed to conclude a draft plan for wrapping up negotiations by January 2005, which was to be adopted by ministers in Miami at the next Ministerial to be held in Miami from 20- 21 November. In the words of Eric Farnsworth, vice president at the Council of the Americas business group, "there is a fundamental disagreement about the structure of the FTAA. If the fundamental view of what an FTAA should look like is different, then you've got a problem". He added that "the prospects [for success at Miami] at this point are less likely than Cancun, but that's not to say it won't happen". According to some observers, the hostile atmosphere at the Port-of-Spain meeting was similar to



that of the collapsed WTO Ministerial in Cancun from 10-14 September.

The countries co-chairing the meeting, the US and Brazil, in particular came out pitted against one another. Relations between the two countries had taken a blow already at Cancun. The US blamed a group of 20 developing countries, and Brazil in particular, for intransigence and thus the failure of that meeting. Further, while the US is pushing for a comprehensive FTAA agreement, Brazil prefers keeping services, investment and intellectual copyrights -- all key issues to the US -- out of the FTAA. On the other hand, the US has said it wants to negotiate agriculture -- the key area of interest to Brazil -- at the WTO, and not in the FTAA context.

### Comments and blame

After the meeting, the US stressed it remained committed to the FTAA. The FTAA would create the largest market in the world comprising close to 800 million consumers and an annual output of US\$ 13 trillion, and the Bush administration considers the FTAA a cornerstone of its economic policy. Ross Wilson, the chief US negotiator, blamed Brazil for the stalemate in the talks, saying that "what was disappointing here was Brazil's unwillingness to engage on the substantive issues that were under discussion. The Brazilian delegation was largely silent throughout a many hours, issue-by-issue discussion". He implied that Brazil was close to isolated in its position, although Argentina and Mercosur countries Paraguay and Uruguay offered some support. Brazilian Agriculture Minister Roberto Rodrigues, on the other hand, said that the US had shown no commitment to the process. According to him, "they talk all the time about a wide-ranging FTAA agreement, but they won't negotiate key issues such as agriculture". He added that "as the WTO is deadlocked, it means that if there's an FTAA agreement it will be a very limited one".

Coming out of the meeting, Jamaican Prime Minister P.J. Patterson said his current priority was the CARICOM 15-member economic organisation in the Caribbean, stressing that "we feel we have to concentrate our efforts on consolidation of our regional arrangements before the advent of FTAA". He said he doubted FTAA talks would be wrapped up by January 2005 as planned -- which he did not necessarily see as a bad thing -- and highlighted the special needs and interests of the small and vulnerable economies of the Caribbean nations.

The next scheduled meeting of the TNC will be held in Miami from 16-18 November, immediately before the Ministerial meeting which takes place from 20-21 November. The Ministerial is meant to take stock of

negotiations and to set them on track for the fast-approaching deadline at the beginning of 2005.

"Hemisphere trade pact stalled in talks," WASHINGTON TIMES, 3 October 2003; "Jamaican PM Urges Go-Slow Approach In Americas Trade Pact," DOW JONES, 6 October 2003; "Brazil calls for simpler agenda on free trade," FINANCIAL TIMES, 24 September 2003; "Brazil ag minister says U.S. disinterested in FTAA," REUTERS, 4 October 2003.

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## ACP-EU MINISTERS MEET TO LAUNCH PHASE II OF EPA NEGOTIATIONS

On 2 October 2003, the Council of Ministers of the Africa, Caribbean and Pacific (ACP) Group of States met with the European Union (EU) Commissioners for Trade and Development in Brussels for the second ACP- EU Ministerial Meeting for the Economic Partnership Agreement (EPA) negotiations. This meeting marked the beginning of the second phase of the negotiations. The parties adopted a Joint Declaration and a Joint Report on the progress of the negotiations, providing "guidance" for this second phase -- meant to proceed at the regional level. The ACP's Council of Ministers also met separately on 30 September, after which they released a position statement outlining their objectives for the 2 October meeting, and more broadly their outstanding concerns from the first phase of the negotiations (which were conducted at an all-ACP-EU level).

In related news, on 4 and 6 October, EPA negotiations were officially launched with the Central and the Western African regional groupings respectively (see related story, this issue).

