



Bridges Trade BioRes

News, events and resources at the intersection of trade and biodiversity

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Sustainable Development

CLIMATE, ENERGY FEATURE IN TRADE DISCUSSIONS

Climate change made headlines at a trade meeting between Pacific rim nations in Vietnam, although participants remained divided in their approach to the issue.

The annual Asia-Pacific Economic Cooperation (APEC) forum -- held in Hanoi from 18-19 November to discuss trade issues, including the Doha Round -- brought together countries that represent close to 60 percent of the world's economy and 50 percent of its trade, including both countries that embrace and reject the Kyoto

Protocol.

Meanwhile, EU Trade Commissioner Peter Mandelson -- speaking in advance of a key summit between the EU and its principal foreign energy supplier, Russia -- said that trade policy has an important role to play in alleviating tensions in the energy sector. He called for supra-national solutions, as "the twin challenges of security of supply and climate change cannot be overcome at the national level".

Climate change makes its way into APEC declaration

Speaking in advance of the APEC leaders' summit, New Zealand's Prime Minister Helen Clark suggested adding climate change to the agenda. "The dire economic effects of unchecked climate change should be addressed by APEC," said Clark, stressing that "without the commitment to sustainability you'll get neither growth nor development if climate change continues unchecked." She said the recent Stern Review detailing the costs of unchecked climate change (see Bridges Weekly, 1 November 2006, <http://www.ictsd.org/weekly/06-11-01/inbrief.htm#3>) provided the impetus for her proposal for APEC to take on climate change.

Australian Prime Minister John Howard, for his part, promoted the Asia-Pacific Partnership on Clean Development and Climate at the summit. The partnership focuses on new technology to deal with climate change rather than setting mandatory emissions cuts like the Kyoto Protocol. Environmentalists have widely dismissed the approach as not going far enough.

According to Howard, "No country, developed or developing, will agree to climate change measures which imperil its energy security". He added that "much of the Kyoto framework reflects a European mindset. Europe's contribution is important, but it

is crucial that our own region's perspective be reflected in any climate change discussions and decisions."

Australia and the US are the sole two developed countries to have rejected the Kyoto Protocol. They are looking mainly to technology for a fix to the climate change problem, and are strongly advocating the participation of major developing countries in any efforts made.

The draft APEC ministerial statement included language encouraging member countries "to transition to low-carbon energy systems" and called for "rapid transfer of low-carbon technologies to lower-income economies".

The final APEC statement mentions climate change under the heading of energy security, and leaves out any reference to either the Kyoto Protocol or the Asia-Pacific Partnership on Clean Development and Climate. According to the statement, ministers "also noted the need to address the environmental side effects of rapidly growing energy demand". In particular, they urged APEC to consider ways in which it might further contribute to promoting cleaner energy, thereby addressing energy security, improving air quality, and advancing climate change objectives. Next year's APEC meeting in Sydney is expected to follow up on this.

The 21 APEC members include Australia, Canada, China, Japan, Mexico and the US; the EU and India, along with Brazil, are among the world's few major economies that do not belong to APEC.

Getting the troubled Doha Round negotiations back on track was the main focus of the APEC meeting (see Bridges Weekly, <http://www.ictsd.org/weekly/06-11-22/story3.htm>).

The complexities of energy trade

Mandelson, speaking at a conference on strategic energy policy in Brussels on 21 November, emphasised the role that trade policy can play in providing stability to energy markets. According to Mandelson, "more international rules can provide stability and fill the legal vacuum that is currently the source of international tension and insecurity". He stressed that "we cannot afford to have energy become a geopolitical bargaining chip". Both buyers and sellers have an interest in predictable energy markets, as the sector requires long-term investment. Yet some producers have been weary of

international rules, which they feel may interfere with their sovereign right to exploit their natural resources and maximise profits.

The EU has included energy as a strategic area of its new trade strategy (see Bridges Trade BioRes, 3 November 2006, <http://www.ictsd.org/biores/06-11-03/story2.htm>). At the conference, Mandelson emphasised the importance of bilateral agreements to cover issues such as market access, resources and infrastructures, transit, investment, competition and disputes related to energy. Multilateral rules under the WTO need to be better applied to the energy sector, according to Mandelson. However, he cautioned that these rules have been tailored to deal with market access, not access to resources. One should also bear in mind that many energy producers -- notably, OPEC members -- were not yet part of the WTO when the rules were negotiated. Several large producers have either recently entered the organisation or are still in the process of accession.

Mandelson also directly addressed the link between energy policy and climate change, which he said was "an issue affecting our very survival and which will be the single greatest public policy challenge of this century".

EU-Russia summit yields scant results on energy

The summit between the EU and Russia on 24 November provided little in the way of progress on energy cooperation. Internal schisms in the EU hindered the bloc from taking a strong and united stance, and Russia continued to hold off on signing the Energy Charter Treaty.

Poland vetoed the launch of talks for renewing the EU-Russia partnership and co-operation agreement (PCA) because of a Russian ban on meat imports from the country. Russia further threatened to extend the ban to all EU meat as Bulgaria and Romania enter the EU at the beginning of next year. The entry of the former Soviet satellite states is a sensitive issue for Russia, which claims the sanitary conditions of their meat sectors are inadequate. The existing PCA will remain valid until a new agreement comes into force.

EU energy imports are currently at 50 percent and set to increase to 70 percent, Russia being the major source. Russia has separate agreements with several major EU countries in this area. As Russia has signed but not ratified the Energy Charter Treaty,

the PCA represents the best tool for governing energy trade between the two trade parties.

The Energy Charter Treaty sets out binding protections for trade and investment in the energy sector, as well as rules for energy transit. Russian ratification would open the sector for investment by EU companies, and allow them to export oil and gas produced there through Russian pipelines. The treaty would also ensure that Russia did not discriminate against EU companies.

