



INTERNATIONAL CENTRE FOR
TRADE AND SUSTAINABLE
DEVELOPMENT

Bridges

Weekly Trade News Digest

24 November 2004

Volume 8 Number 40

LEAD STORIES

WTO AGRICULTURE NEGOTIATIONS PROGRESS ON TECHNICAL ISSUES	1
AGRICULTURE: MEMBERS ESTABLISH NEW WTO COMMITTEE ON COTTON	2
PROGRESS UNDERWAY ON TRADE FACILITATION	3

OTHER STORIES

US-ANTIGUA GAMBLING DISPUTE RAISES SYSTEMIC ISSUES	4
APEC LEADERS RE-COMMIT THEMSELVES TO DOHA ROUND	5
INDIAN PATENT LAW CHANGES FACE RESISTANCE REPORT	6

IN BRIEF

UN PLANS 2005 MILLENNIUM DEVELOPMENT GOAL SUMMIT	6
SAARC ECONOMIC MINISTERS MEET IN ISLAMABAD	7
CRAFTING OF PLANT GENETIC RESOURCE TREATY PROCESS BEGINS	7

WTO IN BRIEF

WORLD BANK, IMF PRESENTATIONS SPARK DEBATE IN AGRICULTURE COMMITTEE	8
--	---

EVENTS & RESOURCES

VACANCIES	8
EVENTS	9
RESOURCES	11

BRIDGES Weekly Trade News Digest is [also available online](http://www.ictsd.org/subscribe) and is updated every week. To subscribe to BRIDGES Weekly Trade News Digest, please visit the ICTSD website at <http://www.ictsd.org/subscribe>

If you require any assistance setting up your BRIDGES Weekly Trade News Digest subscription, please contact Malena Sell, Editor, by email at: msell@ictsd.ch, or by telephone at: (41-22) 917-8319

LEAD STORIES

WTO AGRICULTURE NEGOTIATIONS PROGRESS ON TECHNICAL ISSUES

From 15-19 November, WTO delegates engaged in intense negotiations on agriculture. The talks, comprising the second "agriculture week" following agreement on a July Package for moving the Doha Round forward (WT/L/579, available at <http://docsonline.wto.org>), included detailed discussions of technical issues.

Wrapping up the week in a formal meeting of the special (negotiating) session of the Committee on Agriculture (CoA) on 19 November, Chair Tim Groser commented that the outcome was somewhat mixed, but the atmosphere had been constructive. Members had made progress on issues such as disciplining export subsidies, while talks on the Green Box (subsidies that do not distort trade) had failed to move. Members also established a sub-committee under the CoA special session to deal specifically with the issue of cotton during the meeting (see related story, this issue). Some delegates commented that the week's talks had covered a large range of issues, making it difficult to adequately engage on all fronts. Others said enough issues had to be tabled sufficiently early to allow Members to agree on full negotiating modalities -- guidelines for how to negotiate -- in time for the Hong Kong ministerial in December 2005.

Following the meeting, Brazilian Ambassador Luis Felipe de Seixas Correa commented that "We are in what I would say is a pre-negotiation phase. No one expects the negotiations to really pick up until March or April next year".

Three-pronged negotiating process

The negotiations during the agriculture week took place in three different settings: in an informal negotiating session open to the full Membership that allowed for general statements on issues under review; in more focused open-ended technical consultations that delved deeper into the issues; and in small group consultations involving technical experts.

Progress on export credit, food aid

Members addressed the issue of how to discipline export credit, guarantees and insurance, against the backdrop of the July Package, which bans credit for periods of over 180 days. The US is expected to feel most of the effects of tighter disciplines in this area. Delegates made progress on minimum cash payments, interest payments, risk sharing and other technical discussions. Members generally felt that the "Harbinson text" (a pre-Cancun negotiating text from 2003) could serve as a good basis for the negotiations in this area. A US official noted that "There weren't a whole lot of new ideas on how to improve the text," adding that, "It's likely that the Harbinson text will be the framework and there could be some additional disciplines on the margins". While some Members felt developing countries should be provided with the flexibility to make use of export credits, the EC said it did not believe that measures that increased debt were suitable in this context.

On food aid, Members generally agreed that it needs to be disciplined to make sure it was provided only when commercial options were not available. In this regard, they discussed whether food aid should only be given as "untied" finance, or fully in grant form. Recipient countries reportedly remained rather silent during the talks.

Divisions emerge over Green Box, tropical products

During the informal talks, Members disagreed over what reviewing and clarifying the Green Box referred to. The EC felt the review only implied a "health check-up," while the G-20 (major developing countries, including Brazil, India and South Africa) and the Cairns group of agriculture exporters wanted to see new disciplines on support programmes, in particular income support programmes. The G-10 (mainly developed country net food importers) stressed that the Green Box was an important tool for the transition out of trade distorting subsidies. Brazil, on the other hand, underscored that income support programmes can help producers cover risks and general costs, thus indirectly leading to higher production.

In response to Costa Rica's proposal on improved market access for tropical products (see BRIDGES Weekly, 17 November 2004, <http://www.ictsd.org/weekly/04-11-17/story2.htm>), the mainly Latin American proponents of the proposal stressed that progress in this area was long overdue. However, Members including Jamaica and Mauritius noted that important preference schemes are currently in place for tropical products like sugar and bananas; the complete liberalisation of trade in these products could harm countries dependent on these preferences.

Also discussed in detail were issues related to state trading enterprises, tariff quotas and tariff quota expansion and methodologies for capping the Amber Box support (trade distorting measures).

