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LEAD STORIES

TRIPS COUNCIL: KEY DEVELOPING COUNTRIES SEEK TO MOVE DEBATE FORWARD ON DISCLOSURE ISSUES

Meeting on 21 September, the Council for Trade-related Aspects of Intellectual Property Rights (TRIPS) considered a proposal by Brazil, India, Pakistan, Peru, Thailand, and Venezuela to advance discussions on the relationship between the TRIPS Agreement and biodiversity issues and traditional knowledge. The meeting was the first TRIPS Council held after the WTO agreed on a "July package" to move the Doha Round forward. The TRIPS Agreement was only briefly mentioned in the July package -- with Members reaffirming their commitment to progress in line with the Doha mandate -- with the focus of the package on other areas of the Doha Round, such as agriculture. Discussions at the TRIPS Council therefore continued where they had left off at the previous session of the Council in June (see BRIDGES Weekly, 23 June 2004, <http://www.ictsd.org/weekly/04-06-23/story3.htm>).

Members remained locked in their positions, so no substantive progress was made and the meeting closed after one day rather than the scheduled two.

Disagreement over technical details of TRIPS amendment

During the TRIPS Council meeting, Members engaged in a brief discussion on how to amend the TRIPS Agreement rules on compulsory licensing to allow the exportation of patented pharmaceuticals to countries without sufficient domestic manufacturing capacities, as agreed in Doha. At the previous meeting, Members had decided to postpone the deadline for making the amendment from 30 June 2004 to 31 March 2005. Delegations have not, however, been able to agree on the content and the legal form of the amendment. Concerning domestic implementation, Norway shared with the Council Members a document explaining the legislative changes that entered into force on 1 June 2004 in Norway (IP/C/W/427, available at <http://docsonline.wto.org>). The WHO distributed a paper on "Implementation of the WTO General Council Decision on Paragraph 6 of the Doha Declaration on

the TRIPS Agreement and Public Health" (available at <http://www.who.int/medicines/>).

Proposal zooms in on disclosure requirements

The new proposal (IP/C/W/429, available at <http://docsonline.wto.org>), endorsed also by Cuba and Ecuador, expands on similar proposals submitted in the past (see below), looking in more detail at disclosure requirements in patent applications relating to the source and country of origin of a biological resource and/or traditional knowledge used in an invention. The proposal first considers ways that disclosure requirements could improve patent examination and prevent "bad" patents. In this regard, it provides examples of "bio-piracy" in which, for example, traditionally used herbal remedies have been patented by multinationals, with no revenues flowing back to the communities where the genetic material was sourced. The countries note that processes for improving patent examination have been proposed, but they either lack cultural sensitivity or are voluntary and provide no guarantees. Therefore, the proposal suggests "a legally binding obligation to disclose the source and country of origin of biological resource and/or traditional knowledge". In addition, disclosure requirements would be helpful in cases of patent challenges, which usually are long and costly processes, and would help ensure patent quality.

The proposal then goes on to discuss the meaning of disclosure, dealing with questions such as whether the obligation would be a substantive or formal requirement relating to patentability; what level of use of the resource in the invention would be sufficient to trigger the obligation; and what the administrative and cost burdens would be. According to the paper, the obligation would be both substantive and formal. Even incidental use would trigger the disclosure obligation. The proposal indicates that costs would not be substantial in relation to the patent application process as a whole, as some Members already have a disclosure requirement in place.

The proposal also discusses the legal implications of non-compliance and wrongful disclosure, noting that the application process could be suspended or penalties imposed. If non-compliance was discovered after a patent had been granted, the patent could be revoked or the rights could be transferred back to the original sources. The burden of proof would lie with the patent applicant, and, according to the proposal, the disclosure obligation could be introduced into the TRIPS Agreement through an amendment.

The proposal was supported by a number of developing countries, while the US and Japan opposed it.

Background

The proposal discussed on 21 September followed on a broader proposal made by a number of developing countries in March 2004 (IP/C/W/420), which suggested a checklist of issues to cover in the negotiations on biodiversity, traditional knowledge and folklore. Under this approach -- which is not supported by the US and Japan -- discussions should proceed with a focus on three clusters covering: disclosure of origin; evidence of prior informed consent; and benefit-sharing. The US and Japan feel that their views have been omitted from the checklist, and Members continued to disagree at the latest meeting on whether the checklist should be used.

Under the Doha mandate, the TRIPS Council, in its review of Article 27.3 (b) of the TRIPS Agreement (patentability of life forms), is instructed to consider the relationship between the TRIPS Agreement and the Convention on Biological Diversity, the protection of traditional knowledge and folklore.

The next TRIPS Council is scheduled for 1- 2 December.

ICTSD reporting.

