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Due to a public holiday, the next issue of BRIDGES Weekly Trade News Digest will be published on 2 April.

LEAD STORIES

NAMA TALKS BUDGE SLIGHTLY, AS WTO MEMBERS LOOK FORWARD

After months of near-complete deadlock, some hints of flexibility have emerged in the Doha round talks on trade in industrial goods, officials say.

Although it remains unclear whether governments will be able to bridge their differences, many countries have reportedly demonstrated willingness to consider some potential ideas circulated by the chair of the WTO negotiating committee on how developing countries might trade deeper tariff cuts off against wider exceptions for some products, so as to reach an acceptable compromise.

At the very least, said one delegate, countries were showing an "increased level of engagement." At a session of the non-agricultural market access (NAMA) negotiating committee on 14 March, Chair Ambassador Don Stephenson (Canada) sounded less frustrated than he had in recent meetings, another source added.

Members have long been divided on two of the most crucial parameters in the NAMA talks: the 'formula' that will determine the future tariff levels of developed and many developing countries, and the 'flexibilities' that will determine the extent to which the latter will be able to shield some products from the full force of global competition. Progress on the two issues is critical for Members' efforts to strike a framework deal on agriculture and manufacturing trade in the upcoming month or two.

In a draft agreement he circulated to Members on 8 February, the chair, Canadian Ambassador Don Stephenson, pointed to the complete absence of consensus. He suggested that they explore tradeoffs between the formula and the flexibilities, such as a 'sliding scale' between the two, in search of a deal. When, by the end of the month, there were few signs

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that Members were doing so, Stephenson came forward with some ideas for what they might consider (see BRIDGES Weekly, 5 March 2008, <http://www.ictsd.org/weekly/08-03-05/story3.htm>).

The link between the formula and the flexibilities is straightforward: countries might accept lower formula 'coefficients' (which become future tariff ceilings) if assured greater latitude to protect sensitive sectors from those very tariff reduction obligations, and vice versa.

Stephenson's February text, like an earlier version issued last July, called for coefficients of 8 or 9 for developed countries, and 19-23 for developing countries.

These figures have been sharply criticised by members of the NAMA-11 group such as Argentina, Brazil, and India, which argue that they demand far more of developing nations than of industrialised countries, and are disproportionate to the farm reforms on offer in the agriculture negotiations.

The February text - unlike the one from July 2007 - did not include any potential figures for developing country flexibilities. The earlier text had provided for allowing developing countries to subject 10 percent of tariff lines to reductions half as steep as those ordinarily required (so long as this does not cover more than a tenth of manufacturing import value). Alternatively, they would be allowed to exclude 5 percent of tariff lines from reduction altogether (albeit limited to only 5 percent of manufacturing imports). These '10/5' figures were in square brackets signifying the absence of agreement.

Sliding scale

Of the various options that Stephenson set out for trying to satisfy demands for deeper tariff cuts and targeted protection, sources said that Members seemed most willing to discuss a limited 'sliding scale', with three separate options for the coefficient and flexibilities. Although he had specified that the numbers in the informal document "do not prejudge or prejudice the position of Members," Stephenson's examples for this option had a 'pivot' coefficient of 21, for which developing countries would have the '10/5' flexibilities present in the July 2007 text. As one alternative, countries could accept a coefficient of 19, and in return, be allowed to designate up to 14 percent of tariff lines for a 'half-formula' cut, or exempt 7 percent of lines from cuts altogether. At the opposite end of the scale, governments could choose to not use the flexibilities at all - and would get a coefficient of 24 instead.

Stephenson will have to produce another draft text before Members can start a 'horizontal' negotiating

process involving trade-offs against agriculture, in an attempt to enable ministers to strike a deal on agriculture and NAMA by April or May. In discussions last week on what this potential text should contain, sources said that the NAMA-11 called for the text to include the possibility of higher coefficients than the '10/5' figures. For instance, the number of products eligible for half-formula cuts could be "10+x" percent of tariff lines; the proportion eligible for complete exclusion could be "5+y" percent.

Several countries, including the US, acknowledge that ministers alone can agree on the small set of numbers that will ultimately determine countries' pain and gain in industrial trade. This stands in contrast to the agriculture negotiations, where officials still need to resolve a number of underlying matters in order to present ministers with a manageable number of issues to resolve at a still-theoretical meeting.