The next "agriculture week" is scheduled for 13-17 December. At this session, Members are expected to address the tariff reduction formula and issues Members see as being linked to it, such as "sensitive" and "special" products.

ICTSD reporting; "Progress on Export Credit Use Cited By Officials at Latest Doha Round Ag Talks," 22 November 2004; "WTO Negotiators Finish Week of Farm Talks," AP, 19 November 2004.

AGRICULTURE: MEMBERS ESTABLISH NEW WTO COMMITTEE ON COTTON

As part of the overall negotiations during the "agriculture week" spanning 15-19 November (see related story, this issue), WTO Members agreed on 19 November to establish a sub-committee under the Committee on Agriculture (CoA) special session dealing specifically with the issue of cotton. The establishment of the subcommittee was mandated in the July Package on the Doha Round (WT/L/579, available at <http://docsonline.wto.org>), which states that Members "shall ensure appropriate prioritisation of the cotton issue independently from other sectoral initiatives. A subcommittee on cotton will meet periodically and report to the Special Session of the Committee on Agriculture to review progress. Work shall encompass all trade-distorting policies affecting the sector in all three pillars of market access, domestic support, and export competition". A number of African countries as well as the US welcomed the establishment of the sub-committee, and proposed that Tim Groser (New Zealand), chair of the CoA special session, also chair the sub-committee on cotton. Pakistan called for an "early harvest" on cotton and stressed the need for all trade distorting policies to be dealt with, while Paraguay called for results by the WTO ministerial meeting in Hong Kong in December 2005.

Commenting on the new sub-committee at a press briefing, Benin's WTO envoy Samuel Amehou said, "It is an important step toward a solution of the crisis in the cotton sector. Nevertheless, a lot needs to be done in the coming months and we need to get beyond the great declarations of principle". He stressed the need for developed countries like the US to expeditiously abolish all subsidies in this sector.

The cotton initiative was originally launched by four West-African countries in 2003 in the build-up to the Cancun ministerial (BRIDGES Weekly, 4 June 2003, <http://www.ictsd.org/weekly/03-06-04/story3.htm>). It called for the phase-out of subsidies to developed country cotton producers and for a compensation mechanism to offset the income loss experienced by producers in least developed countries until the completion of the phase-out. The proponents had hoped to keep the cotton initiative on a separate track within the Doha Round, but agreed in July this year to subsume the initiative into the agriculture negotiations -- however establishing a separate sub-committee to deal with the issue.

ICTSD reporting; "WTO takes first steps towards seeking cotton deal," REUTERS, 19 November 2004; "Sub-committee set up on cotton," WTO RELEASE, 19 November 2004.

PROGRESS UNDERWAY ON TRADE FACILITATION

The second meeting of the Negotiating Group on Trade Facilitation took place on 22-23 November. The meeting consisted of a "stock-taking" process to establish the base for negotiations, with the WTO Secretariat, the World Customs Organisation (WCO), the UN Conference for Trade and Development (UNCTAD), the World Bank and the Organisation for Economic Co-operation and Development (OECD) making presentations on their work and their findings on trade facilitation.

The mandate and modalities for the negotiations on trade facilitation are set out in Annex D of the July Package (WT/L/579, available at <http://docsonline.wto.org>). "The negotiations," it specifies, "shall aim to clarify and improve relevant aspects of three Articles of the GATT 1994 with a view to further expediting the movement, release and clearance of goods, including goods in transit". The three Articles referred to are Article V, which deals with freedom of transit for goods from another member state and states that all charges imposed on goods in transit must be "reasonable"; Article VIII, which says that fees and formalities connected with importation and exportation must be about equal to the cost of the services rendered so that they do not constitute a form of indirect protection, and calls for reducing the number and diversity of such fees; and Article X, which requires all trade regulations to be clearly published and fairly administered.

Clarification and improvement of Articles V, VIII and X

The clarification and improvement of these articles will be the first item tackled in the negotiations. The Secretariat said that Members might feel the need for greater clarity with regard to some parts of the three articles. For example, Article V stipulates that all charges imposed be "reasonable". But what exactly does "reasonable" entail? How can the number of fees associated with the import and export of goods be reduced, as called for by Article VIII?

Members raise questions regarding illegal trade, security

In its presentation, the WCO focused on the importance of trade facilitation at the customs level in order to minimise unnecessary restrictions while the qualities of controls simultaneously are improved in an internationally harmonised manner. The presentation outlined the various trade facilitation and customs procedures tools developed by the WCO. It also underlined the importance of customs duties for poor developing countries, noting that customs duties ranged between 30 and 50 per cent of total treasury revenues - and in one case up to 70 percent.

In response to a question from Kenya and the EC on whether trade facilitation would lessen border controls aiming to control illegal trade and enhance security, the WCO responded that there was no evidence that trade facilitation impeded control. On the contrary, it enhanced customs controls by enabling customs authorities to focus on the areas that truly need control.

UNCTAD calls for coherent approach to trade facilitation

UNCTAD drew attention to the fact that a coherent approach to trade facilitation would require that Members move beyond customs procedures and address issues such as sanitary and phytosanitary measures, quarantine, technical barriers to trade, transport measures. The overall aim would be to simplify, harmonise, and standardise of all the measures involved. UNCTAD observed that in most countries, trade facilitation involved the ministries of trade, transport and finance as well as the private sector.

The World Bank, pointing to the "trade-barrier" effect of customs and regulatory formalities -- increasingly regarded as more significant than tariffs -- concluded that productive investment in trade facilitation, based on customs and border processing reform and modernisation, could deliver value for money and sound development results. The OECD highlighted examples of benefits in countries like Chile, Latvia,

Morocco and Uganda, which had implemented improved customs facilities.