### Second ACP-EU EPA Ministerial negotiating session

Three main points formed the core of the joint ACP-EU declaration coming out of the 2 October meeting. The first relates to the "satisfactory" results of phase one "with regard to the high degree of convergence reached". The second confirms the adoption of the Joint Report on the all-ACP-EC phase of EPA negotiations (ACP/00/118/03 Rev.1- ACP-EC/NG/NP/43, available at [http://www.epawatch.net/documents/doc144\\_1.doc](http://www.epawatch.net/documents/doc144_1.doc)), which is intended to "serve as a point of reference, and provide guidance, for the negotiations to be conducted at regional level". The final point declares that phase two of the EPA negotiations will begin in October 2003, starting with those in Central and Western Africa.

Both parties went on to indicate regret over the lack of consensus at WTO's Cancun Ministerial Conference in

September of this year, and that they would continue with consultations on how to move the process forward.

In terms of continuing phase one of the negotiations, reports indicate that these will proceed in parallel with phase two negotiations for the next six months (as opposed to the twelve months requested by the ACP).

### **Special session of the ACP Council of Ministers**

In contrast to the joint declaration above, the Special Session of the ACP Council of Ministers had released a position piece on the ACP-EU EPA negotiations on 1 October in which they noted the "deep divergence" remaining between the two parties regarding the phase one negotiations. The ACP States maintained that the first phase was a negotiating phase - - one that should result in a legally binding agreement on various issues of common interest, including inter alia, WTO compatibility, dispute settlement, rules of origin, and treatment of LDCs. The EU, on the other hand, has been of the mind that the phase was merely aimed at clarification, with no need (nor wanton) for a binding outcome. Indeed, this issue was a sensitive one within the ACP, as some groupings did not want to be bound by any all-ACP conditions (namely CEMAC & ECOWAS, the Central and West African regional groups that were the first to launch EPA negotiations).

Compromise seemed the aim of language in the 1 October statement. While reiterating a preference for a legally binding agreement to govern certain 'ACP-wide' issues, it indicated the willingness of parties to accept a joint document in the form of either a Memorandum of Understanding or a Joint Declaration that would reflect the commitments of both parties arising out of phase one, and provide guidelines for the second phase.

### **Divergence over convergence**

Pointing to the seemingly conflicting statements emanating from the ACP, one observer from a Brussels-based development NGO speculated that the feelings of 'satisfaction' over 'convergence' were more an EU perspective than a broader ACP one. Another observer noted that pressures within the ACP, and from the EC, led to a "glossing over" of ACP concerns in the high-level joint meeting. With regards to the joint report, the observer pointed to the important distinction between "providing guidelines" for phase two, as suggested in the compromise language of the ACP's initial statement, and "provid[ing] guidance", the language used in the joint declaration. The latter language, they said, lent weight to the growing concern that "little concrete was going to come of phase one".

### **Implications of Cancun**

With regards to the implications of the breakdown in Cancun, one observer noted concern on the part of the ACP over the introduction of issues on the EC's agenda that were at a standstill at the WTO -- namely the 'Singapore issues' of investment, competition, transparency in government procurement, and trade facilitation. Most commentators agreed however, that it was still too early to see how the Cancun outcome would impact the ACP-EU negotiations.

### **Background**

The ACP-EU Partnership Agreement, known more commonly as the Cotonou Agreement, is a comprehensive aid and trade agreement signed in Cotonou, Benin on 23 June 2000 between 77 ACP countries and the EU. Its central objective is to reduce and eventually eradicate poverty while contributing to sustainable development and to the gradual integration of ACP countries into the world economy.

The Cotonou Agreement provides the framework for the negotiation of new reciprocal and WTO-compatible trading arrangements between the EU and the ACP. ACP countries are able to enter into such arrangements individually, or as part of a group -- the latter building upon regional integration schemes. The agreement is centred on five 'pillars': a comprehensive political dimension, participatory approaches, a strengthened focus on poverty reduction, a new framework for economic and trade cooperation, and a reform of financial cooperation.

Negotiations towards the new reciprocal Economic Partnership Agreements (EPAs) -- or other alternative trade arrangements -- commenced on 27 September 2002, and are scheduled to conclude at the end of 2007. The EPAs are mandated to enter into force from 2008 until 2020. At the WTO's Fourth Ministerial in 2001, WTO Members granted a waiver for the Cotonou Agreement to allow for the continuation of the non-reciprocal preferential trade arrangements, which were put in place by Cotonou's predecessor, the Lomé Convention (see BRIDGES Weekly, 15 November 2001, <http://www.ictsd.org/weekly/01-11-15/story2.htm>).