New text must reframe formula, flexibilities

One delegate said that Members need to agree on the 'pivot' - the value of the coefficient at the point in the sliding scale corresponding to the 10/5 flexibility numbers. Brazil said at the committee meeting that the 'exchange rate' between the formula and flexibilities would also have to be negotiated. The objective for the new NAMA text would be to reframe the terms for the formula and the flexibilities in a way that would maximise ministers' chances of success, the official added.

Sources said that the increased willingness among Members to discuss the sliding scale might have been facilitated by NAMA talks in London last week among officials from the EU, the US, and Brazil.

Among Stephenson's other suggestions that garnered significant interest was an option that would have left the coefficients alone, but varied the number of products eligible to be shielded from the formula in accordance with the size of the deviation from standard tariff obligations. For instance, if 5 percent of tariff lines were eligible for no cut, and 10 percent for a 'half-formula' cut, then countries could be allowed to subject 7.5 percent of tariff lines to tariff reduction equal to only one-fourth of what would be demanded by the formula (or 12.5 percent of lines to tariff cuts equivalent to three-quarters those required by the formula). Another option would allow countries to use part of their entitlement for 'half-formula' cuts to exclude a lower number of tariff lines from reduction altogether.

Canada, Iceland, Japan, Norway, Switzerland, and the US collaborated on an informal paper setting out a "formula plus sectors" approach, in which those developing countries that elect to participate in sector-

specific liberalisation initiatives would be rewarded with "credit" in the form of a higher coefficient. The value of credit would be negotiated, potentially varying based on the number of tariff lines and share of world manufacturing trade covered by the sector in question, and be granted to all developing countries that participate in the initiative.

"Formula plus sectorals" was one of the options that Stephenson had presented to Members for balancing ambition with flexibility. The new paper stressed that participation in sectoral initiatives - which have been proposed for a wide range of products, from fish and forestry products to chemicals and toys - remained non-mandatory.

Sources say that Members including Hong Kong, Singapore, and Thailand expressed support for the ideas in the new paper, while Mexico, Chile, and India were among those that said they were uninterested.

The percentage of manufacturing trade volume that the flexibilities will be allowed to cover was not directly addressed, although sources report that Stephenson said that there was "some support" for increasing it beyond the 10/5 numbers, although this would be a "sweetener". Argentina and other members of the NAMA-11 have unfavourably contrasted the trade volume cap on NAMA flexibilities to the absence of similar limits on the share of farm trade that industrialised countries will be able to shelter from the full force of tariff cuts.

Real divisions persist

Despite the increased willingness to discuss potential tradeoffs within the NAMA negotiations, some statements at the recent meeting pointed to the very real divisions that persist. For instance, the US reportedly insisted that it could not accept a developing country coefficient higher than 23 - a figure that some developing countries have rejected in the past. And when Norway and several developing nations said that the coefficient for rich countries should be below 8, the US and the EU refused.

Furthermore, agreeing on NAMA 'modalities' will require more than just numbers for the formula and flexibilities. It will require agreement on special tariff treatment for small and vulnerable economies, and for the dozen-odd developing countries with a low proportion of bound tariffs. A deal will also have to pass muster with the group of least-developed countries, which though not required to cut tariffs as part of the Doha Round, have asked for greater clarity on how other countries will go about granting duty- and quota-free access to LDC exports, as well as on a mechanism for reviewing

Members' implementation of their commitments to do so.

'Green room' looks at scope of talks

As the agriculture and NAMA negotiating committees work towards new texts - possibly to be issued by the chairs in the first week of April, or even the last week of March - WTO Director-General Pascal Lamy has been holding a series of invitation-only 'green room' meetings with some 30-odd delegations in an attempt to determine the scope of a potential ministerial decision to be taken in April or May.

Such a decision would have to be centred on modalities for agriculture and NAMA. However, different countries want a range of different issues to be addressed, ranging from services to protection for regional food names to anti-dumping rules, prompting fears that the agenda might become so crowded that it would become impossible to strike a deal (see BRIDGES Weekly, 20 February 2008, <http://www.ictsd.org/weekly/08-02-20/story2.htm>).