Members highlight their priorities

Many WTO Members, both developed and developing, recognised the benefits flowing from the trade facilitation negotiations in terms of transparency, certainty, legal security and efficiency in customs procedures. The EC noted that all countries would benefit from trade facilitation and that there was no North-South divide in this regard -- the aim was a reduction of bureaucracy. Developing countries also noted concerns, however, especially regarding capacity issues.

Zambia, on behalf of the least developed countries (LDCs), called for technical assistance to be addressed as a priority, and said Members needed to put special and differential (S&D) treatment for developing countries into practice. The July Package deals states that "where required support and assistance for such infrastructure is not forthcoming, and where a developing or least-developed Member continues to lack the necessary capacity, implementation will not be required". Trade sources noted that such language is unprecedented in WTO negotiating; together provisions on technical assistance, S&D and LDCs, it had been critical to Members' agreement to initiate trade facilitation talks. During the meeting, the EC noted to need to separate technical assistance available in the WTO context, and assistance other organisations could provide.

On the future process, a trade delegate described negotiations over the next year as set to be "flexible," "evolutionary" and "Member-driven". Relevant international organisations would be invited to attend on an ad-hoc basis.

The next meeting of the Negotiating Group is due to take place next year from 7-9 February.

ICTSD reporting.

OTHER STORIES

US-ANTIGUA GAMBLING DISPUTE RAISES SYSTEMIC ISSUES

The US recently announced its intention to appeal a WTO ruling in favour of Antigua and Barbuda in a case that the island state had brought against certain US measures restricting the cross-border supply of gambling and betting services from foreign operators (see BRIDGES Weekly 17 November 2004,

<http://www.ictsd.org/weekly/04-11-17/story5.htm>). The panel found that gambling restrictions at both the federal and state levels violated US market access commitments under the WTO's General Agreement on Trade in Services (GATS). The US however emphasised that it had clearly intended to exclude internet gambling from US services commitments made during the Uruguay Round negotiations under the category of 'other recreational activities'.

If the US proceeds with its plan to appeal the decision, this dispute could drag on for years. Even in the case that the US refrains from appealing this decision, it remains to be seen how a small island with a population of 76,485 such as Antigua and Barbuda can compel compliance from a major trading partner such as the US. US trade officials have, in fact, hinted that even if the US loses its appeal, it does not intend to change its rules to comply with the ruling. In this respect, this case brings to the fore some systemic problems associated with the use of the WTO dispute settlement system by smaller developing countries.

Within the context of the ongoing negotiations to improve and clarify the existing WTO rules on dispute settlement -- the WTO Dispute Settlement Understanding Review (DSU Review) -- developing countries have expressed concern about the difficulty of small developing countries to bring challenges against powerful developed ones for reasons related to the implementation stage of disputes as illustrated by this case. They have highlighted the point that under the current rules, it is almost impossible for small countries to compel major trade and aid partners to comply with rulings against them. Secondly, the opportunity afforded to the offender to hold off the implementation of decisions for years as a result of appeals and subsequent arbitrations further aggravates the injury being caused to the particular economic industry or sector. Moreover, the remedies available to successful parties are inadequate to cushion the injury caused or to merit an initiation of the dispute in the first place. To address these concerns, some developing countries have called for enhanced remedies such as monetary compensation, retroactive application of remedies, and the need for other developing countries suffering from the measures of the offending Member to join the original developing country complainant in retaliation -- the so called 'cross retaliation' remedy. Most of these proposals, however, have not been well-received by WTO Members in the ongoing talks.

The DSU special (negotiating) session is scheduled to meet from 25-26 November.

The panel report, WT/DS285/R, is available at <http://docsonline.wto.org>

A country profile of Antigua and Barbuda is available at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/LACEXT/OECSEXTN/0,,contentMDK:20221610~pagePK:141137~piPK:217854~theSitePK:339287,00.html>

"Don't bet that U.S. will lose," THE OREGONIAN, 15 November 2004: "WTO Publishes Final Decision on Internet Gambling; U.S. to Appeal," WTO REPORTER, 12 November 2004.

APEC LEADERS RE-COMMIT THEMSELVES TO DOHA ROUND

Pacific Rim leaders recently stated their intent to put regional trade talks on the backburner and instead focus their efforts on bringing the Doha Round negotiations to completion. Heads of state from the 21 members of Asia-Pacific Economic Cooperation (APEC) met in Santiago, Chile on 20-21 November for the 12th APEC Economic Leaders' Meeting, where they declared that the current WTO negotiations were the best means to achieving the goals of trade liberalisation and facilitation that the organisation set for itself at Bogor, Indonesia, ten years ago.

APEC members include the US, China, Canada, Russia, Thailand, and Singapore; together, they account for 55-60 percent of the world's economic output as well as nearly half of all international trade. The "Bogor Goals" include free and open trade and investment in the Asia-Pacific by 2010 for industrialised economies and 2020 for developing economies.

Business leaders call for deeper APEC trade integration

In the run-up to the summit, a group of business executives on the APEC Business Advisory Council (ABAC) published a report calling for a high-level study on a Free Trade Area of the Asia Pacific (FTAAP) as a preliminary step towards creating a free trade and investment zone that would range from China to Chile. Although the report referred to the WTO as the "cornerstone... of efforts to liberalise international trade" and noted that negotiations had resumed there in the wake of the July Package, it argued that WTO negotiations alone were unlikely to result in the complete removal of trade barriers, let alone the liberalisation of investment flows, which has been dropped from the WTO's negotiating agenda.