### **The 76 ACP countries eligible for EPAs include:**

Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo (Brazzaville), Congo (Kinshasa), Cook Islands, Côte d'Ivoire, Djibouti, Dominica, Dominican Republic, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti,

Jamaica, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Marshall Islands, Mauritania, Mauritius, Federal States of Micronesia, Mozambique, Namibia, Nauru, Niger, Nigeria, Niue, Palau, Papua New Guinea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Tanzania, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Vanuatu, Zambia, Zimbabwe.

Upcoming ACP-EU meetings include the 11-15 October Joint Parliamentary Assembly in Rome, Italy.

For more information regarding the ACP, visit <http://www.acpsec.org>.

For information regarding the EU's ACP regional activities, visit [http://europa.eu.int/comm/trade/issues/bilateral/regions/acp/index\\_en.htm](http://europa.eu.int/comm/trade/issues/bilateral/regions/acp/index_en.htm).

"Launch of the First ACP-EU Negotiations On EPAs," EUROSTEP, 3 October 2003; "Joint Declaration of the Second ACP-EC Meeting at Ministerial Level," ACP, 2 October 2003; "Joint ACP-EC press release," ACP, 2 October 2003; "Position taken by the ACP Council of Ministers before the 2nd October meeting of the ACP-EU Ministers on the EPA negotiations," ACP, 1 October 2003.

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## IN BRIEF

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### INDO-ASEAN FREE TRADE PACT BY 2011

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In a spur to regional initiatives, India is set to sign a free trade pact with the six founding members of the Association of South-east Asian Nations (ASEAN) under the Framework Agreement on Economic Cooperation. The framework agreement was recent finalised by Indian and ASEAN officials in Jakarta and the FTA is expected to enter into force by 2011. Spelling out provisions of the accord, Indonesia's minister for industry and trade, M. Hutarat, stated that while the products to be included had yet to be decided, agriculture and textiles were to be excluded pending completion of negotiation on these two critical subjects by 2005. The six founding members of the ten-nation ASEAN grouping comprise Indonesia, Malaysia, Thailand, Singapore, the Philippines and Brunei. The remaining four members, Cambodia, Laos, Myanmar and Vietnam, will reportedly be ready for free trade

arrangement with India by 2016. The signing of the pact is expected to significantly increase Indo-ASEAN trade from the level of US\$10 billion to US\$15 billion in the next two years and to US\$30 billion by 2007. The ASEAN-India free trade plan will be similar to one concluded between ASEAN and China in 2002 (see BRIDGES Weekly 1 October 2003, <http://www.ictsd.org/weekly/03-10-01/story3.htm>), and one expected between ASEAN and Japan.

ASEAN leaders are meeting from 7-8 October on Bali, Indonesia, to pave the way for establishing an economic community. The agreement with India will also be signed at the meeting. The next issue of BRIDGES Weekly Trade News Digest will report on the event.

"Indo-ASEAN Free Trade Area by 2011," THE HINDU, 6 October 2003; "SE Asian Leaders Sign Plan for Free Trade Bloc," REUTERS, 7 October 2003.

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### UNCTAD RELEASES 2003 TRADE AND DEVELOPMENT REPORT

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On 2 October 2003, the United Nations Conference on Trade and Development (UNCTAD) released its annual Trade and Development Report (TDR), which analyses recent world economic trends and prospects for growth and development from a developing country prospective. In addition to looking at recent trends in international trade, this year's report also examines financial flows to developing countries from a historical perspective, and considers some alternatives to 'Washington-consensus'-based development orthodoxy. It suggests that the reforms that have been carried out by developing countries, some more recently and others (like Latin America) over the last 30 years, "have failed to improve the investment climate in developing countries or to accelerate industrial upgrading". It cites a combination of faults in policy design, along with the lack of effective multilateral support from the international trade and financial system as contributing factors to this predicament. After considering the prospects for the resumption of growth in the US, the causes of growth constraints in the EU, and the basis of Asia's growth, the TDR goes on to investigate why significant market-led reforms in Latin America, while showing initial signs of success, have not proved more successful in the longer term. As summed up by UN Secretary-General Kofi Annan in the foreword of the report, "[it] provides explanations that may challenge conventional points of view, and calls for new thinking on development strategies".