The first 'green room' meeting, on 13 March, agreed that new texts would be necessary on both agriculture and NAMA before horizontal negotiations could begin.

The second, on 18 March, looked at how a 'signalling' conference on services trade might function. Such a conference, where major target markets would indicate how much they were willing to open up their services sectors to foreign competition, has been a major demand of the US and the EU. Sources suggest that a signalling conference could be chaired by Lamy, held back-to-back with a ministerial-level meeting, and that the outcome should be communicated to all Members, not just the participants.

Exactly which countries might participate in a signalling conference remains undetermined, beyond the major economies that have either sponsored or been the target of requests for market access. The group of least-developed countries is pushing for a signalling conference to address its own priorities, including a collective request for allowing LDC service-sector workers to go to other countries on temporary work visas ('mode 4'). Sources say that several developing countries expressed support for the LDCs' demands.

Geographical indication protections for foods such as Parma ham remains the subject of disagreement. The chair of the negotiating group on rules, Uruguayan Ambassador Guillermo Valles Games, has indicated that he would issue a new draft text for the horizontal process, in an attempt to assuage some countries' concerns about agreeing to concessions on agriculture

trade with no idea about what they might obtain on reforms to WTO anti-dumping rules.

At this week's 'green room' session, sources say Lamy warned once more that overloading the agenda for a ministerial-level meeting could lead to a "train wreck."

A third 'green room' meeting is expected next week.

ICTSD reporting.

NEW AG DRAFT TEXT DELAYED BY DIFFERENCES ON SENSITIVE PRODUCTS DATA

Progress in the Doha Round agriculture talks is unlikely unless a handful of competitive farm exporters and major import markets manage to resolve some technical issues affecting future market-opening for the 'sensitive' agricultural products eligible for gentler tariff cuts, the chair of the WTO negotiating committee suggested last week.

Agreement among the five exporters and some six importers would be necessary before the issue can be discussed by the WTO Membership as a whole, Chair Ambassador Crawford Falconer (New Zealand) told the negotiating committee on 14 March.

Falconer urged the two camps to reach a compromise during their ongoing meetings, in which they are looking at individual products to see how different countries' anxieties might be addressed. These consultations are intended to create a coherent methodology that could address their specific concerns while also being applicable to the WTO membership as a whole.

One day earlier, on 13 March, participants at an invitation-only 'green room' meeting convened by WTO Director-General Pascal Lamy agreed that sensitive farm products was one of the key issues on which Members would have to make progress in order to move towards a 'horizontal' negotiation process of cross-sectoral tradeoffs between agriculture and manufacturing trade, a crucial prerequisite for a broader agreement. The other such issues included the relationship between overall post-Doha manufacturing tariff levels and the extent to which developing countries will be able to shield industrial products from tariff reduction (see related story, this issue).

As part of a potential Doha round deal, all WTO Members will be allowed to make smaller-than-normal tariff cuts on some sensitive farm products, in exchange for expanded import quotas.

The extent to which these quotas expand will be based on domestic consumption - which is why consumption data from target markets is significant. However, the availability of such data may be a problem, particularly at the level of specificity (8-digit level of the harmonised system) at which importers would like to designate sensitive products in order to be able to pinpoint protection over a broader range of products.

Exporters Argentina, Australia, Brazil, New Zealand, and Uruguay had been discussing such data for months with major markets Canada, the EU, Japan, Norway, Switzerland, and the US. And when the importers finally came through with detailed data two weeks ago, the exporters complained that the figures would imply even less market-opening than they had anticipated for products such as rice and sugar.

Domestic consumption figures - and the consequent expansion in tariff rate quotas - will vary significantly based on technical considerations such as the level of detail at which commodities are designated as sensitive (certain cuts of beef versus beef in general, for example), or how processed products are factored in to the calculation.

At the time of writing on 19 March, capital-based officials from the countries in question were trying to reach a consensus on how to account for processed products in consumption data. Processed products are contentious because the way in which their ingredients are counted could heavily affect an importing country's domestic consumption levels, and thus the size of its future import quotas.

For instance, including all of the sugar used in soft drinks would lead to a much higher figure for domestic sugar consumption - which is precisely why importers are keen to avoid doing just that.