Additional resources

The Joint Statement of the Eighteenth APEC Ministerial Meeting is available at http://www.apec.org/apec/ministerial_statements/annual_ministerial/2006_18th_apec_ministerial.html

Mandelson's speech on energy trade can be viewed at http://ec.europa.eu/commission_barroso/mandelson/speeches_articles/sppm133_en.htm

ICTSD reporting; "Trade, climate change top APEC agenda," THE AGE, 13 November 2006; "Climate change grabs attention at Asia-Pacific summit," INTERNATIONAL HERALD TRIBUNE, 17 November 2006; "Clark wins Apec backing for climate change move," NEW ZEALAND HERALD, 19 November 2006; "Few results at EU-Russia summit," THE PARLIAMENT, 27 November 2006; "EU-Russia summit marred by tensions," EURACTIV, 27 November 2006; "Calls for Climate Change Action at Asia-Pacific Summit," REUTERS, 20 November 2006.

NAIROBI CLIMATE MEETING FOCUSES ON FUTURE CLIMATE ACTION

Amid rising greenhouse gas emissions and a heightened focus on the economic costs of global warming, a two-week long UN climate change conference in Nairobi left both government delegates and civil society representatives with the feeling that they had accomplished little.

The UN Climate Change Conference - Nairobi 2006, encompassing the twelfth meeting of the Conference of the Parties (COP-12) of the UN Framework Convention on Climate Change (UNFCCC) and the second meeting of the parties to the Kyoto Protocol (COP/MOP-2), was held from 6-17 November.

Given the location of the conference -- it was the first such climate conference to be held in sub-Saharan Africa -- the impacts of climate change, which are projected to hit poorer countries most harshly, were already apparent to participants. Much of the focus of the meeting was on adaptation and on the difficulties African countries are already facing as a result of climate change. Outgoing UN

Secretary-General Kofi Annan put his weight behind calls for concrete action by announcing a new UN multi-agency Nairobi Framework to secure additional funding for clean energy in African countries.

Multi-track approach for the post-Kyoto regime

Future action to combat climate change, especially after the Kyoto Protocol's emissions reduction requirements expire in 2012, was extensively discussed at the meeting.

These discussions took place on several tracks, the broadest being a "Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention". The second workshop of this ongoing dialogue consisted of presentations and discussions on market-based opportunities, adaptation and the effective use of technology. All parties to the UNFCCC participate in the dialogue, including countries that have rejected the Kyoto Protocol, such as the US and Australia.

A working group charged with negotiating new post-2012 commitments for Annex I countries -- the developed countries that have committed to binding emissions reductions under the Kyoto Protocol -- also continued talks in Nairobi. Participants agreed to a plan of work, but did not set dates for how to wrap up these talks as demanded by the developing countries. Instead, they simply underscored the need for an "energetic and timely pursuit" of the work programme.

Among other things, parties could not agree on a suggestion by the EU and Norway to set an 'aspirational' long-term goal for the Kyoto Protocol as a whole, such as target ceilings for temperature increase or greenhouse gas concentrations in the atmosphere. Certain Annex I countries insisted that future targets needed to reflect the range of options available to parties in order to ensure that they were achievable. Furthermore, they argued that in order to be effective, a future regime would require a broad commitment to emissions reduction from all parties -- developed and developing countries alike.

Future work in this group is set to focus on three aspects: analysis of mitigation potential and ranges of emission reduction objectives; analysis of possible means to achieve mitigation objectives; and consideration of further commitments.

In particular, the future work on mitigation could have crucial implications for how action under the climate regime could relate to initiatives in other policy fora that relate directly or indirectly to global production and competitiveness.

Also on the agenda was a review of the Protocol as mandated by Article 9. This issue was contentious because the review provides a signal for future action. The review could conceivably lead to the conclusion that in order for the Kyoto Protocol to be effective, all countries need to make emissions reduction commitments -- something emerging developing countries are resisting to do, especially until they see developed countries show leadership in terms of their own action. In the end, countries agreed to hold a second review in 2008, which they stressed "shall not lead to new commitments for any party".

Meanwhile, both environmental groups and the private sector are looking for speedier action. Industry groups including the World Business Council for Sustainable Development (WBCSD) called upon governments to quickly agree on a policy framework for the post- 2012 period, preferably by 2008, in order to give them longer-term certainty for investment decisions. Both carbon markets and projects to reduce emissions stand to expand with a clear framework for the years beyond 2012.

Additional resources

Meeting documents are available at http://unfccc.int/meetings/cop_12/items/3754.php.

Daily reporting was provided by IISD Linkages, <http://www.iisd.ca/climate/cop12/>.

ICTSD reporting; EARTH NEGOTIATIONS BULLETIN Vol. 12 No. 318, 20 November 2006; "Climate conference settles on next steps to negotiate future emissions cuts," ASSOCIATED PRESS, 17 November 2006; "Nairobi climate talks end in deal," BBC NEWS, 17 November 2006; "Little progress at climate summit," THE GUARDIAN, 18 November 2006.

Commentary

BIOFUELS BUZZ CONTINUES IN NAIROBI, GENEVA

By Gueye Kamal, Senior Programme Manager - Environment Cluster, ICTSD

Biofuels, a hot topic connecting the trade and climate communities, drew significant attention at the UN Climate Change Conference held from 6-17

November in Nairobi -- particularly at side events and in the corridors. The potential of these clean-burning natural fuels in developing countries was further explored at an expert meeting convened by the UN Conference on Trade and Development (UNCTAD) from 29 November to 1 December in Geneva.

Both meetings addressed similar concerns with regard to a transition towards a sustainable bioenergy strategy. While biofuels hold promise with regard to curbing carbon dioxide emissions, reducing dependence on imported fuels and generating employment in the agricultural sector, they also pose challenges with regard to their potential impact on food security, environmental sustainability and social justice.

Discussions on biofuels in Nairobi and Geneva centred around the general trends in global trade, as well as subsidies, food security, energy and environmental benefits, and certification and labelling. Participants also considered the steps toward second generation biofuels and talked about the fact that rule-making has yet to catch up with market forces in the area of biofuels.

Global trade in biofuels likely to expand

While only one tenth of global biofuel production currently is internationally traded, this trade is expected to grow considerably. This is mainly due to the divide between countries with comparatively lower production costs and those with the greatest demand for biofuels. The recent discussions highlighted the fact that to maximise trade opportunities, a better understanding of international trade rules that influence the production and trade of biofuels is needed. The key rules revolve around market access -- including issues of tariff and non-tariff barriers, subsidies, and the question of whether standards and certification mechanisms are needed in order to ensure environmental and social sustainability of production and trade.