More than 30 trade agreements are being negotiated among the 21 members of APEC. China is involved in almost all of the potential pacts; all but four of them exclude the US. The ABAC report warned that this proliferation of bilateral and regional agreements would

give rise to a "spaghetti bowl" of overlapping trade rules that would impose significant costs on business and proposed replacing the preferential trade agreements with a FTAAP.

APEC summit endorses WTO approach

Although the APEC officials at the summit "welcomed" the business group's report, they did not endorse it, preferring to reaffirm "the primacy of the rules-based multilateral trading system". They agreed to "work with a renewed sense of urgency to achieve a balanced overall outcome... [and] substantial results at the Sixth WTO Ministerial Conference" to be held in December 2005 in Hong Kong, and reiterated their commitment to technical assistance, capacity building, and "fulfilling the development objectives of the Doha Development Agenda".

The "Santiago Declaration" also took note of the fact that regional trade agreements and free trade agreements (RTAs/FTAs) help speed up trade liberalisation. Among the recommendations were "go beyond WTO commitments" and "eliminate barriers to trade and investment" as well as barriers to trade in services in RTAs/FTAs.

According to trade sources, some US companies, for their part, were urging the Bush Administration to start discussions on a FTAAP, due to fear that China's growing commercial ties to countries in the region could leave them "shut out" of markets there.

Nonetheless, APEC seems to have resolutely cast its eyes towards Hong Kong. "The concept of a free trade area of the Asia-Pacific is intriguing, but it joins countries with quite different perspectives," Canadian prime minister Paul Martin told the press during the summit. "The main focus must be on the Doha Round".

To access the Santiago Declaration, visit http://www.apec.org/apec/leaders__declarations/2004.html

The access the report on a "Preliminary Assessment of the Proposal for a Free Trade Area of the Asia-Pacific (FTAAP): An Issues Paper for the APEC Business Advisory Council (ABAC)," visit <http://www.abaconline.org/v3/documents.php?parent=1672>

"Bush is pressed on Pacific trade," BLOOMBERG NEWS, 22 November 2004; "APEC, focused on Doha, puts aside trade zone idea," ASSOCIATED PRESS, 23 November 2004; "One Community, Our Future: Santiago Declaration," APEC RELEASE, 21 November 2004.

INDIAN PATENT LAW CHANGES FACE RESISTANCE REPORT

On 24 November, officials from the United Progressive Alliance (UPA), the ruling coalition in India, met with left-wing parties to discuss the Patent Amendment Bill, scheduled to be tabled in the Indian parliament next month. The proposed amendments will address the obligation under the WTO Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), effective in India as of 1 January 2005, to introduce product patents to medicines and agro-chemicals.

However, critics of the new legislation describe some of its elements as "TRIPS-plus clauses" that do not fully take advantage of flexibilities available under TRIPS in order to safeguard accessibility and availability of drugs and medicines. Most notably, the bill does not fully incorporate the 30 August decision of the TRIPS Council on aiding countries without manufacturing capacity to access medicines (see BRIDGES Weekly, 4 September 2004, <http://www.ictsd.org/weekly/03-09-04/wtoinbrief.htm#1>), since it makes the granting of compulsory licenses for export purposes contingent upon the existence of a compulsory license for importation in the purchasing country. This could make it impossible for LDCs to import drugs from India. Since LDCs do not have to provide patents on pharmaceutical products until 2016, many of them do not have patent law institutions capable of issuing compulsory licenses.

Health rights advocacy group Affordable Medicines and Treatment Campaign (AMTC) also pointed out that the Bill fails to reform the "cumbersome" compulsory license process of the original legislation in India. They also criticised the amendment bill for proposing to extend patent protection to new uses of known drugs -- a level of protection not required by the TRIPS Agreement, and one that could allow pharmaceutical companies to maintain monopoly control over a drug long after their original patent expires. AMTC also criticised the bill for drastically curtailing public scrutiny of the process through which drugs are granted marketing approval, arguing that this threatens the public interest.

The timing of the new legislation is also a matter of contention, with the government vowing to comply with international patent laws while the opposition cautions against hurrying through "legislation for which the country might have to pay a heavy price later".

The process India is going through is likely to be replicated in a number of developing countries that have to bring their patent legislation into compliance with the WTO TRIPS Agreement.

ICTSD Reporting; "India Govt To Introduce Drug Patents Bill In Parliament," DOW JONES, 18 November 2004; "Left to oppose patent law changes," INDIA NEWS, 23 November 2004; "Letter from the Affordable Medicines Treatment Campaign to India's National Human Rights Commission," AMTC/HUMAN RIGHTS WATCH, 11 October 2004.

IN BRIEF

UN PLANS 2005 MILLENNIUM DEVELOPMENT GOAL SUMMIT

The UN General Assembly met from 22-23 November to plan for a 14-16 September 2005 Summit on the implementation of the Millennium Development Goals (MDGs). The General Assembly agreed upon a set of proposals presented by the UN Secretary General for the high-level mid-term summit, to be held in New York City. The summit will follow the format and structure of the Millennium Summit, namely, three days of plenary debate made up of two meetings per day and four roundtable discussions, but owing to security reasons and the space limitations will not include "broader participation of civil society," which is instead expected to make a "valuable contribution to the preparatory process". At the General Assembly meeting, countries welcomed the opportunity presented by the mid-term review of the MDGs. South Africa said that the review was "urgent" because progress towards the eradication of extreme poverty was uneven and deteriorating in some cases. On behalf of the "Group of 77" developing countries and China, the representative from Qatar stressed that trade was now a main avenue of revenue that could help developing nations achieve their development goals. He said there was a lack of basic resources to empower some nations to participate fully in the global trading system, and certain trade policies had effectively denied a large number of developing countries the benefits of globalisation.