Officials are looking at ways to address importers' concerns about specific products, and then reverse-engineer that into an overall solution that could then be discussed with the broader Membership, in an attempt to find a compromise acceptable to all parties. One approach would have ingredients in processed foods count less than their equivalent primary commodities in the calculation of domestic consumption - with a 'coefficient' of some sort determining how much less. Although many of the countries in the consultations have expressed support for this, Japan has not, fearing that the concept would fail to address its concerns about certain specific products.

According to a source involved in the discussions, "you can hear that the sense of urgency is being felt." Another official said that the talks were moving forward, albeit very slowly.

Negotiators are aware that if a compromise on sensitive products cannot be reached soon, it will threaten their chances for concluding the round this year.

Falconer told the negotiating committee that further progress would be necessary for him to revise the draft agreement text he circulated to Members on 8 February. New texts, on agriculture as well as non-agricultural market access (NAMA), will be a prerequisite for starting horizontal negotiations.

The agriculture chair said that if the countries discussing sensitive product data managed to sort out their differences, the issue could then be addressed in the so-called 'Room E' meetings involving a representative group of about three dozen delegations. This in turn, Falconer suggested, could unlock other issues, such as tropical products, tariff escalation on more processed forms of commodities, and the 'special products' that developing countries alone will be able to shield from tariff reduction for food and livelihood security reasons.

Some delegates suggest that a revised text might be circulated in the first week of April, or even the last week of March. Regardless of whether there is progress, Falconer is expected to convene a Room 'E' meeting by 31 March.

ICTSD reporting.

OTHER NEWS

CALL FOR WORK ON EXCEPTIONS AND LIMITATIONS IN WIPO COPYRIGHT COMMITTEE

Exceptions and limitations to copyright protection dominated discussions in a key World Intellectual Property Organization committee last week.

Chile, Brazil, Nicaragua, and Uruguay put forward a work plan calling for global norms establishing a "minimum mandatory [level of] exceptions and limitations particularly with regard to educational activities, people with disabilities, libraries and archives, and exceptions that foster technological innovation."

Clearly-defined exceptions and limitations on copyright protection are important for improved access to knowledge, backers say, particularly for libraries and schools. They are also crucial for groups such as blind

people: in the US and many other countries, it is legal to produce alternate versions of - audio tape or braille, say - of copyrighted works for use by the visually impaired, without permission from the copyright holders. Such exceptions do not exist everywhere.

Several developing countries expressed support for the work plan, which Chile presented on behalf of the four sponsors to the 10-13 March session of WIPO's Standing Committee on Copyright and Related Rights (SCCR). The plan built on an earlier Chilean proposal dating back to 2005.

The work plan would consist of four phases. First, the SCCR, with assistance from the WIPO secretariat and interested stakeholders, would examine the availability, scope and nature of exceptions and limitations to copyright protection at the international level.

Second, a similar research and information exchange exercise would also be carried out on the availability, scope and nature of exceptions and limitations in national copyright systems, and for their interaction with contractual practices and digital rights management.

Third, the SCCR would discuss and evaluate the justifications and implications of exceptions and limitations in areas prioritised by member states.

Finally, the committee would select specific exceptions and limitations that could form part of a prescriptive minimum global framework, and identify best practices for other exceptions.

As per the work plan, these four phases would culminate in a formal commitment to creating mandatory minimum exceptions and limitations to copyright protection, for instance, through a recommendation adopted by WIPO's annual General Assembly.

During the SCCR session, Uruguay underlined the importance of exceptions and limitations in achieving a fair balance between the rights of authors and those of society at large, as envisaged in the Universal Declaration of Human Rights (article 27). Brazil affirmed that preserving the fundamental notion of balance between the public interest and the interests of property rights holders was particularly important for developing countries.

The proposal was also supported by South Africa, Ukraine, El Salvador and Paraguay. Algeria, on behalf of the African Group, said it supported the 2005 Chilean proposal and was looking favourably upon the proposed work plan.

Some developed countries, while acknowledging the relevance and importance of the issue, were more reserved about some aspects of the proposed work plan, and asked for more time to study it.

New Zealand and Canada largely supported the information gathering activities provided for in the plan.