Among the issues raised was the fact that while international trade in ethanol is growing fast, most of it is trade in end products, not feedstock. Accordingly, the growth in ethanol trade during the period from 2000 to 2004 did not affect trade in commodities. International trade in biodiesel remains very limited, and consists mainly of trade in feedstock. While developing countries are generally seen as having a strong comparative advantage in the emerging biofuels market, successful developing

countries face escalating tariffs and non-tariff barriers. In addition, exporters do not benefit from general preference schemes (GPS, schemes put in place by developed countries granting tariff preferences to developing countries) or duty- or quota-free market access benefits.

Subsidies to biofuels a tricky issue

Subsidies received much attention in the discussions, not least because domestic agricultural support accounts for a large share of both production and trade-distorting subsidies, and many heavily-subsidised crops can also be used in the production of biofuels. Support to biofuels takes many forms, including tariffs, subsidies and tax cuts. They also occur various levels, including the national, sub-national and local government levels, and at various stages of the production/consumption chain.

Certain forms of support are both economically and environmentally unsound: the Global Subsidies Initiative indicates that it costs some US\$500 in federal and state subsidies to reduce one metric ton of CO₂-equivalent through the production and use of corn-based ethanol. That could purchase more than 30 metric tons of CO₂-equivalent offsets on the European Climate Exchange, or nearly 140 metric tons on the Chicago Climate Exchange.

While many participants recognised the need for some form of initial support to make biofuels economically viable, they also widely shared the view that subsidy disciplines might be needed to prevent a distorted global market.

Impact on food security

The impact of the production of biofuels from food crops such as corn, wheat, soybeans and sugar was raised as a major concern. Since cereal grains make up 80 to 90 percent of food for people worldwide and more than 800 million people are still affected by malnutrition, potential impacts on food security and global food prices -- which may be positive for some and negative for others -- require further study.

The UN Food and Agriculture Organisation (FAO) presented research findings, which indicate that energy prices above US\$30-35/bbl directly affect agricultural prices. The price links between agriculture and energy markets rises with rising energy prices, as most feedstock become competitive energy sources. In addition, bioenergy

can affect all four dimensions of food security -- availability, access, stability and utilisation. Food availability is likely to decline as more food is used as biofuel feedstock, while access to food might increase as producers earn more cash that allows them to buy food.

On the optimistic side, the Copernicus Institute presented some modeling results indicating that with new technological development in production efficiency, one fifth of land currently used for agriculture and pasture could suffice to feed the world by half-way this century.

Understanding the real energy and environmental benefits

Large scale expansion of biofuel production could present serious risks of further encroachment into the world's forests, damage to local and global biodiversity, as well as provide an incentive to extend monoculture in agriculture. In addition, a better understanding of the effective energy and greenhouse gas balance of biofuels is needed, including of whether biofuels produce more energy than is used in their production, and whether they offset more greenhouse gases than they generate during their life-cycle. The discussions saw a general agreement on the fact that certain agricultural crops had much better energy and environmental benefits than others, and that care was needed in the choice of crops. Participants highlighted the suitability of plants like jatropha and sorghum to the natural conditions of regions such as Africa. China highlighted a national target having a 10 percent ethanol blend in 50 percent of gasoline sold by 2010, with sorghum and jatropha showing most promise.

Certification and labelling

In the discussions, many participants supported the certification of biofuels to ensure an environmentally and socially sustainable mode of production. However, certification in this area may be complex. It may affect trade and could result in unnecessary barriers to trade, a concern many participants from developing countries raised. They stressed that the process of developing sustainability criteria for biofuels should be fair, participative and inclusive, and that mutual recognition of certification schemes should be pursued as well.

Speeding up the transition to second generation biofuels

Most participants shared the view that first generation biofuels using sugar or starch crops as feedstock share many limitations. They create competition with food use, the plants are optimised for food, not energy, and only part of the plant is converted to biofuels, meaning GHG and energy benefits are relatively modest. However, they can be blended with existing petroleum-derived motor fuels, minimising necessary infrastructural changes. So-called second generation biofuels are generating much hope. These biofuels are derived from lignocellulose (crop residues, grasses, woody crops) to create thermochemical fuels (Fischer-Tropsch liquids, dimethyl ether, mixed alcohol). In addition, "cellulosic ethanol" can be used with some existing technologies in the fossil fuel industry.

In relation to technological development, participants raised questions pertaining to the potential implications of the intellectual property regime and patents on the transfer of technology and technological cooperation. Others raised issues related to genetically modified organisms that could be used as feedstocks, as well as plant variety, which may also have implications for the bioenergy industry.

Catching up with market forces

Many participants felt that market forces already are steering development of international bio-energy markets, while regulatory frameworks are still at an initial stage of development. UNCTAD reported that at the moment, around 50 developed and developing countries have set up regulatory frameworks on bioenergy in the form of blending targets, subsidies, government procurement preferences etc. However, much remains to be done in order to have in place adequate policy and regulatory frameworks to guide the energy global market towards sustainability.

Part of this process could involve country assessments that would help create a better understanding better of the potential of various regions and countries to produce and trade biofuels in a sustainable manner. Indeed, biofuels may not be a panacea for all countries given difference in natural, social and economic conditions.

Participants in both meetings recognised that biofuels were a promising source of energy with major implications for global competitiveness,

energy security, climate change and socio-economic development. However, they may also lead to uncertain social and environmental consequences. As many of biofuels' opportunities and challenges are likely to be influenced by current and future trade rules and disciplines, participants stressed the need to involve all relevant stakeholders in crafting these rules to maximise the contribution of biofuel trade towards a sustainable global bioenergy strategy.

WTO

EU DECIDES NOT TO APPEAL WTO BIOTECH RULING

The European Commission has decided not to appeal the WTO panel ruling against the EU's application of its approval procedures (see Bridges Trade BioRes, 6 October 2006), letting the 28 November deadline for lodging an appeal elapse. Several civil society groups have sharply criticised Brussels' decision, voicing concerns that some of the panel's conclusions could undermine other bodies of international law.