During the Millennium Summit held in New York in September 2000, all 189 UN member states adopted the Millennium Declaration, which contained a core group of goals and targets that have since become known as the Millennium Development Goals (MDGs). These eight goals are centred on national targets for poverty, child mortality, maternal health, education, gender equality, and environmental sustainability and include a target for establishing an international trade and finance policy framework that favours development.

The UN Strategy for achieving the goals includes the Millennium Project, which analyses policy options and will develop a plan of implementation for achieving the Millennium Development Goals (see BRIDGES Weekly, 29 September 2004, <http://www.ictsd.org/weekly/04-09-29/story4.htm>), the Millennium Campaign, which mobilises political support, country-level monitoring and operational country-level activities.

The new Millennium Campaign Website can be accessed at <http://www.millenniumcampaign.org>

ICTSD Reporting; "Modalities, format and organization of the high-level plenary meeting of the sixtieth session of the General Assembly: Report of the Secretary-General," UN A/59/545, 1 November 2004; "General Assembly Discusses Preparations for 2005 High-Level Review of Millennium Summit," UN Press Release GA/10303, 23 November 2004.

SAARC ECONOMIC MINISTERS MEET IN ISLAMABAD

On 22-23 November the fourth meeting of the South Asian Association for Regional Cooperation (SAARC) Commerce Ministers -- attended by ministers from Bangladesh, India, Nepal, Pakistan, Bhutan and Sri Lanka -- was held in Islamabad, Pakistan. In his welcoming statement, Pakistani commerce minister Humayun Akhtar Khan said that the expansion in trade that would result from the South Asia Free Trade Agreement (SAFTA), which was signed at the SAARC Summit in January 2004, would create opportunities and regional cooperation enabling each country to succeed in eliminating hunger and poverty in the future. In their statements, countries referred to the challenges of globalisation, mutual recognition of standards arrangements, and the need for developing common SAARC positions in WTO negotiations. Ministers said that negotiations needed to be completed on issues such as sensitive products lists, rules of origin, and mechanisms for providing LDC members compensation for trade-related revenue losses as well as technical assistance. As well, ministers noted the need to conclude draft agreements on customs matters, investment protection and promotion, the establishment of a SAARC arbitration council and double taxation rules. The ministers created a special committee to examine a Sri Lankan request to request the European Commission to count the SAARC and ASEAN countries as a single region for the purposes of the rules of origin in its GSP scheme (see BRIDGES Weekly, 27 October 2004, <http://www.ictsd.org/weekly/04-10-27/story5.htm>)

ICTSD Reporting; "SAARC Commerce Ministers Meeting Concluded," PAKISTAN COMMERCE MINISTRY, 24 November 2004; "India insists Pak grant MFN status," PTI, 24 November 2004; "Granting MFN status linked to solution of Kashmir issue: Aziz," INDIAEXPRESS BUREAU, 24 November 2004; "South Asian commerce ministers meet for expanding regional trade," XINHUA, 22 November 2004.

CRAFTING OF PLANT GENETIC RESOURCE TREATY PROCESS BEGINS

The second session of the Commission on Genetic Resources for Food and Agriculture (CGRFA), acting as the Interim Committee for the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR), convened from 15-19 November in Rome, Italy. The session, which focused primarily on procedural issues, agreed to set up two groups to prepare for the first meeting of the ITPGR Governing Body, scheduled to meet in Spain in 2005 or 2006. The ITPGR (available at <ftp://ext-ftp.fao.org/ag/cgrfa/it/ITPGR.pdf>) is a legally binding instrument that targets the conservation and sustainable use of plant genetic resources and equitable benefit sharing for sustainable agriculture and food security. At the November meeting, countries agreed to establish an open-ended inter-sessional working group to address the procedural and financial rules for the Governing Body, the funding strategy and procedures for compliance. The decision followed extensive discussion on a text on procedural and financial rules. The meeting heard a report on the standard Material Transfer Agreement (MTA) from the Expert Group, which will facilitate transfer of genetic resources by setting minimum standards for access to plant genetic resources for food and agriculture (PGRFA) held in the Multilateral System for Access and Benefit sharing set up by the treaty (see BRIDGES Trade BioRes, 21 October 2004, <http://www.ictsd.org/biores/04-10-21/story3.htm>). Countries agreed on Terms of Reference for a contact group to develop a draft standard MTA for consideration by the Governing Body.

The ITPGR came into force on 29 June 2004 and is centred upon a Multilateral System for Access and Benefit Sharing, which would allow plant breeders, farmers and research institutions to access 64 important crops and forages from around the world more freely and share the benefits derived from these resources (see BRIDGES Weekly, 7 July 2004, <http://www.ictsd.org/weekly/04-07-07/inbrief.htm>). It aims to allow better access to key resources, but at the same time is constrained by lack of funds, limited negotiation capacity among participants and difficulties

deciding exactly what the benefit sharing scheme would look like.

For a full report of the meeting, see IISD's Earth Negotiations Bulletin at <http://www.iisd.ca/biodiv/itpgr2/>

ICTSD reporting.