Switzerland argued that the committee should focus on unfinished work such as the protection of audiovisual performances and broadcasting organisations. It opposed establishing a catalogue of minimum mandatory exceptions and limitations, claiming that this ran counter to the historic logic of the Berne Convention.

The US said that although it had a long and rich history of exceptions and limitations at the national level, it was not convinced that international norms needed to be set. An evidence-based case needed to be made for doing so, it said, warning that a global instrument might limit traditional national flexibility in setting exceptions and limitations. It expressed opposition to the proposed work plan's call for analysis of the sort of exceptions and limitations that would be necessary to promote creation and innovation, and questioned whether the plan should be a priority for the SCCR at this time.

Slovenia, on the behalf of the EU, expressed support for further studies into existing exceptions and limitations, particularly at the national and regional levels.

The SCCR ultimately agreed to request the WIPO secretariat to conduct a study on exceptions and limitations for the benefit of educational activities, and to hold an information session on the issue during the committee's next meeting. It also decided that at its next session, member states would consider a more detailed work plan on this subject, as a number of developed countries requested more time to examine some elements of the proposal presented by the four countries.

The meeting also addressed the question of whether to proceed with negotiating a "broadcast treaty."

Even though decade-long discussions at WIPO on an international treaty to update broadcasters' rights in the internet age broke down last summer after governments failed to agree on what the agreement should protect, last September's General Assembly decided to keep the issue on the SCCR's agenda. However, it specified that members should consider convening a 'diplomatic conference' to finalise a treaty "only after agreement on objectives, specific scope and object of protection has been achieved."

Nevertheless, Japan expressed hoped that a diplomatic conference would be held soon for the early adoption of a broadcast treaty. Slovenia, on behalf of the EU, said that the protection of broadcasting was among the SCCR's current priorities.

In contrast, India and the African group pointed out that the committee had been unable to agree on the objective and scope of a possible treaty, despite lengthy discussions.

Ultimately, members agreed that the chair of the SCCR would prepare an informal paper outlining his understanding of delegations' main convergences and divergences on the committee's new mandate. The paper is to be discussed at the next SCCR session.

As for the protection of audiovisual performances, the secretariat was requested to prepare a factual document summarising the outcome of activities; compile members' views; and organise seminars at the national and regional levels, as well as an information meeting, before the next session.

Regarding the SCCR's future work, the EU suggested that it consider resale rights, collective management, orphan works and applicable law. The US, Switzerland, Australia and New Zealand supported these priorities. Brazil and Chile requested further information on the objectives and scope of these proposals.

The committee ultimately concluded that a decision on its future work would be considered at its next session, tentatively scheduled for 3-7 November. It decided to retain on its agenda the three main discussion items: exceptions and limitations, the protection of broadcasting organizations and audiovisual performances.

Chile and the other proponents of the work plan on exceptions and limitations expressed cautious optimism about the outcome of the meeting despite the committee's failure to adopt the plan, saying that it was a concrete first step in a long process of work on the issue.

Almost the entire first day of the three-day session was spent on electing the chair of the committee. The long-time chair, Finland's Jukka Liedes, was ultimately re-elected, despite signs from some delegations that they would like to see changes in the way the committee's work was conducted.

ICTSD reporting.

TRIPS COUNCIL ONCE AGAIN MARKED BY DIVISIONS OVER DISCLOSURE AMENDMENT

Longstanding differences on whether WTO rules should be altered to require patent applicants to disclose the use of any biological resources or associated traditional knowledge - on pain of patent revocation - featured prominently at a 13 March meeting of the WTO Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS).

Brazil, India, Cuba, Peru, Ecuador, Pakistan, Thailand, Venezuela said that there was high and growing support among the WTO Membership for an amendment of the sort they had proposed (IP/C/W/474) in order to protect biodiversity. Uganda expressed a similar view, on behalf of the group of least-developed countries.

Their proposed amendment would include a mandatory requirement to disclose the origin of biological resources and/or associated traditional knowledge in patent applications. It would also require evidence of compliance with prior informed consent and fair and equitable benefit sharing arising from the commercial or other utilisation of such resources and knowledge. They argue that such an amendment - with the threat of revocation if disclosure requirements are not adequately met - is necessary to prevent 'biopiracy'.