EC'S LAMY ADVOCATES VALUE-BASED TRADE RELATIONS

In a speech delivered in Brussels on 15 September, European Trade Commissioner Pascal Lamy presented a case for consideration of so-called 'collective preferences' in trade relations. The speech was entitled 'The emergence of collective preferences in international trade: implications for regulating globalisation'. Collective preferences are the end result of choices made by communities that apply to the community as a whole (in short, values). Amongst other issues, the speech offered reasoning behind the EC's positions in areas such as clarifying the relationship between WTO rules and multilateral environmental agreements and advocating sustainability impact assessments of trade agreements. Notably, Lamy forwarded the idea of a special safeguard clause to clarify how collective preferences might be integrated into WTO rules. The aim in taking such an approach in trade, Lamy said, is to make the most of greater openness through trade liberalisation while ensuring that it does not threaten to override domestic policy choices.

While he admitted that the concept of collective preferences can be an ambiguous one, Lamy outlined a number of specific European examples, namely multilateralism, environmental protection, food safety,

cultural diversity, public provision of education and healthcare, precautions in the field of biotechnology, and welfare rights. He said that different collective preferences among countries are essentially complementary; however, it can sometimes be difficult to accommodate them. Trade presents a particular challenge in this area, he noted, since the underlying stakes are considerable (i.e. the exporting countries' offensive interests may not sit well with the importing country's collective preferences), and trade is the only area in which there is an effective and binding mechanism for settling disputes. These two factors tend to exacerbate any incompatibilities, which are made even more problematic by the fact that collective preferences relating to trade may coincide with protectionist interests.

MEAs, GMOs and sustainability impact assessments

In the speech, Lamy commended the WTO's Appellate Body for being a "faithful guardian" of collective preferences under the WTO system by balancing wider public concerns with WTO principles such as non-discrimination as well as with rules of international public law. However, he said that both WTO rules and case law are incomplete and leave room for interpretation. "That is one of the reasons Europe wanted WTO negotiations to include discussions on clarifying the relationship between the WTO and multilateral environmental agreements", he said. Lamy went on to say that collective preferences also informed the EC's approach on genetically-modified organisms (GMOs): "individual choices, if necessary facilitated by labelling, are done within the limits fixed by collective choices: this is typically the EU approach regarding GMOs".

Commissioner Lamy argued that conducting sustainability impact assessment to inform discussions on collective preferences could be used as an instrument for revealing trading partners' collective preferences. "The purpose of this instrument would be to highlight the difficulties caused by clashes of collective preferences in international trade. This, in turn, would make it possible to anticipate any conflicts that might arise from greater openness, by revealing incompatibilities between collective preferences before greater openness made them apparent, and by examining possible solutions," he said.

Safeguard clause

The key to taking collective preferences into account at the WTO, according to Lamy, was the inclusion of a special safeguard clause. This should be seen as an "insurance policy, as the ultimate guarantee that trade integration will not pose a threat to legitimate collective

preferences," he said. The acceptability of such a clause -- which would conceivably allow countries to limit imports deemed a threat to collective preferences - would depend on the conditions attached to its use, he said. This would mean it would have to demonstrate that there was a coherent underlying social demand and that the safeguard measure adopted was consistent with that demand; that the measures adopted did not restrict trade more than other measures capable of satisfying the same demand; that it complied with the basic principles underlying the multilateral trading system; and that it could not be used to sanction customs duties, as conventional safeguard clauses do. Further, protection granted by the safeguard clause should be temporary, and include a compensation mechanism that would be skewed in favour of developing countries.

Lamy conceded that a collective preference approach to trade was likely to garner suspicion from a broad range of actors, since the issue of collective preferences is a relatively new one and raises conceptual difficulties. "Liberals might see it as opening a Pandora's box of arbitrary barriers; the Southern countries as protectionism and euro-centrism in disguise; and environmentalists and human-rights activists might see it as representing an unacceptable status quo because it fails to put pressure on those who infringe social standards and destroy the environment," he said. But he defended his comments by noting that the ideas he discussed are likely to provoke discussion because they bring together two objectives that are viewed as mutually exclusive: to promote greater openness and international integration, except where social choices are at stake, but also to think about imposing limits on international integration to defend the legitimacy and diversity of social choices.

Lamy's speech was given at the conference on "Collective preferences and global governance: what future for the multilateral trading system?"

To view Lamy's speech visit http://europa.eu.int/comm/commissioners/lamy/speeches_articles/spla242_en.htm.

ICTSD reporting.

US TO REJOIN THE INTERNATIONAL COFFEE ORGANISATION

On 15 September the US government formally announced its intention to rejoin the International Coffee Organisation (ICO), the intergovernmental organisation responsible for the global coffee industry. Although the US was one of the founding members of the organisation in 1963, it left in the early 1990s

following the breakdown of the ICO's quota system. US Assistant Secretary of State for Economic and Business Affairs Anthony Wayne made the announcement at a special event that included members of the ICO, including its Executive Director Nestor Osorio as well as representatives from USAID and the National Coffee Association of the US.

As a new member of the ICO, the US will be joining debates on issues such as the ICO's plan to improve coffee quality, diversification programmes to enable producers to switch to other crops, promotion of coffee consumption, and sustainable coffee production. In 2001 a new International Coffee Agreement was negotiated which sets objectives for signatories in all these areas. The ICO also seeks to address the current coffee crisis -- characterised by oversupply and a steady decline in prices at the farm gate -- by focusing on improving coffee quality through the Coffee Quality-Improvement Programme. Many ICO initiatives and negotiations require not only the support of producer countries, most of which are members, but also of consumer countries, the US being the largest in this category.