While several EU member states -- among them countries such as France, Austria, Luxembourg and Greece whose national-level bans were judged to violate WTO rules -- had called on the Commission to appeal the ruling, they failed to garner support of a critical mass of member states. No specific procedures exist within the EU to determine whether to launch an appeal; in practice, the decision has traditionally been taken by the Commission, which usually consults the membership but does not put the decision to a vote.

Sources speculated that the Commission's decision had been influenced by weighing up the likelihood of fundamental improvements in the ruling -- expected to be low in this case -- vis-à-vis the risk of obtaining a less favourable ruling. Among the possible risks, a new ruling could result in a stricter definition of a de facto (or unwritten) measure which could limit the EU's scope for challenging other countries' de facto measures in the future.

The EU will now need to negotiate a timeframe for implementing the ruling with the complainants (commonly within 16 months or less).

Following the release of the dispute panel's report in September, GeneWatch, the Royal Society for the Protection of Birds (RSPB), the Forum for

Biotechnology and Food Security and the GM Freeze campaign had urged EU Trade Commissioner Peter Mandelson to appeal the ruling, pointing to "serious errors" in its interpretation of trade law. Specifically, the groups warned that the ruling could undermine the precautionary principle, because the panel concluded that it was not obliged to take other international treaties into account if not all parties to the dispute were also parties to these treaties. "The precautionary principle is a key element of national environment and health policy and should not be dispensed with by the WTO," said Alex Gonzalez-Calatayud, Trade Policy Officer of the RSPB.

Their sentiments were echoed by Greenpeace, which fears that the ruling could lead to the further fragmentation of international law. "Governments must take urgent action to restrict the power of the WTO, so it cannot be used to undermine environmental laws," said Trade Policy Advisor Daniel Mittler. In a letter addressed to WTO Director-General Pascal Lamy, Greenpeace called for environmental disputes to be removed from the global trade body "as the WTO is not equipped to deal with such cases effectively".

The legal analyses released by the civil society groups as well as other documents related to the dispute are available on the ICTSD website.

ICTSD reporting.

DOHA ROUND TALKS RESUME IN GENEVA

Geneva-based trade diplomats have stepped up the pace of talks at the WTO after receiving the green light from Director-General Pascal Lamy to resume discussions on all issues in the troubled Doha Round negotiations. The chairs of most of the negotiating groups have been consulting with delegations to try to determine how best to proceed. However, no path out of the impasse in the talks has become visible, as Members have not explicitly come forward with changed bargaining positions.

Delegates had been meeting amongst each other informally since July, when work in the various negotiating groups ceased with the suspension of the talks due to persistent differences on farm trade. On 16 November, Lamy gave a speech to Members authorising what trade diplomats are calling a 'soft relaunch' of the negotiations.

Lamy, however, left it to the negotiating group chairs to decide how to move forward, "bearing in mind the different circumstances" of their respective committees. The WTO chief also said that "fully-fledged negotiations" -- especially those at the ministerial-level -- would remain premature until Members came forward with concrete new proposals, particularly for expanding agricultural market access and cutting farm subsidies.

In this context, discussions on environment are not at the fore. The chair of the Committee on Trade and Environment (CTE) special session, Ambassador Toufiq Ali (Bangladesh) has, however, held some smaller informal meetings on the way forward.

Chairs proceeding at different paces, led by ag

Sources report that the negotiating group chairs have largely been sounding out Members to hear their views on the state of the talks. While some are still at the stage of meeting with individual delegations or small groups of them, others -- most notably the chair of the crucial farm trade negotiations -- have already convened gatherings of the entire WTO membership, or are planning to do so soon.

Agriculture Chair Ambassador Crawford Falconer (New Zealand) has held a series of 'fireside chats' with a group of around two dozen ambassadors, focusing on market access and domestic support issues. He already organised one 'transparency forum' on 10 November for all Members to discuss the talks (see Bridges Weekly, 15 November 2006, <http://www.ictsd.org/weekly/06-11-15/story2.htm>). Delegates indicate that he plans to hold three more 'fireside chats' before the end of the year, as well as additional meetings for the entire membership.

Alongside these consultations, delegates indicate that different groups of countries have been working to refine their negotiating positions, notably with regard to the specific flexibilities that developed and developing countries will receive to shield some products from the full force of tariff cuts.

As for the negotiations on non-agricultural market access (NAMA) -- the third side of what Lamy has coined a 'triangle' of central issues in the Doha Round together with farm subsidies and tariffs -- Chair Ambassador Don Stephenson (Canada) has also been consulting with different delegations and

Member groupings. Sources suggest that he has been attempting to ascertain if countries have any new concessions to offer, as well as whether they want to resume NAMA discussions immediately from where they left off in July, or to wait for signs of initiative from the farm trade talks before starting in earnest.

Environment also discussed

Consultations on environmental goods and services have not yet expanded to include all Member delegations at once. On 24 November, Ambassador Ali convened separate meetings for the proponents of each of the two main methodologies proposed for expediting trade liberalisation for environmental goods and services. Sources suggest that differences remain largely intact between the mostly developed countries that favour the 'list' approach that would identify specific eligible products, and supporters of the 'project' approach that calls for temporarily liberalising access for goods used in approved environmental projects. Ali said that he would continue his consultations, and asked countries to be ready for further meetings.

Overall, there is only a brief 'window of opportunity' for delegates to complete negotiations before the US President's 'trade promotion authority' (TPA) mandate expires in July (under the TPA, the US Congress can either accept or reject trade agreements, but not open them up to modification). Sources in the US indicate that given signs of progress in the Doha Round over the next months, the TPA could likely be extended to allow the president to sign the final deal by the end of the year.

"US rebuffs European plan to invigorate Doha," REUTERS, 27 November 2006; "EU proposes ministers push soon for Doha deal," REUTERS, 27 November 2006; "US Congressmen: WTO progress would influence farm bill, TPA decisions," ASSOCIATED PRESS, 29 November 2006.

VIETNAM SET TO ENTER THE WTO, IMPLEMENT NEW ENVIRONMENTAL MEASURES

Vietnam, a resource-rich country and major exporter of textiles, seafood, coffee and furniture, is set to become the 150th member of the WTO. In parallel with efforts to support its rapidly growing economy, the country is also undertaking an overhaul of its environmental policies.