The Dominican Republic and the group of African, Caribbean, and Pacific (ACP) countries recently announced their backing for the proposal, prompting their co-sponsors to note that nearly 80 of the WTO's 151 members now support a TRIPS amendment.

Following the typical pattern established for discussions on the issue, the US, Japan, Australia, New Zealand, Canada and Korea said that while they were opposed to bio-piracy, they did not consider a disclosure requirement to be the most efficient way of addressing such concerns.

They added that they were still not convinced about the existence of a conflict between the TRIPS Agreement and the Convention on Biological Diversity (CBD), and thus there was no need for amending the WTO rules. They argued for considering alternative methods for preventing the misappropriation of traditional knowledge and genetic material, such as the database system proposed by Japan (IP/C/W/504 and IP/C/W/472). More facts-based discussions on concrete cases of misappropriation are needed, they said.

The EU reiterated that it was prepared to negotiate a disclosure of origin requirement, but that it would not

support requirements for either prior informed consent or proof of equitable benefit sharing. However, it contended that the World Intellectual Property Organization (WIPO), rather than the WTO, was the appropriate forum for discussions on disclosure. The EU also argued that failing to accurately provide information on the origin of biodiversity or traditional knowledge used in an invention should not result in patent revocation, in order to avoid endangering the viability of the patent system. Sanctions, it claimed, should instead be sought outside patent law.

The US, for its part, argued that a disclosure requirement would not address resources exported from countries through normal commercial channels that eventually may be used as starting materials for research and or innovation. It added that due to the tenuous relationship between origin and inventorship, it is not likely that the disclosure proposal would prove effective at achieving its stated purpose.

The TRIPS Agreement itself provides for a review of Article 27.3(b), which deals with the patentability of plants and "essentially biological" processes for producing them. The Doha mandate asked WTO Members to broaden this review to look at the relationship between the TRIPS Agreement, the Convention on Biological Diversity, and the protection of traditional knowledge and folklore.

The TRIPS Council meeting also addressed other issues, such as technical cooperation and capacity-building. The WTO Secretariat urged least-developed countries to submit reports assessing the technical assistance they need to implement the TRIPS Agreement, since only Uganda and Sierra Leone had done so thus far.

Noticeably absent from the meeting's agenda was the enforcement of intellectual property protections, a contentious issue raised regularly by developed countries such as the EU and the US at recent sessions of the council. Developing countries have generally resisted efforts to make enforcement a 'standing issue' on the council's agenda, which would require it to be discussed at each meeting.

The TRIPS Council meeting concluded with the nomination of Ambassador Gail Marie Mathurin (Jamaica) as chair. She succeeds Nigerian Ambassador Yonov Frederick Agah.

ICTSD reporting.

IN BRIEF

**US TO RESUME TRADE TALKS WITH
THAILAND, MALAYSIA**

The US has resumed stagnant free trade agreement negotiations with Malaysia and is looking to do the same with Thailand, according to reports from the US trade representative's office this week.

Talks with Bangkok were put on hold in 2006, after a military coup in the Southeast Asian country. Negotiations with Malaysia have started to move forward after running aground over differences last summer, and then being held up by Malaysian general elections earlier this month.

Representatives from the US and Thailand met in Bangkok this week, with hopes of resuming negotiations in coming months. Assistant US Trade Representative Barbara Weisel met Thai Commerce Minister Mingkwan Sangsuwan to discuss overall trade relations. The US is Thailand's largest trade partner, absorbing 12.5 percent of all Thai exports.

Left out of their discussion was talk of pharmaceuticals, a main point of contention even before the FTA talks were suspended. Since then, the Thai government has raised the ire of Western pharmaceutical companies - and won the praise of public health activists - by issuing compulsory licenses effectively suspending patent protection for certain drugs used to treat HIV/AIDS and heart disease. The decree authorises the import and domestic production of cheap generic versions for public health programmes.

While the compulsory licenses do not go against WTO rules, the US has complained that Bangkok's decision process was not sufficiently transparent. The US trade representative's office currently places Thailand third on its Priority Watch List, which monitors other countries' protections of US intellectual property rights. Further elevation on the list could mean possible trade sanctions against Thailand.

As for Malaysia, US Ambassador to Malaysia James Keith last week expressed hope that a comprehensive bilateral FTA would be finalised by the middle of this year.