In a recent article in London's Guardian newspaper, UNCTAD Secretary General, Rubens Ricupero, commented that what was now at stake was "how to

rebalance arrangements to ensure that trade and financial flows reinforce rather than undermine domestic policy efforts in support of equitable, rapid and sustainable growth". To achieve this, Mr. Ricupero emphasised the need for "a much more pragmatic approach to trade policy", one that gave less emphasis to levelling the playing field through liberalisation measures and more attention to providing needed policy space.

To download a copy of the report, visit <http://www.unctad.org/Templates/WebFlyer.asp?intlItemID=2505&lang=1>

ICTSD reporting; "A Spectre Haunts the Post-Cancun World" GUARDIAN, 6 October 2003; UNCTAD PRESS RELEASE, 29 September 2003.

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### **CEMAC & ECOWAS LAUNCH FIRST ACP-EU BILATERAL DEALS**

On 4 and 6 October 2003 respectively, CEMAC and ECOWAS launched the first two Economic Partnership Agreements (EPAs) with the EU. The launching of these two regional EPAs comes on the heels of the 2nd ACP- EU EPA Ministerial negotiating session on 2 October (see related article, this issue). The Central African Economic and Monetary Community (CEMAC) is a customs and monetary union between Cameroon, Central African Republic, Chad, Republic of Congo, Gabon, and Guinea Equatorial. Sao Tome and Principe will also take part in this EPA, by way of a free trade arrangement with CEMAC. ECOWAS, the Economic Community of West African States, includes Cape Verde, Gambia, Ghana, Guinea, Liberia, Nigeria and Sierra Leone, in addition to Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal and Togo (who make up the West African Economic and Monetary Union (WAEMU)). Concerns have been raised by some ACP states that preparations have been inadequate at the all-ACP-EU level, and it is too early to commence regional negotiations. The concern, noted one observer of the process, was that without broader guidelines for the regional negotiations, any set of specific negotiations may set a precedent for other countries (see related story, this issue).

"Joint Declaration of the Second ACP-EC Meeting at Ministerial Level," ACP, 2 October 2003; "Joint ACP-EC press release," ACP, 2 October 2003; "EU-ACPs: opening of trade negotiations with West and Central Africa," EC, 2 October 2003.

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### **SIXTH INTERNATIONAL COCOA AGREEMENT COMES TO FORCE**

The Sixth International Cocoa Agreement negotiated under UNCTAD auspices, entered into force on 1 October. This agreement differs from the previous five in that it avoids market regulatory mechanisms, such as production quotas, buffer stocks and other price support measures. There is greater emphasis on the creation of a "sustainable cocoa" economy with an active role for the private sector. Measures include the formation of a consultative board and a call for increased transparency in the world cocoa market through statistical collection and analysis. There are many projects in the agreement including a plan for innovative farm methods and farmer cooperatives. Seven exporting nations (all African) and 18 importing countries (EU, Russia, Slovak Republic and Switzerland) are currently party to the accord. The agreement will remain open for signature until 20 September 2010 and all major players in the cocoa market are expected to sign shortly.

Cocoa is a primary commodity, the prices of which have been falling steadily over the years. A block of African countries, including Kenya, Uganda and Tanzania proposed a draft text pre-Cancun to address the crisis created by the long-term downward trend of prices of primary commodities (WT/GC/W/508, available at <http://docsonline.wto.org>). This draft called for efforts to address the crisis including the elimination of trade-distorting domestic and export subsidies and reduction of tariffs. The fate of this initiative remains in limbo following the collapse of talks at Cancun.

ICTSD reporting; "New International Cocoa Agreement Enters Force," UNCTAD RELEASE, 1 October 2003.