Vietnam ratified its WTO membership agreement on 28 November, paving the way for the nation to

enter the organisation on 28 December, 30 days after the National Assembly vote. The WTO General Council formally approved its entry on 7 November (see Bridges Weekly, 8 November 2006, <http://www.ictsd.org/weekly/06-11-08/story2.htm>). Over the last two decades, communist Vietnam has gradually implemented free-market reforms, attracting foreign investors who show increasing interest in the country. Although its economy is relatively small, Vietnam's economic growth topped eight percent last year, foreign investment surged by nearly 50 percent and exports increased by over 20 percent.

On 10 November, the Vietnamese Ministry of Natural Resources and Environment announced that it was developing an environmental protection plan in line with international standards to coincide with the country's WTO entry. According to the ministry, the aim of the plan is to contribute to reducing the impacts of the country's rapid economic growth on the environment and use of natural resources.

WTO commitments on goods and services

Vietnam is actively preparing for making use of all opportunities of accessing the global market and coping with the challenges of opening the door to foreign goods and services when the country enters the WTO.

In its WTO membership package, Vietnam committed to lowering many tariffs for agricultural and non-agricultural goods and agreed not to subsidise agricultural exports. It also committed to opening previously protected economic sectors to foreign investors, such as banking, financial services and telecommunications. Reforms that need to be undertaken by Vietnam include the implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, compliance with the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement as well as the WTO agreements dealing with rules (such as subsidies and anti-dumping).

Trade Minister Truong Dinh Tuyen said that WTO membership would bring both benefits and costs. He noted that increased trade and investment would boost the economy, but fierce foreign competition might bankrupt some companies and cause social dislocation within the country. WTO membership, he said, would provide Vietnam access to the dispute settlement mechanism, assuring that

its disputes with its trade partners would be resolved on a more level playing field.

Good environmental governance

Meanwhile, the recently-established Ministry of Environment and Natural Resources (MoNRE) will co-operate with the Finance Ministry to provide VND3,500 billion (US\$218 million) for national environmental protection programmes in 2007. The aim is for Vietnam to comply with international environmental standards. The MoNRE is developing a plan that calls for different economic sectors, businesses and civil society to implement environmental measures. The plan also encourages foreign enterprises to invest in infrastructures for the treatment of environmental pollution in industrial production sectors and wastewater treatment.

According to the environment ministry, new regulations on environmental taxes, environmental protection fees and deposits for an Environmental Protection Fund are set to be implemented in the near future.

While the policy and institutional framework for environmental management is improving, the capacity to plan and actually achieve environmental sustainability outcomes remains a challenge. For example, most Vietnamese enterprises are small and medium-sized, and lack the means to implement the environmental management systems such as ISO (International Standard Organisation) 14000. These companies would need government assistance and technical support.

According to Permanent Deputy Minister of Environment and Natural Resources Pham Khoi Nguyen, Vietnam's WTO admission will create competition between domestic and foreign providers of environmental services, which will help improve their quality. International funding is also becoming a major contributor to environmental efforts in Vietnam. Several foreign donors have said they would allocate 15-20 percent of official development assistance funding for environmental protection programmes.

Background: Vietnam's key environmental challenges

Land degradation is a major environmental problem in Vietnam. It is partly caused by timber exports, which fuel the overexploitation of forest through unsustainable logging practices. Degraded steep

slopes and deforested landscapes are now very susceptible to soil erosion during heavy rains. Despite recent increases in forest area, forest quality remains a concern.

In addition, rapid expansion in aquaculture activities for fish export (especially shrimps and catfish) has caused major challenges in the areas of environmental sustainability as well as social equity. Mangroves and wetlands have substantially declined, raising concern about coastal fish yields.

Surface, coastal and ground waters are threatened by pollution. Downstream sections of major rivers reveal poor water quality and most of the lakes and canals in urban areas are rapidly becoming under threat. Rapid urbanisation and industrialisation in coastal areas, expansion of tourism, and an increase in the number of oil spills are all contributing to the deterioration of coastal water quality.

Additional resources

For further details on Vietnam's WTO membership package, see http://www.wto.org/english/news_e/pres06_e/pr455_e.htm.

"Vietnam's WTO Membership Ratified", FOX 28, 28 November 2006; "Vietnam Environment", THE WORLD BANK; "Gov't Builds Environmental Plan", VIETNAM NET, 15 November 2006; "Vietnam Earnmark \$218 Mln For Environmental Protection", THANHNIEN NEWS, 10 November 2006; "WTO Formally Approves Vietnam Membership", REUTERS, 7 November 2006; "Vietnam Prepares For Post-WTO Era", PEOPLE'S DAILY ONLINE, 7 November 2006.

In Brief

WASHINGTON PLEDGES TO HELP INDONESIA COMBAT ILLEGAL LOGGING

Washington and Indonesia signed an agreement on 16 November to work together to put an end to illegal logging in the Southeast Asian island nation. The US pledged an initial US\$1 million for programmes to help save the threatened forest habitat that is home to, among other, the world's remaining 50,000 to 60,000 orangutans.

The money will be used to improve law enforcement capabilities through remote sensing devices and by supporting various conservation groups. The US and Indonesia have also pledged to share information on trade in illegal lumber products and to cooperate on law enforcement efforts.

Illegal logging is a serious problem in Indonesia, where 70 to 80 percent of logging is done illegally on public lands, and efforts by authorities to suppress the practice have resulted in violence and even the deaths of some forest police, park rangers and NGO members.

US President Bush said the agreement sought to "fight illegal logging while promoting trade in forest products that does not threaten the region's environmental quality". Carter Roberts, CEO of the environmental group WWF in the US, praised the agreement, stating that the "WWF is eager to support the US and Indonesian governments in this promising initiative because it complements much of our ongoing work to prevent illegal logging and enhance trade in sustainable forest products".

The agreement, which was written up in a memo on the margins of the Asia Pacific Economic Cooperation meetings held in Hanoi (see related story, this issue), is the first of its kind for both the US and Indonesia. Indonesian President Susilo Bambang Yudhoyono told reporters that the US had also pledged to help the Southeast Asian nation develop biofuels and eradicate bird flu.