US announcement meets with critical acclaim

A number of different organisations greeted the US announcement with optimism. Phil Bloomer, Head of Oxfam International's Make Trade Fair Campaign, said, "We look forward to seeing the US play a constructive role at the ICO to develop programs that can help alleviate the crisis for more than 25 million small coffee farmers throughout the world." Colombia's ambassador to the US, Luis Moreno, added, "560,000 Colombian families depend on coffee for their sustenance. Having the US as the largest consumer [back in the ICO] will create an environment in which we can address issues of poverty, and in which we can address challenges like what we have seen in Colombia".

In related news, on 10 September an alliance of coffee farmers, trade and industry, non-governmental organisations and unions completed a draft Common Code for the Coffee Community (CCCC) in Hamburg, Germany (see the upcoming issue of BRIDGES Trade BioRes, 25 September 2004, <http://www.ictsd.org/biores/index.htm>). The code, which has yet to be signed, includes goals such as minimum salaries, the eradication of child labour, allowing trade union membership and adherence to international environmental standards on pesticide and water pollution.

Background on the coffee crisis

The US decision comes at a time when the global coffee industry is in a state of acute crisis. Coffee prices

are at their lowest levels in over 30 years. Several developing countries heavily dependent on coffee exports, including Burundi, Ethiopia and Nicaragua, have seen their income from coffee decrease dramatically in the past decade. Problems of oversupply and low prices have hit small producers in developing countries particularly hard. The retail price of a cup of coffee has stayed roughly the same or even increased while the price that coffee farmers receive has been in a continued downward spiral (see BRIDGES Trade BioRes, 2 June 2003, <http://www.ictsd.org/biores/03-06-02/inbrief.htm>). The value of retail sales of coffee has doubled since the early 1990s from US\$30 billion to US\$65 billion although producers have seen their share of retail sales during the same time period halve from around US\$12 billion to US\$5.5 billion. For small farmers declining prices have a direct impact on overall household revenues and access to basic needs.

This problem is the partially the result of the historic failure of the international community to renew the International Coffee Agreement (ICA) in the early 1990s. Following price fluctuations in the 1950s and 60s, several ICAs were signed under the auspices of the ICO that set quotas for how much coffee was to be produced. Coffee is in this way a typical commodity of export interest to developing countries that was under a system of quotas for the 60s, 70s and 80s. These quotas helped keep prices stable and sufficient to cover producer's costs of production and living. With the collapse of quotas in the early 90s, says the ICO, "prices immediately dropped to around half their previous level and remained at these lower levels for over four years." A number of different factors compounded the crisis by increasing the supply of coffee and thereby lowering prices. Vietnam entered the market as a major coffee producer, as did other countries. Furthermore, frosts that adversely affected the Brazilian crops in 1995 and 1997 led prices to increase sharply, but only temporarily. The most profitable part of the coffee industry has meanwhile become the processing, roasting, and marketing, which is concentrated in a few major multinationals based in developed countries. This has led coffee producers, many who have been growing coffee for generations, into poverty for lack of decent prices or better alternatives. A variety of initiatives have been created to try to make the coffee industry more sustainable and assist producers.

"Oxfam applauds US intention to rejoin International Coffee Organization (ICO)," OXFAM INTERNATIONAL, 15 September 2004; "United States to Rejoin the International Coffee Organization," ICO, 16 September 2004; "US to rejoin International Coffee Organization," AXCESS NEWS, 15 September 2004; "Sustainability in

the Coffee Sector: Exploring Opportunities for International Cooperation," UNCTAD and IISD, 2003.

IN BRIEF

MEXICO AND JAPAN SIGN FREE TRADE AGREEMENT

On 17 September, Mexico and Japan signed a free trade agreement following 18 months of intense negotiations. Mexico hopes the deal will ease its reliance on the US, which currently absorbs 90 percent of Mexico's exports, while encouraging Japan to open more factories in Mexico to revive an assembly-for-export industry that has been dented by Chinese growth and a US economic downturn. Japan, on the other hand, is anticipating that the pact will reduce and eventually eliminate Mexican tariffs on electronics, auto imports and steel, while enabling Japanese companies with Mexican factories to have tariff-free access to Mexico's other free trade partners.

Japanese Prime Minister Junichiro Koizumi, at the National Palace in Mexico City to sign the agreement with Mexican President Vicente Fox, said that the accord "will be for our mutual benefit, and the benefits will be shared with the countries of North America, Central America and even South America". Japan will be granted tariff-free auto imports for up to five percent of the Mexican market, up from the current three percent, and tariffs will be gradually eliminated over six years. The pact is Japan's second such agreement, after an agreement with Singapore. Mexico has 11 free trade agreements with 42 countries and expects its exports to Japan to increase by more than ten percent a year under the pact. The Mexican President said the pact "will mark the beginning of a new era ... to increase trade and investments". He added that with the signing of this new agreement, the two countries have each gained a strategic partner - Mexico would become a bridge to North and South America for Japan, and Japan would become Mexico's bridge to Asia. Of Mexico's US\$165.4 billion in exports last year, only US\$605.8 million went to Japan, with US\$149.6 billion going to the US, according to Mexico's Economy Department.