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### **CANCUN CASTS SHADOW OVER WIPO ASSEMBLIES**

The effects of the trade talk collapse at the WTO Ministerial meeting in Cancun last month could be felt at the World Intellectual Property Organisation (WIPO) Assemblies meeting from 22 September to 1 October in Geneva, Switzerland. In discussions on the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), developed countries appeared much less willing to make concessions than before the Cancun meeting. The mandate of the IGC was extended for another two years; in a compromise between demands for a legally-binding instrument and developed country opposition, delegates agreed that "no outcome of its work is excluded, including the possible development of an international instrument or



instruments". In what many developing countries saw as the most important concession, the mandate further states that discussions in the ICG should be without prejudice to the work in other forums, such as the WTO Council for Trade-related Aspects of Intellectual Property Rights (TRIPs). One source noted that the TRIPS Council would provide a better forum for developing countries, being much more member-driven than the "Secretariat-driven" ICG.

WIPO members also discussed the controversial Patent Agenda, which is aimed at launching worldwide discussions for the purpose of preparing a strategic blueprint for the future evolution of the international patent system -- an issue that continues to attract strong criticism from many developing countries and civil society groups.

For a comprehensive story on the WIPO Assemblies, see BRIDGES Trade BioRes, Vol. 3 Nr. 17 at <http://www.ictsd.org/biores/03-10-03/story1.htm>.

ICTSD reporting; "Think there's trouble at WTO? WIPO's global patent system could be a lot worse," GRAIN, 1 October 2003.

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### **TICAD CONFERENCE REAFFIRMS COMMITMENT TO AFRICAN DEVELOPMENT**

The Third Tokyo International Conference on African Development (TICAD III), was held from 29 September to 1 October in Tokyo, Japan. Participants representing 89 countries, including 50 African countries, as well as international and non-governmental organisations, attended the meeting. Among the many themes discussed was the establishment of cooperative networks between African and Asian countries in areas such as agriculture, capacity building, technological transfer, and trade and investment. Kamran Kousari, a UN expert, stressed that "if Japan, South Korea and the Association of Southeast Asian Nations agree that they will create an investment guarantee facility, this would open up possibilities for Asian entrepreneurs investing in the huge, untapped market". Asian experiences and example were also highlighted. Delegates also referred to the collapse of WTO trade talks in Cancun. A number of delegates said they felt developed countries had failed to make concessions on subsidies and trade barriers. President Omar Bongo of Gabon said "the failure in Cancun further increases the concern of our people, who feel more and more marginalised". The meeting concluded by adopting a "TICAD Tenth Anniversary Declaration," which lays out a compass for the future of the TICAD process.

ICTSD reporting; "UN Expert Calls For Japan-led Africa Invest Plan," KYODO NEWS, 5 October 2003; "African Development Conference Urges International Support," UN WIRE, 2 October 2003.

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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/cal/index.htm>. If you would like to submit an event, please email [events@ictsd.ch](mailto:events@ictsd.ch).

#### **Coming Up: 9 - 15 October**

8-9 October, Johannesburg, South Africa: FIFTH AFRICA DEVELOPMENT FINANCE CONFERENCE AND AFRICA SMME AWARDS. The aim of this conference is to discuss key issues in development finance relevant to promoting sustainable investment in Africa, and to showcase Africa's success stories in the SMME (small, medium and micro enterprise) sector through recognition and awards of excellence. Speakers include Trevor Manuel, Finance Minister of South Africa, Baledzi Gaolathe, Minister of Finance and Development Planning, Botswana, and Kwesi Botchwey, former Finance Minister of Ghana and now Executive Chair of the African Development Policy Ownership Initiative. For further information send an email to: [claireds@acia.sun.ac.za](mailto:claireds@acia.sun.ac.za).

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](mailto:pdee@pc.gov.au); Internet: <http://www.usitc.gov/apec.pdf> or <http://www.pc.gov.au/news/apecworkshop.html>.

9-11 October, Vilnius, Lithuania: INTERNATIONAL CONFERENCE ON SUSTAINABILITY INDICATORS AND INTELLIGENT DECISIONS (SIID-2003). Recent work on sustainability methodology and practice will be discussed at this conference. For further information contact Leonidas Sakalauskas, SIID-2003 Chair; tel: +37-05-210-9323; fax: +37-05-272-9209; e-mail: siid2003@ktl.mii.lt; Internet: <http://www.mii.lt/SIID-2003>.