WTO IN BRIEF

WORLD BANK, IMF PRESENTATIONS SPARK DEBATE IN AGRICULTURE COMMITTEE

In an 18 November regular session of the WTO Committee on Agriculture (CoA), the World Bank and IMF made presentations on the topic of net food-importing countries, which some delegates reacted against in their interventions. The CoA annually reviews the possible negative effects of agriculture reform on net food-importing countries. In this context, the World Bank and IMF suggested that countries carefully consider whether or not to ask for exemptions from tariff reduction commitments in agriculture negotiations, as such exemptions did not necessarily improve food security and rural development objectives, but might rather work against them. According to the World Bank, "Unfortunately [...] the concept of food security has been used in the Doha negotiations primarily to suggest that developing countries should be allowed to maintain high barriers to imports of food products as a means of increasing national production, under the rubric of 'special products' or as a component of the 'development box'," adding that, "This kind of policy is likely to have only very limited short-term benefits to farmers - and to be counterproductive to the objective of long-run structural food security". Therefore, "The concept of food security and special products could be re-defined to recognise that structural food security is generally reduced, not enhanced, by trade barriers to food imports". The Philippines -- which is part of the G-33 group of countries favouring flexibilities for developing countries in agriculture negotiations -- stressed however that the designation of 'special products' for developing countries was progressive, not regressive, and part and parcel to the talks.

The CoA meeting took place within the overall "agriculture week" from 15-19 November (see related story, this issue).

EVENTS & RESOURCES

VACANCIES

TRADE POLICY ADVISER, Oxfam GB. Oxfam (Great Britain) is seeking a Trade Policy Adviser to work in its Oxford headquarters. Knowledge of international economics and development and at least five years relevant professional experience required, preferably in public policy work. For further information, apply online at <http://www.Oxfam.org.uk/jobs> or send your application to Anni Morgan, Policy Department, Oxfam GB, 274 Banbury Road, Oxford, OX2 7DZ.

PROJECT OFFICE DIRECTOR, Marine Aquarium Market Transformation Initiative (MAMTI). MAMTI focuses on coral reef fisheries and trade reform in Indonesia and the Philippines and seeks to replace destructive collection practices for marine aquarium fish and corals in these countries with an ecologically and economically sustainable approach. The project is focused almost entirely on the village level, and will build the capacity of aquarium fish collector groups and their communities to conform to the Marine Aquarium Council (MAC) Certification Standards. The MAMTI Project Director will manage the implementation of the project and will be responsible for ensuring the proper allocation of human and capital resources, developing and implementing financial and program-related project controls, establishing an effective management and communications framework and providing feedback to MAC regarding opportunities and challenges encountered in the field. Extensive experience directing complex resource management projects in developing countries, preferably in relation to coastal/marine resources, building multi-site business operations in developing countries, at least 10-15 years of progressively responsible experience in either or both fields and fluency in English and knowledge of Tagalog and/or Bahasa Indonesia will be valuable. The position will begin in January. Applications should be sent no later than 15 December 2004. For further information and to apply contact Melissa Clack, email: Mamti.job@ceaconsulting.com; Internet: <http://www.cciforum.org/careers.html>.

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: 25 November to 1 December

Ongoing, Online: INTERNATIONAL REGULATIONS WITHIN THE CONTEXT OF A SOLIDARITY SOCIO-ECONOMY IN THE ERA OF NEOLIBERAL GLOBALISATION. This electronic workshop is a joint initiative by the Pacific Asia Resource Center and the Workgroup on Solidarity Socio-Economy (WSSE), which is a part of the Alliance for a Responsible, Plural and United World. Five topics will be discussed in the E-forum: debt cancellation, IMF/WB and Regional Development Banks, Currency Transaction Tax (CTT), WTO, TNCs. The debates and discussion will then be integrated in the proposals that will be presented in the UN Summit for Reviewing the Millenium Development Goals to be held in September 2005. For further information, contact Julie de los Reyes, email: intreg@socioeco.org; Internet: <http://intreg.socioeco.org/en/participation.php>.

17-25 November, Bangkok, Thailand: THE 3RD IUCN WORLD CONSERVATION CONGRESS: "PEOPLE AND NATURE, MAKING THE DIFFERENCE". Organised by the World Conservation Union (IUCN). The Congress will consist of a three-day World Conservation Forum and a four-day Members' Business Assembly. During the Forum, IUCN members, partners and interested stakeholders will debate options that safeguard the ecosystems upon which future prosperity depends. During the Assembly, IUCN members - governments and NGOs - will approve the 2005-2008 Programme Framework and Financial Plan, elect officers, consider resolutions and recommendations, and set the membership dues. For further information, contact: IUCN, tel: (+41 22) 999-0232; fax: (+41 22) 999-0020; email: ursula.hiltbrunner@iucn.org; Internet: <http://www.iucn.org>

17-26 November, Prague, Czech Republic: 16TH MEETING OF THE PARTIES TO THE MONTREAL PROTOCOL. Delegates attending MOP-16 will continue their negotiations to phase out the use of various ozone-depleting substances such as hydrochlorofluorocarbons and methyl bromide. For further information contact the Ozone Secretariat, UNEP, tel: +254-2-62-3850; fax: +254-2-62-3601; email: ozoneinfo@unep.org; Internet: http://hq.unep.org/ozone/Meeting_Documents/mop/16mop/16mop.asp

29-30 November, Vienna, Austria: NEW FOUNDATIONS FOR EUROPEAN AND GLOBAL GOVERNANCE? THE ACHIEVEMENTS OF EUROPE'S CONSTITUTIONALISATION. This international conference is going to discuss the impact of the "Constitutional Treaty for Europe". Are there European concepts of global governance? Will the constitutional treaty strengthen Europe's position as a global player in international fora? In what way are the interfaces between European and global governance affected by the constitution, especially regarding the WTO? For more information and registration, visit <http://fgr.wu-wien.ac.at/institut/ef/events.html>

29 November to 2 December, Beijing, China: UNIVERSITY PROFESSOR TRAINING PROGRAMME ON THE WTO AND SUSTAINABLE DEVELOPMENT. This 4-day training workshop is organised by the UN University - Institute of Advanced Studies (UNU-IAS), in collaboration with the WTO. The workshop will provide training on WTO and sustainable development issues for 40 university professors from North East Asia. Trainees will come from developing (China, Mongolia and Russia) and developed countries (Hong Kong, Taiwan, Macau, Japan and South Korea) in North East Asia. The workshop aims to provide participants with an understanding of the WTO's rules and regulations and their implications for sustainable development, including topics such as trade and environment, trade and health, etc. The programme also aims to promote the integration of these topics into university curricula, in order to enhance developing countries' capacity to participate and negotiate in the multilateral trade system in a more meaningful way. For further information contact Dr. Joy Kim, UNU-IAS, email: kim@ias.unu.edu; tel: +81-45-221-2316.