"Mexico, Japan Signing Free Trade Deal," ASSOCIATED PRESS, 17 September 2004; "Mexico and Japan Sign Free-Trade Accord," EFE NEWS, 17 September 2004.

ASBESTOS SPARKS CONTROVERSY AT ROTTERDAM CONVENTION MEETING

Ministers and officials from over 100 countries are meeting in Geneva from 20-24 September for the first ministerial conference of the Rotterdam Convention. The Rotterdam Convention, officially the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, entered into force on 24 February this year. It enables member countries to add chemicals to the Convention's list of toxic chemicals by consensus voting. Chemicals on the list can only be exported from one country to another with the permission of the government of the importing state. At the Geneva meeting 14 new toxic chemicals, including a lead additive for petrol, were added to the list. However chrysotile, the most common form of asbestos, was again blocked from the list after producing countries, including Canada and Russia, blocked its inclusion (see BRIDGES Trade BioRes, 28 November 2003, <http://www.ictsd.org/biores/03-11-28/story1.htm>).

Chrysotile asbestos accounts for 94 percent of the commercial asbestos production and is known to cause cancer. Its exclusion from the list led to strong reactions from civil society groups such as the WWF. "Canada and Russia's objections to listing chrysotile asbestos are embarrassingly self-interested, protecting domestic exporters interested in selling this dangerous chemical abroad," said Clifton Curtis, director of WWF's Global Toxics Programme. The Canadian government defended its action, saying "If added to (the list), that might be perceived by some countries as a signal to ban chrysotile". Canada lost a dispute at the WTO in 2001, which it had brought against France's ban on chrysotile (see BRIDGES Weekly, 13 March 2001, <http://www.ictsd.org/html/weekly/story1.13-03-01.htm>). Chrysotile asbestos is the first chemical to face significant opposition at the Rotterdam Convention and has led Parties to express concern about potential conflicts between environmental and health concerns on the one hand and economic and trade concerns on the other hand.

"Treaty Curbs Trade in More Dangerous Chemicals," REUTERS, 22 September 2004; "Canada blocks asbestos type from global toxic list," REUTERS, 22 September 2004; "Up to 15 hazardous chemicals and pesticides to be added to trade watch list," PIC ROTTERDAM CONVENTION, 16 September 2004.

WEST AFRICA AGREES ON MONETARY ZONE BY JULY 2005

At a summit on 13 September held in the Guinean capital Conakry, the heads of state of the five countries party to the West African Monetary Zone (WAMZ) -- Ghana, The Gambia, Guinea, Nigeria and Sierra Leone -- agreed to launch a monetary union by 1 July 2005. The ministers also decided to locate the headquarters of the West African Financial Supervisory Authority in Nigeria, the WAMZ secretariat in Guinea and the West African Central Bank in Ghana. The launch had already been delayed by two years, but will now go ahead in tandem with efforts to facilitate intra-regional trade and investment. Many of the countries have had problems with weak currencies, and the WAMZ hopes to create a currency that eventually will merge with the CFA franc currency shared by former French colonies in West and Central Africa to create one stable currency.

ICTSD reporting; "Five West Africa Countries get into second monetary zone," GHANAWEB.COM, 13 September 2004; "WEST AFRICA: Plans for 2005 launch of new regional currency confirmed," IRIN NEWS, 3 September 2004.

WTO IN BRIEF

WORLD TRADE REPORT HIGHLIGHTS RECIPROCAL TRADE PREFERENCES

On 16 September, the WTO released its annual World Trade Report, the second of its kind in a new series that seeks to "deepen public understanding of current trade policy issues and to contribute to more informed consideration of the options facing governments". The report, which focuses on the impact of domestic policies on trade, contains a review of recent world trade developments, three shorter essays on current trade issues, and a section that highlights the importance of ensuring coherence in trade policy formulation.

The report includes an essay capturing the debate on non-reciprocal trade preferences -- the preferential market access arrangements offered by developed countries to developing countries. The essay points to limited trade impacts of such preferences, and notes that the schemes discourage beneficiary countries from participating in multilateral trade liberalisation due to fears related to their gradual loss of preferential margins (preference erosion). While observing that WTO Members generally sympathise with the

adjustment challenges developing countries face due to preference erosion, the report notes that proposals for compensation and other solutions to this problem would not necessarily find broad support in the WTO. According to the report, preference-dependency is not viable in the long term as successive rounds of multilateral negotiations as well as regional arrangements will erode preferences. In conclusion, the report urges beneficiary countries to utilise existing preferences, bearing in mind however that adjustment challenges are likely to emerge later. Therefore, countries should prepare their domestic industries for future adjustment rather than expending negotiating capital on securing non-reciprocal preferences at the bilateral level.

The full World Trade Report is available at http://www.wto.org/english/res_e/booksp_e/anrep_e/world_trade_report04_e.pdf

ICTSD reporting.