The EU has established its own programme to combat illegal logging and trade in related timber products, based on voluntary partnerships with exporting countries (see Bridges Trade BioRes, 28 May 2003, <http://www.ictsd.org/weekly/03-05-28/inbrief.htm#3>).

"US, Indonesia Agree to Target Illegal Logging," ENVIRONMENT NEWS SERVICE, 20 November 2006; "US, Indonesia Sign Pact to Fight Illegal Logging," REUTERS, 20 November 2006.

WTO MEMBERS AGREE IN PRINCIPLE TO EXTEND CONFLICT DIAMOND WAIVER

WTO Members have agreed in principle to renew for six years a decision allowing countries to block trade in conflict diamonds.

At a meeting on 20 November, the Council for Trade in Goods accepted the text of a draft deal that would allow parties to the Kimberley Process Certification Scheme for Rough Diamonds to continue to waive WTO rules in order to restrict trade in uncertified diamonds. The draft must now be formally adopted by the General Council, the WTO's top permanent decision-making body. The original waiver, approved in early 2003, was scheduled to expire on 31 December 2006 (see

Bridges Weekly, 27 February 2003, <http://www.ictsd.org/weekly/03-02-27/story3.htm>).

The Kimberley Process excludes conflict diamonds from legal international markets through a series of certification requirements and trade restrictions. Participant countries must certify that diamonds produced on their territory do not finance rebel groups seeking to overthrow UN-recognised governments. Diamond trade with countries that are not members of the scheme is completely banned.

In order to comply with Kimberley Process requirements, Members resort to some measures that would ordinarily violate WTO obligations. Specifically, they need to be able to discriminate between diamonds based on their country of origin (which runs counter to the most-favoured nation principle). They also must have the ability to place outright bans on diamond exports and imports -- and apply them selectively on only some WTO Members, which ordinarily would run counter to WTO rules. The original waiver was hailed as an example that WTO strictures were flexible enough to accommodate other international rules.

The process was the product of cooperation among governments, the diamond industry, and the advocacy groups that first drew public attention to the fact that diamonds were being used to fuel armed conflict. Kimberley Process members are believed to account for 98 percent of legal international trade in diamonds.

The waiver decision covers Australia, Botswana, Brazil, Canada, Croatia, India, Israel, Japan, Korea, Malaysia, Mauritius, Mexico, Norway, Philippines, Sierra Leone, Chinese Taipei, Thailand, United Arab Emirates, United States and Venezuela.

ICTSD reporting; "Goods Council considers new EC enlargement, extends Kimberley waiver," WTO NEWS, 20 November 2006.

TOUGH DAY FOR MARINE CONSERVATIONISTS AS STRINGENT TUNA QUOTAS FAIL

Wrapping up a 10-day meeting in Dubrovnik, Croatia, ICCAT (the International Commission for the Conservation of Atlantic Tunas) announced a reduction of the annual bluefin tuna fishing quota to 25,500 tonnes by 2010; a mark which is roughly 75 percent of the current quota of 32,000 tonnes. The new quota will apply to the Eastern Atlantic

and Mediterranean, where the vast majority of the world's tuna are found.

While all of the meeting's attendees recognised that current bluefin catches are not sustainable, governments and environmental groups were at loggerheads over just how much the quota should be reduced. The US, backed by Canada, Norway, and St. Pierre and Miquelon, agreed with ICCAT scientific assessments, which proposed that Eastern fishing quotas should be halved to 15,000 tonnes to stabilise the population at the level of maximum sustainable yield. The EU, Algeria, Turkey, Libya, Tunisia, Morocco, China, Japan and Korea disagreed, supporting and ultimately passing the more lenient 25,500 tonne quota.

Sergi Tudela of the campaign group WWF lambasted the decision, claiming that it "sounds the death knell for bluefin tuna in the Mediterranean".

French Farm Minister Dominique Bussereau criticised the conservation plan for other reasons, saying the lack of effective enforcement measures would penalise legal fisheries in favour of poachers. Scientists report that widespread illegal fishing is a big reason for the precipitous decline of the Eastern tuna population.

Information on tuna fishing is available on a website jointly managed by the tuna Regional Fishery Management Organisations (RFMOs) at <http://www.tuna-org.org/>.

"Environmentalists Slam EU Over Tuna Catch Deal," REUTERS, 28 November 2006; "Fishing Nations Split Over Endangered Bluefin Tuna Conservation," ENVIRONMENT NEWS SERVICE, 27 November 2006.

EUROPEAN COMMISSION PROPOSES BAN ON TRADE IN CAT AND DOG FUR

On 20 November, the European Commission introduced a proposal to ban imports, exports and sales of cat and dog fur. The legislation is being introduced on animal welfare grounds, based on active requests by civil society organisations and Members of the European Parliament.

According to European Health and Consumer Protection Commissioner Markos Kyprianou, consumers "do not find it acceptable to farm cats and dogs for their fur, nor do they want products containing such fur sold on the European market". Reportedly, such fur has illegally been entering the EU market, often labelled as synthetic. China has

been pinpointed as the main source, with cats and dogs being bred for their fur in the country.

The International Fur Trader Federation has however voiced concern over what it calls an unnecessary ban. According to the group, its own voluntary code is sufficient to prohibit cat and dog fur from entering the trade.

Some observers have also noted that the ban could potentially be challenged under WTO rules for being discriminatory. However, the likelihood of such a challenge to be raised appears small, as it would be politically unpopular and could, for example, lead to consumer boycotts.

Some EU member states had already introduced similar bans on cat and dog fur nationally. The European Parliament as well as member states have yet to adopt the new legislation. The US, Australia, Switzerland and New Zealand have already implemented similar bans.

"Questions and Answers on the proposal to ban cat and dog fur in the EU," EU PRESS RELEASE, 20 November 2006; "EU moves to ban trade in cat, dog fur," EU BUSINESS, 20 November 2006; "Cat and dog fur trade banned by EU," THE TIMES, 21 November 2006.

Events & Resources

EVENTS

For a more comprehensive list of events in trade and sustainable development, please refer to ICTSD's web calendar, <http://www.trade-environment.org/page/calendar.htm>.