12-15 October, San Francisco, CA, US: 11TH INTERNATIONAL CONFERENCE OF THE GREENING OF INDUSTRY NETWORKS - INNOVATING FOR SUSTAINABILITY. Organised by the US Environmental Protection Agency's National Performance Track and Environment Canada/Government of Canada. Topics to be addressed include: designing and implementing new institutions, public policies, civil regulation strategies, technologies and business practices; creating new business models to meet basic human needs and serve the poorest segments of the global population; and developing and delivering education for sustainability. For further information contact Kurt Fischer; e-mail: [greening@greeningofindustry.org](mailto:greening@greeningofindustry.org); Internet: <http://www.greeningofindustry.org/gin2003.htm>.

13-16 October, Yaoundé, Cameroon: AFRICA FOREST LAW ENFORCEMENT AND GOVERNANCE PROCESS (AFLEG). This ministerial conference will allow African governments, consumer and donor governments, NGOs and the private sector to intensify support for forest governance and law enforcement in Africa and address issues relating to illegal logging, illegal trade, and wildlife poaching in Africa. The World Bank facilitates the AFLEG process. For further information, contact: World Bank, e-mail: [afleg@worldbank.org](mailto:afleg@worldbank.org); Internet: <http://www.worldbank.org/forestry/afleg> and <http://lnweb18.worldbank.org/ESSD/ardext.nsf/14ByDocName/ForestGovernanceProgramAfricaMinisterialProcessOctober13-162003MinisterialConference>.

13-17 October, Lisbon, Portugal: CONSUMERS INTERNATIONAL WORLD CONGRESS 2003. This event, organised every three years by Consumers International, will focus on the theme 'The future of consumer protection: representation, regulation and empowerment in a world economy'. It will consist of a series of plenary sessions, workshops, training sessions, and fringe meetings on the changes in the global economy and their implications for consumer rights. For more information on this event visit: [http://www.consumersinternational.org/News\\_Events/world.asp?cat=24&ionid=135](http://www.consumersinternational.org/News_Events/world.asp?cat=24&ionid=135).

14-15 October, Bucharest, Romania: EASTERN EUROPEAN INVESTMENT SUMMIT - EXPANDING

THE EUROPEAN INVESTMENT FRONTIER. The International Herald Tribune will co-host this conference with the United Nations Development Programme. The principle goal of the meeting is to increase Foreign Direct Investment (FDI) to Eastern Europe, promote free trade, and strengthen cross-border cooperation. For further information, please contact: Brenda Erdmann Hagerty; tel: +44-20-7510-5707; e-mail: [Bhagerty@iht.com](mailto:Bhagerty@iht.com); Internet: <http://www.undp.ba/shnews.asp?idItem=55>.

14-15 October, Stockholm, Sweden: STOCKHOLM INTERNATIONAL INVESTMENT CONFERENCE WITH FOCUS ON AFRICA. This conference will focus on African development and the steps necessary to integrate Africa into the global market. The conference will focus on the theme "NEPAD, Africa and the international community - Investing and doing business in Africa within the framework of the New Partnerships for Africa's Development (NEPAD)". For further information contact Africa Forum Publications, tel: +46-73-907-4348; email: [africaforum@swipnet.se](mailto:africaforum@swipnet.se); or visit: <http://www.africaforum.org/IC-Stockholm-2003/Stockholm2003.html>.

15 October, Geneva, Switzerland: CUNCUN - WHAT IS NEXT. The Centre for Applied Studies in International Negotiations (CASIN) is holding a debriefing to cover: what happened in Cancun; where we stand; and the road ahead. For further information contact CASIN, e-mail: [chz@casin.ch](mailto:chz@casin.ch); fax: +41 22 730 8690; Internet: <http://www.casin.ch>.

15-16 October, Toronto, Canada: FREE TRADE AND DEEP INTEGRATION IN NORTH AMERICA: REVITALISING DEMOCRACY, UPHOLDING THE PUBLIC GOOD. The Centre for Research on Latin American and the Caribbean (CERLAC) at York University and the Canadian Centre for Policy Alternatives (CCPA) are organising a conference to explore recent trends in continental integration, with a particular focus on Canada-US relations. The conference will enable Canadian researchers to express their opinions on free trade and deeper integration in North America. An alternative perspective will also be proposed to emphasise the role of Canada in North America as well as in the world. For further information, please contact Yasmine Shamsie, email: [yasmine@yorku.ca](mailto:yasmine@yorku.ca); Internet: <http://www.yorku.ca/cerlac/deep-integration.html>.