WTO ARBITRATOR SETS JULY 2005 DEADLINE FOR EC TO IMPLEMENT GSP RULING

On 20 September, a WTO arbitrator set 1 July 2005 as the deadline for the EC to implement a WTO ruling against its Drug Arrangements under its Generalised System of Preferences Scheme (GSP) (see BRIDGES Weekly, 22 April 2004, <http://www.ictsd.org/weekly/04-04-22/story4.htm>). India, which had brought the case to the WTO and won it, had asked the arbitrator to give the EC up to 3 November 2004 to bring the Drug Arrangements in conformity with WTO rules. The arbitration took place because India had asked for clarification of what constitutes a 'reasonable period of time' for the EC to implement the ruling. The EC had asked for a longer time period stretching to 1 January 2006 to implement the ruling due to the complexity of the EC legislative process, links to EC development policy, imminent changes in the European Commission and the 'intricacy' of the Appellate Body ruling on the case. The arbitrator was not persuaded by the EC's arguments. He pointed out the EC choice to 'incorporate the task of implementation' within the larger objective of reforming its overall GSP scheme should not change the implementation time.

The arbitrator, however, noted that it was up to the EC to choose the method of implementation, provided that the method chosen was consistent with the relevant recommendations and rulings and with WTO agreements. Under WTO rules, arbitrations to determine the 'reasonable period of time' for complying

with WTO decisions do not determine the manner in which Members should implement such rulings.

The Arbitrator's award is available at http://www.wto.org/english/tratop_e/dispu_e/246_arb_e.pdf

SAUDI ACCESSION DELAYED

On 17 September, WTO Members held an informal "stock-taking" session of Saudi Arabia's accession negotiations at the WTO. The talks are currently stalled due to hitches in bilaterals between Saudi Arabia and the US. No formal WTO Working Party on the Accession of Saudi Arabia will be scheduled until the US-Saudi bilaterals have been completed. Once this is the case, the Working Party will examine the final legal accession documents. Issues holding up the US-Saudi bilaterals include insurance and distribution services, as well as enforcement issues related to intellectual property. Saudi Arabia will also have to conclude bilateral talks with the Dominican Republic and Honduras, which only recently requested such negotiations. In addition, the EC reportedly still is holding out on the issue of dual energy pricing -- under which Saudi Arabia maintains lower internal than external energy prices -- which the Community would like to see Saudi Arabia abolish. The two parties already concluded their bilateral talks last year.

The previous meeting of the Working Party on the Accession of Saudi Arabia was held from 15-16 June (see BRIDGES Weekly, 23 June 2004, <http://www.ictsd.org/weekly/04-06-23/wtoinbrief.htm>). No further talks have yet been scheduled. Saudi Arabia had originally hoped to complete its accession by the end of the year.

ICTSD reporting; "Saudis, WTO Members Meet on Accession Negotiations; Progress Awaits U.S. Deal," WTO REPORTER, 20 September 2004.

EVENTS & RESOURCES

VACANCY AT WORLD TRADE INSTITUTE

RESEARCH FELLOW, World Trade Institute (WTI). The World Trade Institute is currently seeking to fill the position of Research Fellow. The successful candidate should have an interest in pursuing a PhD on a subject relating to international trade and should ideally have some tech savvy. In addition, candidates will have

completed a degree at the undergraduate level in law, economics, or a related field and be able to enter into a two to three-year commitment. For further information and to apply, please contact Jeremy Streatfeild, email: Jeremy.streatfeild@wti.org; Internet: http://www.wti.org/ins/documents/graduate_position_vacancy_notice_001.pdf

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: 23-29 September

22-23 September, Dhaka, Bangladesh: REGIONAL LAUNCH MEETING OF "ADVOCACY AND CAPACITY BUILDING ON COMPETITION POLICY AND LAW IN ASIA" PROJECT. Intended for participants from South and South East Asia, this meeting is organised by the CUTS Center for Competition, Investment and Economic Regulation (CUTS C-CIER). The project aims to accelerate the process towards functional competition policy and law for selected countries (Vietnam, Cambodia, Lao PDR, Bangladesh, Nepal and India) and advance an enabling environment for the law and policy to be better enforced. For further information, contact Alice Pham, email: 7up2@cuts-international.org; Internet: <http://www.cuts-international.org>

25-26 September, Ithaca, N.Y., USA: GROWING INEQUALITY IN CHINA: CAUSES, CONSEQUENCES AND RESPONSES. The object of this conference at Cornell University is to take stock of growing inequality in China, focusing on its causes, its consequences, and policy responses to it in the future. It will bring together international research on the subject in terms of theoretical, empirical and policy analysis. Submissions of completed papers, or extended abstracts are invited (to be submitted by 15 April). For further information contact Xiaobo Zhang at email: x.zhang@cgiar.org; Internet: <http://www.ifpri.org/events/conferences/2004/20040925> Cornell.pdf