Coming up in the next two weeks

30 November to 8 December, Geneva, Switzerland: TENTH SESSION OF WIPO INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE. The meeting will cover traditional cultural expressions/folklore; traditional knowledge, including draft guidelines on the recognition of traditional knowledge in the examination of patent applications; and genetic resources. For more information, contact the IGC Secretariat; tel: (41-22) 338-8161; fax: (41-22) 338-8120; e-mail: grtkf@wipo.int; Internet: http://www.wipo.int/meetings/en/details.jsp?meeting_id=11222.

1-2 December, Beirut, Lebanon: REGIONAL SEMINAR ON SUSTAINABLE DEVELOPMENT AND COMPETITIVENESS OF THE AGRO-FOOD SECTOR. Some topics addressed at this UN Economic and Social Commission for Western Asia seminar include

strategies for overcoming obstacles that are hindering the growth of the agro-food sector, ways of enhancing competitiveness through clusters and networks, safety and technical regulations, and labelling and marketing. For further information contact Issa Toubbeh, tel: (+961) 1-978117; fax: 981501; e-mail: toubbeh@un.org; Internet: <http://www.escwa.org.lb/divisions/sdpd/events/1-2dec05.pdf>.

4-5 December, Abuja, Nigeria: SUMMIT ON FOOD SECURITY IN AFRICA. Held under the auspices of the African Union and New Partnership for Africa's Development (NEPAD), the themes covered are Availability, Accessibility and Affordability. For further information visit <http://www.nepad.org/2005/files/agriculture/SUMMITONFOODSECURITYINAFRICATECHNICALSESSI ONDEC4-72006.pdf>.

4-5 December, Santa Cruz de la Sierra, Bolivia: FIRST INTER-AMERICAN MEETING OF MINISTERS AND HIGH-LEVEL AUTHORITIES ON SUSTAINABLE DEVELOPMENT. The meeting will identify and advance concrete partnerships at the regional and hemispheric level to integrate environmental considerations into development, poverty alleviation, social and economic policies. For further information, contact Joaquin Tamayo, Department of Sustainable Development; tel: (1-202) 458-3506; fax: (1-202) 458-3560; e-mail: JTamayo@oas.org; Internet: <http://www.oas.org/main/main.asp?sLang=E&sLink=h> http://www.oas.org/dsd/MinisterialMeeting/ReunionInternAm_eng_v1.htm.

8 December, Geneva, Switzerland: WTO COMMITTEE ON TRADE AND ENVIRONMENT. For further information, contact the WTO Information and Media Relations Division, Geneva; tel: (41 22) 739 5007; fax: (41 22) 739-5458; email: enquiries@wto.org.

11-13 December, Geneva, Switzerland: EXPERT MEETING ON ENABLING SMALL COMMODITY PRODUCERS AND PROCESSORS IN DEVELOPING COUNTRIES TO REACH GLOBAL MARKETS. Organised by UNCTAD. This meeting will examine the problems faced by small commodity producers seeking to enter organised supply chains. It will examine the relevant issues in this regard and formulate proposals on how governments and commercial entities can partner with each other in building viable commodity supply chains for the benefit of marginal commodity producers in developing countries. For further information, visit <http://www.unctad.org/Templates/meeting.asp?intItemID=2068&lang=1&m=11909>.

11-15 December, New York, USA: UNFF OPEN-ENDED AD HOC EXPERT GROUP. The Expert Group will consider the content of a Non-Legally Binding Instrument on all types of forests prior to the seventh session. For further information, contact the

UNFF Secretariat; tel: (1 212) 963 3160 / 3401; fax: (1 917) 367 3186; e-mail: unff@un.org; Internet: <http://www.un.org/esa/forests/adhoc-nlbi.html>.

12-15 December, Nairobi, Kenya: AFRICAN REGIONAL WORKSHOP ON SUSTAINABLE USE. Organised by the Secretariat of the Convention on Biological Diversity and the Government of the Netherlands, and hosted by the UN Environment Programme (UNEP). This will be the third in a series of technical expert workshops on ecosystem services assessment, the sustainable use of biological resources, and the financial costs and benefits associated with conservation of biodiversity. For more information see <http://www.biodiv.org/doc/meeting.aspx?mtg=RWSU AFR-01&tab=3>.

14 December, Hong Kong, China: INTERNATIONAL SYMPOSIUM ON SUSTAINABLE FISHERIES AND TRADE LIBERALISATION. This event, organised by JF ZENGYOREN (the National Federation of Fisheries Cooperative Associations of Japan) and YUTAIKYO (the All Japan Seafood Import Consultative Group), will discuss necessary considerations for forthcoming trade rules with regard to ensuring the sustainable development of fisheries and fishing communities. For further information contact JF ZENGYOREN, tel: (+81) 3-3294-9617; fax: 3294-9602; e-mail: kokusai-sato@r6.dion.ne.jp.

14-15 December, Geneva, Switzerland: WTO GENERAL COUNCIL. For further information, contact the WTO Information and Media Relations Division, Geneva; tel: (41 22) 739 5007; fax: (41 22) 739-5458; email: enquiries@wto.org.

14-15 December, Beirut, Lebanon: REGIONAL SEMINAR ON ENVIRONMENTAL LABELLING ON FAIR-TRADE AND ECO-LABELLING. The seminar is organised by the DELTA association. During the past few years, businesses in developing countries have had to comply increasingly with international requirements related to environmental impacts. This meeting will also be an occasion to share information and new research and to discuss the opportunity of establishing labels in the Middle East and to address the procedures. For further information visit <http://www.sba-int.ch/pdf/files/FairTradeIncentives.pdf> and <http://www.sba-int.ch/Library.htm#14>.