15-17 October, Geneva, Switzerland: CIVIL SOCIETY MEETING IN PREPERATION FOR UNCTAD XI. The civil society meeting, organised by UNCTAD, will follow up on the discussions and outcome of the Strategic Group Meeting, which was held in September 2002 and will provide an opportunity to discuss and exchange views among civil society representatives and UNCTAD

secretariat with regard to pertinent organisational and substantive preparations of the civil society dimension for UNCTAD XI. For further information contact Amel Haffouz of the UNCTAD secretariat, tel: +41 22 907 5048; fax: +41 22 907 0122; e-mail: [amel.haffouz@unctad.org](mailto:amel.haffouz@unctad.org).

## WTO Events

An updated list of forthcoming WTO meetings is posted at: [http://www.wto.org/english/news\\_e/meets.pdf](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.

9 October, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN SERVICES.

9 & 10 October, Geneva, Switzerland: WTO COUNCIL FOR TRADE IN SERVICES - SPECIAL SESSION.

14 & 15 October, Geneva, Switzerland: WTO COMMITTEE ON TRADE AND DEVELOPMENT.

15 & 17 October, Geneva, Switzerland: WTO TRADE POLICY REVIEW BODY - BULGARIA.

## Other Forthcoming Events

27-28 October, Szentendre, Hungary: ELECTRICITY MARKET LIBERALISATION IN EUROPE. Organised by the Research Group SPEED, University of Oldenburg, Germany. Debates will be held on various aspects related to the liberalisation of electricity markets in Europe (such as electricity trading, market power, etc) but also on the impact that new developments such as upcoming environmental constraints, increased use of renewable energy sources and CHP, etc. likely to have on the evolution of the EU internal energy market. For further information, contact Jennifer Brown, e-mail: [Jennifer.Brown@mail.uni-oldenburg.de](mailto:Jennifer.Brown@mail.uni-oldenburg.de); Internet: <http://www.uni-oldenburg.de/speed/emelie>.

6-7 November, Washington, DC, US: FOURTH ANNUAL IMF RESEARCH CONFERENCE - CAPITAL FLOWS AND MACROECONOMIC CYCLES. Seminars will include themes such as: "Globalisation, Financial Integration, Volatility", "Are Immigrant Remittance Flows a Source of Capital for Development?" and "When It Rains, It Pours: Procyclical Capital Flows and

Macroeconomic Policies". For further information contact [ARC2003@imf.org](mailto:ARC2003@imf.org); Internet: <http://www.imf.org/external/pubs/ft/staffp/2003/00-00/arc.htm>.

17-19 November, Miami, Florida, US. VIII AMERICAS BUSINESS FORUM. The America's Business Forum will bring together political, business and community leaders from 34 Western Hemisphere countries. The VIII Americas Business Forum, like the seven previous Forums, constitutes an instrument of negotiation for the FTAAs, where businessmen from throughout the continent have the opportunity to examine the status of the negotiations in order to form this integration scheme and formulate the position of the business sectors, through proposals, recommendations or approaches to be considered in the meeting of Ministers of Trade to be held in November 2003. For further information contact the Organising Committee, e-mail: [FTAA@miamidade.gov](mailto:FTAA@miamidade.gov); Internet: <http://www.miamiftaa2003.com/>.

20 November, Deventer, Netherlands: 75TH INTERNATIONAL CONFERENCE ON AGRICULTURE AND DEVELOPMENT (ICAD): NEO-COLONIALISM OR DEVELOPMENT? Organised by the University of Professional Education Larenstein, the Royal Netherlands Society for Agricultural Sciences KLV, the Royal Tropical Institute KIT and the International Agriculture Centre. This conference aims to further research, training and debate policy in the field of food production, sustainable rural livelihood and health. For further information, contact KLV Office, Tel: (+31) (0)317 485191; Fax: (+31) (0)317 483976; email: [office@klv.nl](mailto:office@klv.nl); Internet: <http://www.klv.nl/English/>.

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## RESOURCES

### ICTSD Resources

TRADING IN KNOWLEDGE: DEVELOPMENT PERSPECTIVES ON TRIPS, TRADE AND SUSTAINABILITY. Edited by Ricardo Meléndez-Ortiz, Christophe Bellmann and Graham Dutfield (2003). Trading in knowledge explains the many issues at stake in intellectual property rights negotiations and treaties -- especially TRIPS and the ramifications for biotechnology, agriculture, traditional knowledge and policy responses for all those involved in trade negotiations and IP law, from developing and developed country perspectives. For further information see: <http://www.earthscan.co.uk/asp/bookdetails.asp?key=4020>.