26-30 September, Montpellier, France: EIGHTH INTERNATIONAL SYMPOSIUM ON THE BIOSAFETY OF GENETICALLY MODIFIED ORGANISMS. Organised by the International Society for Biosafety Research, this symposium will be held under the theme "How Scientific Research Informs Biosafety Decisions". A special workshop will discuss North-South issues related to biosafety of GMOs. For further information

contact the International Society for Biosafety Research; tel: +33-1-30-83-37-30; fax: +33-1-30-83-37-28; e-mail: isbgmo@versailles.inra.fr; Internet: <http://www.inra.fr/gmobiosafety/aboutsymposium.php>

27 September, Wageningen, Netherlands: INTERACTIVE SEMINAR ON POWER & PARTNERSHIPS: DEALING WITH POWER, CONFLICT AND LEARNING IN THE FACILITATION OF COMPLEX MULTI-STAKEHOLDER PROCESSES. Organised by the International Agricultural Centre (IAC), this seminar will confront the challenge that 'learning orientated' multistakeholder processes fail to adequately consider power and conflict issues and hence are founded on naïve assumptions about social and political change. The fact that most sustainable development processes require the engagement of different stakeholder groups in processes of dialogue, negotiation, interactive decision-making and social learning has become well accepted. However, what is much less well understood is the way power dynamics and conflict shape such processes and their outcomes. Such understanding is critical for effective design and facilitation of multi-stakeholder processes. Drawing on internationally experienced conflict management and mediation experts, the seminar will link a theoretical overview with practical examples and conflict management skills. For further information, contact Femke Griffioen, tel: +31 317 495395; email: Femke.griffioen@wur.nl; Internet: http://www.iac.wur.nl/iac/courses/msp_seminar_sept2004.htm

27 September - October 5, Colorado, USA: SUSTAINABLE RESOURCES CONFERENCE 2004. Organised by Sustainable Resources, a US-based NGO, this "International Forum Connecting People with Hands-on Solutions to World Poverty" will host over 230 presentations and 40 keynote speeches in a multi-disciplinary, grassroots conference on sustainable development, technology, and resource use. The conference will include diverse networking opportunities, facilitation of partnerships and collaborations, and efforts to find practical hands-on solutions to world poverty. For further information, contact Sustainable Resources, tel: +1 303 998 1323; fax: +1 303 449 1348; email: info@sustainableresources.org; Internet: <http://www.sustainableresources.org/sr2004/index.html>

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.

23 September: WTO COMMITTEE ON AGRICULTURE.

23 September: WTO COUNCIL FOR TRADE IN SERVICES.

23 September: WTO COUNCIL FOR TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS - SPECIAL SESSION.

24 September: WTO WORKING PARTY ON DOMESTIC REGULATION.

27 September: WTO COUNCIL FOR TRADE IN SERVICES - SPECIAL SESSION.

27 September: WTO DISPUTE SETTLEMENT BODY.

27 September: WTO COMMITTEE ON BUDGET, FINANCE AND ADMINISTRATION.

28 September: WTO COMMITTEE ON SPECIFIC COMMITMENTS.

28 & 30 September: WTO TRADE POLICY REVIEW BODY - RWANDA.

28-29 September: WTO COMMITTEE ON TRADE AND DEVELOPMENT.

28-30 September: WTO NEGOTIATING GROUP ON RULES.

28-30 September: WTO COMMITTEE ON TRADE IN FINANCIAL SERVICES.

Other Forthcoming Events

1 October, Washington D.C., USA: TRADE MARKERS - BUSH AND KERRY TRADE PRIORITIES. Presented by the Washington International Trade Association, this workshop will feature speakers Josette Shiner, Deputy USTR and Lael Brainard, The Brookings Institution. They will compare and contrast differing perspectives of the two major presidential candidates on relevant bilateral, regional, and multilateral trade negotiations. For further information contact WITA, email: events@wita.org; Internet: <http://www.wita.org/content.cfm?L1=4&QA=252>

13-15 October, Cape Town, South Africa: INTERNATIONAL CONFERENCE ON AFRICAN

DEVELOPMENT AND POVERTY REDUCTION - THE MACRO-MICRO LINKAGE. Hosted by the University of Cape Town's Development Policy Research Unit (DPRU) and Trade and Industrial Policy Strategies (TIPS) in association with Cornell University, this conference will consider evidence-based policy recommendations on trade and investment that stem from analysis of macro-micro linkages in the African context. For further information contact DPRU, tel: +27-21-650-5705; fax: +27-21-650-5711; email: dpruconf@commerce.uct.ac.za; Internet: <http://www.commerce.uct.ac.za/dpru/dpruconference2004/>

16 October, worldwide: WORLD FOOD DAY. The theme of this year's World Food Day is "Biodiversity for Food Security". For further information contact the Secretariat at e-mail: World-Food-Day@fao.org; Internet: http://www.fao.org/wfd/index_en.asp