14-16 December, Bangalore, India: 3RD FUTURE ENVIRONMENTAL TRENDS CONFERENCE: ENERGY, ENVIRONMENT, AND DEVELOPMENT - ANALYSING OPPORTUNITIES FOR REDUCING POVERTY. This meeting is organised by the Institut Veolia Environnement (IVE), The Energy and Resources Institute (TERI), and the Institute for Sustainable Development and International Relationships (IDDRI). It will focus on challenges for sustainable development that arise from the nexus between energy, environment, and poverty. For further information, contact: Ulka Kelkar, TERI India; e-mail:

eed@teri.res.in; Internet:
http://www.teriin.org/events_inside.php_id_17298

Other Upcoming Events

17-19 December, Algiers, Algeria: DESERTIFICATION AND THE INTERNATIONAL POLICY IMPERATIVE. This conference will interlink with and build upon other meetings and conferences held in 2006 to celebrate the International Year of Deserts and Desertification. It is hosted by the Algerian Government and organised by the UN University (UNU). For further information, contact Caroline King, UNU, Ontario, Canada; tel: (1-905) 525-9140, Ex. 24517; fax: (1-905) 529-4261; e-mail: conference@inweh.unu.edu; Internet: <http://www.inweh.unu.edu/inweh/drylands/IYDD.htm>

RESOURCES

BIOFUELS PRODUCTION, TRADE AND SUSTAINABLE DEVELOPMENT: EMERGING ISSUES. By Annie Dufey. International Institute for Environment and Development, November 2006. Concerns about global warming, high oil prices and energy security have all contributed to a renewed global interest in biofuels as an alternative to oil for transport. This interest is reflected in the rapid expansion of biofuel markets. But what are the implications of this expansion for sustainable development? This paper seeks to provide a preliminary identification of the main sustainable development issues involved in the debate about the production and trade of biofuels. For more information about accessing this report, visit <http://www.iied.org/pubs/display.php?o=15504IIED&n=2&l=6&a=A%20Dufey&x=Y>.

BIOENERGY AND AGRICULTURE: PROMISES AND CHALLENGES. Peter Hazell, and R. K. Pachauri (eds.), November 2006. This set of policy briefs examines the potential opportunities and risks bioenergy may pose for poor people and farmers in developing countries. The briefs consider economic, social, environmental, and science and technology issues. They look at how increased bioenergy production may affect the global food balance and examine the need for further research and development in the bioenergy field. Lessons from the experiences of Europe, as well as Brazil and other developing countries, are reviewed. Recommendations on how to move forward to develop bioenergy in ways that can serve the poor and the environment are presented. To access the publication visit <http://www.ifpri.org/2020/focus/focus14.asp>.

THE PROMISES AND CHALLENGES OF BIOFUELS FOR THE POOR IN DEVELOPING COUNTRIES. By Joachim von Braun, director general of the International Food Policy Research Institute and R. K. Pachauri, director general of The Energy and Resources Institute in New Delhi, India. Essay in the International Food Policy Research Institute 2005-2006 Annual Report. In the past several years, the changing world energy situation has generated intensive discussion

about biofuels, much of it promising a source of environment-friendly energy that would also be a boon to the world's farmers. At the same time skeptics argue that biofuel production will threaten food supplies for the poor and fail to achieve the environmental benefits claimed. This essays explores questions such as: What are the risks and opportunities? What would it take for biofuels to help poor farmers and consumers? To access the report, visit http://www.ifpri.org/pubs/books/ar2005/ar2005_essay.asp

THE MAGNITUDE AND DISTRIBUTION OF FUEL SUBSIDIES: EVIDENCE FROM BOLIVIA, GHANA, JORDAN, MALI, AND SRI LANKA. By David Coady et al. International Monetary Fund, November 2006. With the recent jump in world oil prices, the issue of petroleum product pricing has become increasingly important in developing countries. Because many governments are reluctant to pass these price increases onto energy users, energy price subsidies are absorbing an increasing share of scarce public resources. This paper identifies the issues that need to be discussed when analyzing the fiscal and social costs of fuel subsidies. Using examples from analyses recently undertaken for five countries, it also identifies the magnitude of consumer subsidies and their fiscal implications. The results of the analysis show that in all of these countries energy subsidies have significant social and fiscal costs and are badly targeted. To access this paper, visit <http://www.imf.org/external/pubs/cat/longres.cfm?sk=19912>.

AN 'AGENDA FOR CHANGE': QUANTIFYING CLIMATE CHANGE IMPACTS ON NATURAL RESOURCE-BASED ECONOMIES. By James MacGregor, Hannah Reid, and Linda Sahlen, October 2006. This is the IIED's third assessment report of the Intergovernmental Panel on Climate Change (IPCC) which makes clear that even if the Kyoto Protocol is fully implemented, inertial in climatic systems mean that climate change is unavoidable. It concludes that climate change impacts will fall heavily on arid countries in Africa. To access this report, visit <http://www.iied.org/pubs/pdf/full/11057IIED.pdf>.

THE ENERGY CHALLENGE FOR PACIFIC ISLAND COUNTRIES. By MJ Mace, October 2006. This report by IIED finds that one of the most prominent development challenges for Pacific Island countries is access to affordable energy supplies. The high cost of petroleum products affects all sectors, impacting islanders' day to day life and undermining achievement of the UN Millennium Development Goals. To access this report, visit <http://www.iied.org/pubs/pdf/full/11065IIED.pdf>

ENERGY & CLIMATE - A CONTRIBUTION TO THE DIALOGUE ON LONG TERM COOPERATIVE ACTION. World Business Council for Sustainable Development, November 2006. This

publication offers some initial thinking on possible options for action on climate change within a revised framework after 2012. According to the report, such a revised framework would learn and build from existing international agreements and incorporate new long-term goals. To access the report, visit <http://www.wbcsd.org/templates/TemplateWBCSD2/1ayout.asp?type=p&MenuId=ODU&doOpen=1&ClickMenu=RightMenu>.

FACTORS UNDERPINNING FUTURE ACTION. By Niklas Höhne, Dian Philipsen and Sara Moltmann, October 2006. Prepared by Ecofys for the UK Department for Environment Food and Rural Affairs (DEFRA), this report discusses options for a future

international climate agreement following the first commitment period of the Kyoto Protocol. The objective is to provide an analytical basis for such discussions, and it includes fact sheets with detailed data for 47 countries that provide current emission trends, underlying drivers and a summary of the climate change related policies as well as assessment of the level of emissions that individual countries would be allowed under different scenarios for a future international climate agreement compatible with limiting temperature increase to 2°C. To access the report, visit http://www.fiacc.net/data/Factors_underpinning_future_action.pdf.

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