29 November to 3 December, Dakar, Senegal: GLOBAL WASH FORUM 2004 - WATER, SANITATION AND HYGIENE FOR ALL - SOLUTIONS AND ACTIONS, LOCAL AND NATIONAL. Organised by the Water Supply and Sanitation Collaborative Council (WSSCC), the first Global WASH Forum aims to draw lessons from the success of water, sanitation and hygiene programmes, sector reforms and development partnerships in poverty eradication. It also endeavours to strengthen regional and national partnership initiatives aimed at attaining the relevant goals of the World Summit on Sustainable Development and the Millenium Development Goals. For further information, contact Saholy Ravelojaona, tel: 41-22-917-8657; fax: 41-22-917-8084; email: wsscc@who.int; Internet: <http://www.wsscc.org/Dakar>

30 November to 4 December, Penang, Malaysia: SEVENTH ASIAN FISHERIES FORUM. Organised by the Asian Fisheries Society, this Forum will include symposia, plenary and technical sessions to address

the status of Asian fisheries. It will include a technical session on globalisation and the WTO. For further information contact the Forum Secretariat, tel: +60-4-653-3888 ext.3961; fax: +60-4-656-5125; e-mail: 7aff2004@usm.my; Internet: <http://www.usm.my/7AFF2004>

1-3 December, Salvador, Brazil: WORLD TOURISM FORUM FOR PEACE AND SUSTAINABLE DEVELOPMENT (WTF). The first WTF Annual Summit is organised jointly by the World Tourism Organisation, UNESCO, UNDP, the government of Brazil and the Tourism for Peace and Sustainable Development Foundation. The summit will offer a programme of technical and mobilizing events - meetings, lectures, panel discussions, workshops and seminars. Fairs and exhibits will showcase solutions and best practice examples, proposals, investments, business initiatives, new products and services. For further information, contact the World Tourism Forum, tel: +55 71 324-4400; fax: 55 71 324-4401; email: info@worldtourismforum.org; Internet: <http://www.worldtourismforum.org>

1-4 December, Bangkok, Thailand: PACIFIC ETHANOL & BIODIESEL CONFERENCE & EXPO II: DEVELOPING AN ETHANOL & BIODIESEL INDUSTRY. Over 400 representatives of the international biofuels industry will gather for the largest Australasian biofuels conference to learn about this growing industry in the region. Topics to be discussed during the conference include legislative support and government incentives for biofuels, construction of commercial ethanol and biodiesel plants, feedstock sources, biomass conversion, commodities trading, export markets, as well as many technical presentations. For further information, contact Kim Hoogeveen or Randy Stratton, tel: +01 605 338 6829; email: info@pacificethanol.com; Internet: <http://www.pacificethanol.com>

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.

25 November: WTO COMMITTEE ON SPECIFIC COMMITMENTS.

25 November: WTO COUNCIL FOR TRADE IN GOODS.

25-26 November: WTO DISPUTE SETTLEMENT BODY - SPECIAL SESSION.

26 November: WTO COUNCIL FOR TRADE IN SERVICES.

29 November: WTO TRADE POLICY REVIEW BODY - BRAZIL.

29 November: WTO COUNCIL FOR TRADE IN SERVICES - SPECIAL SESSION.

29 November: WTO COMMITTEE ON BALANCE-OF-PAYMENTS.

30 November: WTO COUNCIL FOR TRADE IN SERVICES.

30 November: WTO COUNCIL FOR TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS - SPECIAL SESSION.

30 November: WTO WORKING PARTY ON THE ACCESSION OF YEMEN.

1 December: WTO TRADE POLICY REVIEW BODY - BRAZIL.

1-2 December: WTO COUNCIL FOR TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS.

Other Upcoming Events

6-9 December, Cairo, Egypt: WORLD CONFERENCE ON ENERGY FOR SUSTAINABLE DEVELOPMENT - TECHNOLOGY ADVANCES AND ENVIRONMENTAL ISSUES. Organised by the National Renewable Energy Laboratory and the Arab Academy for Science and Technology and Maritime Transport, this conference seeks to provide a forum for discussions between energy experts, technology users and manufacturers/suppliers, decision makers and planners, and interested business for the near-term deployment of sustainable energy technologies and concepts, particularly in relation to the Middle East. For further information, contact Fuad Abulfotuh, Arab Academy, email: mceet@link.net; Internet: <http://www.aast.edu/mceet/confindex.htm>

6-9 December, Delhi, India: INFORMATION SOCIETY AND SUSTAINABLE DEVELOPMENT: NEXT GENERATION POLICY DIRECTIONS. The International Development Research Centre (IDRC) and the International Institute for Sustainable