20-24 October, Udine, Italy: MEETING ON THE ROLE OF MULTI PURPOSE AGRICULTURE IN SUSTAINING THE GLOBAL ENVIRONMENT. The theme of the fourth Agro Environ symposium is "The role of multi-purpose agriculture in sustaining the global environment". It will address key environmental and agricultural issues and consider new technologies that aim at sustaining agricultural systems, monitoring the environment and conserving natural resources. For further information contact Giuseppe Zerbi, University of Udine, tel: +39-43-255-8670; fax: +39-43-255-8603; e-mail: zerbi@dpvta.uniud.it; Internet: <http://www.dpvta.uniud.it/~agroenv/docs/brochure.pdf%20>

21-23 October 2004, Geneva, Switzerland: ENVIROINFO CONFERENCE 2004. The conference is designed for the exchange of information among scientists, public administrations, and private and public companies involved in environmental information processing and environmental informatics end-users. Also referred to as the 18th International Conference Informatics for Environmental Protection, this year's focus will be on "sharing" and will cover a wide scope of environmental information systems topics while showing the latest in research, development, and application. The conference will be held at CERN, the European Organisation for Nuclear Research. For further information, email: enviroinfo@etat.ge.ch or visit <http://www.enviroinfo2004.org>

16-19 November, Geneva, Switzerland: SUSTAINING A FUTURE FOR AGRICULTURE: THE INTERNATIONAL DIMENSIONS OF A JUST AND SUSTAINABLE FOOD SYSTEM & PREPARING FOR THE 2005 WTO MINISTERIAL IN HONG KONG. Organised by a group of non-governmental organisations, this conference aims to bring together

different constituencies that work on agriculture and trade to discuss jointly the international dimensions of a just food system and to explore new alliances working towards such a food system. The conference will provide an opportunity to hear different perspectives, to discuss in depth possible rules to better manage international trade in agricultural commodities, to meet and discuss WTO developments with government negotiators, and to start developing common strategies for the Hong Kong Ministerial. For further information contact Regula Dominguez at the Lutheran World Federation, email: Dominguez@lutheranworld.org.

22-23 November, Brussels, Belgium: ISSUES OF INTERNATIONAL LEGAL TRADE POLICY AND IMPLEMENTATION: CHALLENGES FOR THE WORLD TRADE ORGANISATION. Organised by Vrije Universiteit Brussel and Hull University, this colloquium will include sessions on a variety of topics related to the WTO such as domestic regulation within the context of GATS, the impact on national environmental policy of TBT-rules, and the question of the sufficiency of the WTO regime to provide for sustained economic development for developing countries. For further information, contact Shirley De Meue at Vrije Universiteit Brussel, tel: +32 (0)2 629 2638; fax: +32 (0)2 / 629 3698; email: sdemeue@vub.ac.be; Internet: <http://www.law.hull.ac.uk/newsevents/wto.html>

RESOURCES

FREE TRADE AND THE ENVIRONMENT: MEXICO, NAFTA, AND BEYOND. By Kevin P. Gallagher (Stanford University Press, September 2004). This book examines the impact economic integration has on the environment, focusing on Mexico, which transformed itself from one of the world's most closed economies to one of the most open. It investigates two commonly held and opposing beliefs in the policy community about the impact of free trade on the environment. While some argue that free trade will raise incomes in developing countries, thus encouraging governments to protect the environment, others argue that free trade simply provides an incentive for heavily-polluting firms to move to developing countries with lax environmental regulations. This volume shows that for Mexico neither position is correct, and concludes with a set of concrete recommendations for policies that couple environmental protection with economic integration. For further information and to order the book visit http://www.ase.tufts.edu/gdae/policy_research/FreeTradeEnvBook.htm

INTELLECTUAL PROPERTY, BIOGENETIC RESOURCES AND TRADITIONAL KNOWLEDGE. By Graham Dutfield (Earthscan, August 2004). Biogenetic

resources -- the critical biological and chemical materials that underpin so much of medicine, both modern and traditional, agriculture, and wider economic activity in so many fields -- are at the centre of heated debate regarding their use, development, and ownership, and the issues of ethics and equity that impinge on all of these factors. This book is a comprehensive examination of the key issues, institutions and ideologies in this area, presenting definitions and explanations of the fundamentals of intellectual property rights (IPRs), biogenetic resources and traditional knowledge. It uses the insights from this to build a picture of how these factors interact in practice, bringing to the surface issues such as: the conservation and sustainable use of biodiversity, benefit sharing from the commercial use of biodiversity, biotechnological innovation and the transfer of technology, agriculture, food security, rural development, health and international justice. For further information and to order the book visit <http://www.earthscan.co.uk/asp/bookdetails.asp?key=4086>

GLOBALIZATION AND THE ENVIRONMENT: LESSONS FROM THE AMERICAS. By the Working Group on Development and Environment in the Americas (July 2004). The Working Group on Development and Environment in the Americas, founded in 2004, brings together economic researchers from several countries in the Americas who have carried out empirical studies of the social and environmental impacts of economic liberalisation. This policy report draws on studies from the group's first meeting in Brasilia and calls into question prevailing political arguments that rapid integration into the world economy will automatically lead to environmental improvement. The report suggests that economic liberalization in the Americas has a poor record in promoting economic growth and environmental protection. The Working Group calls for increased attention to environmental safeguards and capacity-building in the liberalization process. To access the report visit <http://ase.tufts.edu/gdae/WorkingGroup.htm>