Talks have largely stalled since the two parties failed to complete a deal in time for it to be submitted to the US Congress under the Bush administration's 'fast-track' authority, which expired in mid-2007.

The sixth round of negotiations took place in late January. The next round, scheduled for April, will be the first under the new government, which will notably see longtime trade minister Rafidah Aziz replaced by Muhyiddin Yassin, the former farm minister. The final barriers to the deal are US access to Malaysian financial services markets and public procurement. In Malaysia, government contracts are subject to a government affirmative action programme benefiting the ethnic-Malay 'bumiputra' majority. Keith is confident the two sides will resolve their disagreements in the coming months.

ICTSD reporting; "US, Thai officials talk trade for first time since coup," AGENCE PRESS FRANCE, 16 March 2008. "A first step to better Thai-US Trade Relations", THE NATION 15 March 2008. "U.S. Trade Representative Places Thailand On Priority Watch List In Annual Report," MEDICAL NEWS TODAY, 3 May 2007. "U.S. eyes free trade pact with Malaysia", XINHUA, 13 March 2008. "US seeks to conclude FTA," THE STAR, 14 March 2008. "Malaysia PM shakes up cabinet after poll setback" REUTERS, 18 March 2008.

EVENTS & RESOURCES

EVENTS

For a more comprehensive list of events in trade and sustainable development, please refer to ICTSD's web calendar at: <http://www.ictsd.org/cal/index.htm> .If you would like to submit an event, please email events@ictsd.ch.

Coming up: 20 – 26 March

23-24 March, Beijing, China. CHINA TOWARDS 2020: DEVELOPMENT GOALS AND POLICY OPTIONS. The 9th annual China Development Forum will meet to discuss the future of development in China, with the participation of the OECD Secretary-General. For more information, please refer to http://www.oecd.org/documentprint/0,3455,es_2649_201185_32618737_1_1_1_1,00.html.

25 March 2008, Tokyo Japan. LESSONS LEARNED FROM SOUTH-SOUTH TRADE IN ASIAN REGIONS: UNCTAD XII PRE-EVENT. In preparation for UNCTAD XII, to be held from 20 to 25 April 2008 in Accra, Ghana, UNCTAD and the Japan External Trade Organization (JETRO) are jointly organizing a one-day workshop, to be held at JETRO headquarters in Tokyo. The main purpose of the workshop will be to examine the joint JETRO-UNCTAD publication entitled "South-South trade and regional trade agreements in Asia",

including the implications of such trade and agreements for Asian developing countries and South-South trade in general. At the invitation of JETRO, the Secretary-General of UNCTAD will deliver a keynote speech at the workshop. Both UNCTAD and JETRO will deliver presentations on the publication, which will be followed by a panel discussion in which experts from business and academia will discuss further issues associated with the joint research, including lessons that can be drawn from the Asian experience for other developing countries. For more information, please refer to the meeting website at <http://www.unctad.org/Templates/Meeting.asp?intltemlD=1942&lang=1&m=15221&year=2008&month=3> <<http://www.unctad.org/Templates/Meeting.asp?intltemlD=1942&lang=1&m=15221&year=2008&month=3>> .

25 March, Washington, DC, USA. PREFERENCES - OUTDATED OR SIMPLY IN NEED OF REFORM? This panel on US trade preferences, hosted by the Washington International Trade Association (WITA), will explore current trade preferences with a distinguished panel of Congressional, Administrative, non-governmental, and business representatives. The U.S. system of trade preferences is at cross roads this year, with several programs expiring. Others need to be tweaked and more may need large scale fixes. The panel hopes to address the following questions: How should we move forward on these preference programs? How do they intersect with the trade agenda? Do preferences advance our multilateral trade policies with respect to the developing world, or do they hinder U.S. trade policies by raising concerns that global liberalization will cause preference erosion? For more information, please refer to the WITA website at http://www.wita.org/index.php?tg=addon/4/form&id_app=25&trt_step=1&id_step=163.