Development (IISD) are organising this inception workshop. The purpose of this event is to bring together researchers, members of the project international advisory committee, and IISD staff from the Winnipeg headquarters, to discuss the expectations and substantive background for this project. For further information, contact Kelly Moore, tel: +1 (204) 958-7716; fax: +1 (204) 958-7700; email: kmoore@iisd.ca; Internet: <http://www.iisd.org>

9-10 December, Brussels, Belgium: ACP FISHERIES MEETING. Organised by the Economic Affairs Division of the Commonwealth Institute. For further information, contact the Commonwealth Institute, email: a.Kahenya@commonwealth.int; Internet: <http://www.thecommonwealth.org>

18-20 January 2005, Ahmedabad, India: EDUCATION FOR A SUSTAINABLE FUTURE. The Centre for Environment Education, Ahmedabad, India, in partnership with the Government of India, UNEP and UNESCO will host "Education for a Sustainable Future" – an international conference to mark the beginning of the UN Decade of Education for Sustainable Development (UNDESD). The conference will be organized around 19 thematic workshops, ranging in focus from strengthening public participation and capacity-building for sustainable development, to integrating ESD in the formal curriculum, and using ESD to address specific issues and challenges in sustainable development. For further information, contact ESF, tel: +91-79-26858002; fax: +91-79-26858010; email: esf@ceeindia.org; Internet: <http://www.ceeindia.org/esf/index.htm>

7-8 February 2005, London, England: GLOBAL TOURISM IN THE 21ST CENTURY: MANAGING ENVIRONMENTAL, SOCIAL AND BUSINESS RISKS. Organised by Chatham House in partnership with the World Travel and Tourism Council, this conference will analyse the impact of tourism on the destination countries and examine the potential threats to the industry's revenue streams. Delegates will learn mitigating strategies to counterbalance these threats as well as about increasing the commitments to the industry by the many and different stakeholders at the supranational, national and local levels. For further information, contact Dino Ribeiro, tel: +44 (0)20 7321 2045; Fax: +44 (0)20 7321 2045; email: Dribeiro@chathamhouse.org.uk; Internet: <http://www.chathamhouse.org.uk/index.php?id=5&cid=65>

OPTIONS. By the Commonwealth Secretariat (August 2004). Many preferential access schemes are being phased out. Commitments both from the previous Uruguay Round and the ongoing Doha Round negotiations threaten to erode the value of preferential access in the short-, medium and long-term. Despite the average positive welfare gains for many countries, there is a sub-set of trade preference dependent countries who may suffer net losses. Trade preferences generate quota rents; that is, income transfers to preferred exporters from tariff revenue foregone in preference granting markets. The paper discusses this and related issues. To access the paper visit [http://www.isodec.org.gh/Papers/PDEs&MultilateralLiberalization-\(Aug%202004\)1.pdf](http://www.isodec.org.gh/Papers/PDEs&MultilateralLiberalization-(Aug%202004)1.pdf)

TRADE POLICY IN THE PRODI COMMISSION 1999-2004: AN ASSESSMENT. By the European Commission. Pascal Lamy, the outgoing EU Trade Commissioner, provides an overview in the foreword. The paper reviews: multilateralism; opening markets; development; transparency / legitimacy; key sectors; and social questions. To access the report visit <http://trade-info.cec.eu.int/doclib/html/120087.htm>

"Like Products, Health & Environmental Exceptions: The Interpretation of PPMs in Recent WTO Trade Dispute Cases". By Robert Read in the ESTEY CENTRE JOURNAL OF INTERNATIONAL LAW AND TRADE POLICY (vol. 5 nr. 2). This article is concerned with the ongoing debate on process and production methods (PPMs) and the extent to which existing GATT 1994 articles and WTO agreements are able to deal with these issues. The article provides an overview of GATT articles III.4 on like products and XX on general exceptions as well as the SPS and TBT agreements. It then summarises four recent GATT/WTO trade dispute cases involving PPM issues: tuna-dolphin; shrimp-turtle; gasoline standards; and asbestos. The WTO panel and appellate body decisions in these cases are analysed with regard to articles III.4 and XX in the context of the evolution of WTO case law with respect to PPMs. Inferences are also drawn concerning the likely implications for a potential trade dispute over GM products between the EU and the United States. The article then draws some policy conclusions. To access the article visit <http://www.esteyjournal.com>

RESOURCES

PREFERENCE-DEPENDENT ECONOMIES AND MULTILATERAL LIBERALISATION: IMPACTS AND

Back issue of **BRIDGES Weekly Trade News Digest** © can be accessed at: <http://www.ictsd.org/weekly/archive.htm>

BRIDGES Weekly Trade News Digest © is published by the International Centre for Trade and Sustainable Development (ICTSD), <http://www.ictsd.org>. Contributors to this issue of **BRIDGES Weekly Trade News Digest** are Yvonne Apea, Trineesh Biswas, Sarah Mohan, Karen Martell and Mahesh Sugathan. Editor: Malena Sell. Director: Ricardo Meléndez-Ortiz, rmelendez@ictsd.ch. ICTSD is an independent, not-for-profit organisation based at: 13, ch. des Anémones, 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.

BRIDGES Weekly Trade News Digest is made possible in 2002 - 2004 through the generous support of the Government of the United Kingdom (DFID). Additional support is provided by ICTSD's core donors: the Governments of Finland, Denmark, the Netherlands and Sweden; Christian Aid (UK), MISEREOR, NOVIB (NL), Oxfam (UK) and the Swiss Coalition of Development Organisations (Switzerland). **BRIDGES Weekly** also benefits from support for the **BRIDGES** series of publications including: the Rockefeller Foundation, the John D. and Catherine T. MacArthur Foundation and the Swiss Development Cooperation.

ISSN 1563-003X