TRADE-RELATED INTELLECTUAL PROPERTY RIGHTS, TRADE IN SERVICES AND THE FULFILMENT OF CHILDREN'S RIGHTS. By 3D-> Trade - Human Rights - Equitable Economy (September 2004). This report notes that although Botswana has emerged as a model of access to medicines and treatment services in Southern Africa because of its ground-breaking response to HIV/AIDS, including provision of free antiretroviral drugs (ARVs) and health care services to treat HIV/AIDS under the national ARV therapy programme, such progressive measures are under threat. In particular, the report describes human rights-based concerns relating to the way Botswana has implemented the WTO Intellectual

Property (TRIPS) and Services (GATS) Agreements (section II), and concerns about our intellectual property (IP) and services negotiations of the US-SACU Free Trade Agreement (section III). Since the government's provision of health services has enabled it to respect, protect and fulfil the child's right to health according to article 24 of the Convention on the Rights of the Child (CRC) and the child's right to life, survival and development according to article 6, the report makes linkages between the potential loss of children's rights and intellectual property regimes. To access the report visit

<http://www.3dthree.org/en/page.php?IDpage=23&IDcat=5>

"The WTO and the Environment: Its Past Record Is Better Than Critics Believe, But The Future Outlook Is Bleak". By Eric Neumayer in *GLOBAL ENVIRONMENTAL POLITICS* 4 (3, 2004), pp 1-8. Many have criticised the WTO's environmental record but it is argued that its jurisprudence has become increasingly environmentally friendly and many charges against the dispute settlement process are based on misunderstandings. WTO rules have, so far at least, not deterred any multilateral environmental agreements. The lack of ambitious environmental protection measures is not the fault of the WTO, but the responsibility of policy-makers from its member states. At the same time, the WTO has done little to actually promote environmental protection and the treatment of the precautionary principle in WTO rules is highly unsatisfactory. Unfortunately, this is unlikely to change in the future. The reason for this is that there is not enough support among member countries, particularly those from the developing world, to render the multilateral trade regime more environmentally friendly. The challenge is to green WTO rules in a way that is beneficial and therefore acceptable to developing countries.

"Trade and the Environment: Stuck in a Political Impasse at the WTO After the Doha and Cancun Ministerial Conferences". By Urs P. Thomas in *GLOBAL ENVIRONMENTAL POLITICS* 4 (3, 2004), pp 9-21. This paper examines the political dynamics and the legal status of environmental concerns in WTO case law and in the recent WTO negotiations. It explains how the WTO's Dispute Settlement Body plays a crucial role in the determination of the profile of environmental concerns in a trade policy context. It is not only respected by the biggest economic powers but it often has to assume a law-making function due to the vagueness of parts of the WTO agreements. The trade regime takes the environment into consideration only as exceptions to the trade disciplines. The article argues that the political dynamics are stacked against a balanced consideration of trade and environmental priorities, and the perspectives for a significantly

improved treatment of environmental issues in today's negotiation climate are assessed pessimistically.

"Moving People to Deliver Services: How Can the WTO Help?" By Sumanta Chaudhuri, Aaditya Mattoo and Richard Self in JOURNAL OF WORLD TRADE 38 (3, 2004), pp 363-393. The previous General Agreement on Trade in Services (GATS) negotiations produced little liberalisation of the movement of individual service providers (mode 4), and the potentially large global gains from such movement remain unrealized. In the current negotiations, as part of the Doha Development Agenda, developing countries are seeking greater openness in their area of comparative advantage: the movement of providers unrelated to commercial presence abroad. At the same time, many multinational firms would like easier intra-corporate movement of their personnel. This paper describes how this coincidence of interest could be harnessed to deliver greater openness at least for skilled service providers.

"Trade and Development: Assessing the Impact of Trade Liberalisation on Sustainable Development". By Clive George and Colin Kirkpatrick in JOURNAL OF WORLD TRADE 38 (3, 2004), pp 441-469. Many see trade liberalisation and strengthened trade rules as a key way to ensure development, and the Charter of the World Trade Organisation establishes sustainable development as a fundamental goal of the organization. This paper describes a new methodology, sustainability impact assessment (SIA), for assessing the potential impact of trade policy reform on sustainable development. SIA uses an integrated approach that considers the economic, social and environmental impacts of policy, promotes assessment and adoption of measures to accompany liberalisation to enhance positive impacts, and includes processes for consultation and involvement of stakeholders.

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Contributors to this issue of **BRIDGES Weekly Trade News Digest**© are Yvonne Apea, Hugo Cameron and Sarah Mohan. Editor: Malena Sell, msell@ictsd.ch. Director: Ricardo Meléndez-Ortiz, rmelendez@ictsd.ch. ICTSD is an independent, not-for-profit organisation based at: 7, ch. de Balexert, 1219 Geneva, Switzerland, tel: (41-22) 917-8492; fax: 917-8093. Excerpts from **BRIDGES Weekly Trade News Digest**© may be used in other publications with appropriate citation. Comments and suggestions are welcomed and should be directed to the Editor or the Director.

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