## Other Resources

THE NEXT TRADE WAR? GM PRODUCTS, THE CARTAGENA PROTOCOL AND THE WTO. By Duncan Brack, Robert Falkner and Judith Goll. Briefing Paper No. 8 (The Royal Institute of International Affairs). This paper reviews recent developments in the international regulation of trade in genetically modified organisms and food. The paper highlights the latent transatlantic trade conflict over the European Union's moratorium on GM products that broke out into the open with the US initiating a World Trade Organisation dispute in May. Shortly after a WTO dispute panel was established in August, the Cartagena Protocol on Biosafety, the first international treaty on trade in GMOs, entered into force in September 2003. The article can be downloaded from: <http://www.riia.org/pdf/research/sdp/Next%20trade%20war%20GM%20%20CP%20&%20WTO%20Brack%20et%20al%20Sept%202003.pdf>.

THE CHALLENGE OF SLUMS: GLOBAL REPORT ON HUMAN SETTLEMENTS 2003. By UN- Habitat (September 2003). This report stresses that slums represent the worst of urban poverty and inequality. Yet the world has the resources, know-how and power to reach the target established in the Millennium Declaration. It is the hope of the authors that the report, and the best practices it identifies, will enable all actors involved to overcome the apathy and lack of political will that have been a barrier to progress, and move ahead with greater determination and knowledge to help the world's slum dwellers to attain lives of dignity, prosperity and peace. For further information see: <http://www.earthscan.co.uk/asp/bookdetails.asp?key=4024>.

OUTLOOK FOR FISH TO 2020: MEETING GLOBAL DEMAND. By the International Food Policy Research Institute and the WorldFish Center (September 2003). According to this book, developing countries will be responsible for 77 percent of global fish consumption and 79 percent of world production, mostly due to population growth, increased affluence and urbanisation in those countries in 20 years time. The report can be downloaded or purchased from: <http://www.ifpri.org/media/fish20031002.htm>.

"From sustainable development to corporate social responsibility: an application to the European aluminum sector," by Sylvie Faucheux and Isabelle Nicolai in INTERNATIONAL JOURNAL OF SUSTAINABLE DEVELOPMENT 6 (2, 2003) pp. 155-169. This paper discusses the stakes, opportunities and methods appropriate for developing a strategy of corporate social responsibility within the aluminum industry companies in Europe.

"New Zealand's Royal Commission on Genetic Modification : a critical review," by Janet Hope in the INTERNATIONAL JOURNAL OF SUSTAINABLE DEVELOPMENT 6 (2, 2003)pp. 203-230. The New Zealand Royal Commission on Genetic Modification was established in May 2000 to consider how New Zealand should respond to genetic modification technology and its applications and to advise on any needed changes to relevant law or policy. This article provides a critical analysis of the Royal Commission's report.

"Allies or Antagonists? Investment, Sustainable Development and the WTO," edited by Liane Schalatek (Heinrich Boell Foundation). On 22 May 2003, around 80 international civil society experts came together in Washington, DC for a one-day symposium on Investment, Sustainable Development and the WTO: Allies or Antagonists? The symposium was jointly co-organized by Friends of the Earth - US, Oxfam America, the Center for International Environmental Law (CIEL), the Global Development and Environmental Institute at Tufts University, the National Wildlife Federation and the Heinrich Boell Foundation North America. Selected speaker contributions from this symposium and other recent pieces written by critical civil society observers can be found in this collection. This report can be downloaded from: [http://www.boell.de/downloads/global/Boell\\_Allies\\_or\\_Antagonists.pdf](http://www.boell.de/downloads/global/Boell_Allies_or_Antagonists.pdf).

## WTO Resources

CATALOGUE OF NON-WTO PUBLICATIONS ABOUT WTO ISSUES. This document compiled by the WTO bookshop lists many non-WTO publications that have been produced about WTO issues in various languages. These publications can be ordered directly from the publishers. The catalogue can be downloaded from:

[http://www.wto.org/english/res\\_e/res\\_e.htm#publications](http://www.wto.org/english/res_e/res_e.htm#publications).



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