25-28 March, Helsinki, Finland. INTERNATIONAL EXPERT MEETING ON RESPONSES TO CLIMATE CHANGE FOR INDIGENOUS AND LOCAL COMMUNITIES AND THE IMPACT ON THEIR TRADITIONAL KNOWLEDGE RELATED TO BIOLOGICAL DIVERSITY -THE ARCTIC REGION. This expert meeting, coordinated by the UN Environment Programme Convention on Biological Diversity, will focus on the impacts of climate change in the Arctic, the measures taken to counteract that change, and the effectiveness of those measures. Finally, the meeting will focus on the future of the Arctic region and the necessary steps that must be taken in order to effectively combat climate change. For more information, please refer to the conference website at <http://www.cbd.int/doc/?meeting=EMCCILC-01>.

WTO Events

An updated list of forthcoming WTO meetings is posted at: http://www.wto.org/meets_public/meets_e.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.

20 March COMMITTEE ON TECHNICAL BARRIERS TO TRADE

Other Upcoming Events

20-25 April, Accra, Ghana. TWELFTH SESSION OF THE UN CONFERENCE ON TRADE AND DEVELOPMENT (UNCTAD XII). The conference, the largest ever organized by Ghana, will bring together heads of government, ministers and about 4000 participants from UNCTAD's 193 member countries to focus on the global economy and its impact on development. Delegates will consider how to spread the benefits of globalization more equitably so that no countries or peoples are left behind. This reflects the conference theme chosen by member States: addressing the opportunities and challenges of globalization for development. The conference will specifically focus on enhancing the worldwide policies for sustainable economic development and poverty reduction, with considerations of the current trade and development realities in the global economy. The conference will also focus on ways to strengthen UNCTAD's influence and effectiveness within the international development community. For more information and a complete list of conference documents, please refer to the website at <http://www.unctadxii.org/en/>

RESOURCES

ASSURING DEVELOPMENT GAINS AND POVERTY REDUCTION FROM TRADE: THE LABOUR MOBILITY AND SKILLS TRADE DIMENSION. By Lakshmi Puri. UNCTAD, 1 March 2008. It is becoming increasingly clear that the issue of global labour movement and integration is a key topic at the interface of trade, development and globalization. In 2005 the global labour force numbered 2.8 billion, of which 2.25 billion was developing country labour force. This paper attempts to provide a comprehensive picture of the impact on trade, development and poverty reduction brought about by global labour movement and integration. It attempts to answer the question as to how temporary labour mobility can be better managed so as to contribute to improving people's livelihood and welfare prospects while at the same time moving closer to the achievement of internationally agreed development goals, in particular the United Nations Millennium Development Goals. The paper looks at temporary labour mobility and skills trade as it relates to trade and development from the perspectives of both sending and receiving countries. It sets out the problem of labour mobility, the state of play in the global labour market, push-pull factors that cause labour mobility and succinctly, the seven inconsistencies of the labour movement conundrum. A detailed examination of the socio-economic costs and benefits to sending and receiving countries provides a balanced overview of the picture. From the trade perspective the paper argues that progress in allowing temporary movement of labour by means of multilateral and regional or bilateral agreements is important to further good global governance, coherence and solidarity necessary for achieving Millennium Development Goals. Available online at

<http://www.unctad.org/Templates/webflyer.asp?docid=9685&intItemID=2068&lang=1>
<<http://www.unctad.org/Templates/webflyer.asp?docid=9685&intItemID=2068&=1>> .

IMPLEMENTING THE WIPO DEVELOPMENT AGENDA: NEXT STEPS FORWARD. South Centre Policy Brief, February 2008. WIPO Member States agreed to a new agenda to guide the organizations work on development and intellectual property (IP). The challenge now is to effectively implement the agenda to achieve concrete results and change. Key recommendations for developing countries on the next phase of the WIPO Development Agenda are to: 1) uphold at WIPO and other multilateral fora a holistic approach to development and IP; 2) consistently assert a member-driven process and integration of development in all activities of the WIPO; 3) ensure the implementation of the totality of the recommendations, and give effect to each agreed proposal; 4) request and monitor that the WIPO fully observes all the agreed

proposals, particularly those that require change in its current work methods and activities; 5) identify concrete, specific actions necessary to exercise the agreed proposals; and 6) develop and support the holistic approach to development and IP through coherent national policy. The paper is available online at

http://www.southcentre.org/info/policybrief/13WIPO_Development_Agenda.pdf.

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