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LEAD STORIES

TRADE TALKS RESUME AMONG LIMITED PLAYERS

Senior trade officials from seven economic powers are meeting in Geneva this week for the first time since world trade talks collapsed at the end of July.

Sources indicate that a primary focus of their discussions will be the the Special Safeguard Mechanism (SSM), a tool that would allow developing countries to raise tariffs temporarily when import volumes increase or prices fall suddenly. Deadlock on the SSM was at least the proximate trigger of the breakdown in the negotiations six weeks ago.

The meetings this week will include representatives from to so-called G-7 -- Australia, Brazil, China, the EU, India, Japan and the US -- the same players that were at the centre of talks in July. In addition to the SSM, tariff rate quota creation and tariff simplification were also on the agenda for the talks, a source said.

A source close to the negotiations told Bridges that the US, the host of the talks, rejected a request from China that Indonesia, the coordinator of the G-33 group of developing countries and a key player in the contentious SSM debate, be allowed to participate in the meeting.

"The G-7 process is exclusive," a developing country trade official told Bridges, emphasising that the negotiations should be made more inclusive and brought back to the WTO if any real results are to be achieved. "I am sceptical about what will come out of the meeting," he said, indicating that he thought the gathering was only meant to achieve political ends. "The credibility of the process is in question."

Critics of the closed-door negotiation process also pointed to the absence of four cotton-producing African nations - Benin, Burkina Faso, Chad and Mali - from the talks. The C4, as they are known, are the primary players, along with the US, in negotiations on potential cuts in US cotton subsidies, a topic that was never broached at the July meetings and that remains a key stumbling block to progress toward a world trade deal.

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But what will ultimately emerge from the meetings is, at this point, anyone's guess.

"People are waiting to see what comes out of this process of the G-7," WTO spokesman Keith Rockwell said, Reuters reported. "Nobody is rushing into anything. People are examining the situation and trying to find ways forward."

But despite the resumption of talks, many have expressed scepticism over the potential for significant progress.

"Support for the...deal as a whole is very fragile and not just a question of the US and India resolving their differences in agriculture," EU Trade Commissioner Peter Mandelson said in a speech to the European Parliament on 3 September.

"I feel as if we have a priceless, wafer-thin vase of great craftsmanship in our hands but which now has to be carried from here over a very slippery floor," he said.

Things may be especially dicey for Mandelson, who is still trying to manage differences among EU member states over how hard to push for a world trade deal.

Indeed, as Agence France-Presse reported last week, French Prime Minister Francois Fillon says his country, which currently holds the EU presidency, will not agree to a deal that compromises French or European interests.

"We must not drop our guard," Fillon said during at recent agricultural event in western France. "The determination of some to obtain an agreement at all cost is intact. You can count on the president and the government not to harm the interests of France and Europe. For us too, our determination is intact," he said.

WTO Director-General Pascal Lamy said last week that he was "neither a pessimist nor an optimist" on the prospects for a successful resolution of the talks, AFP reported.

"There's nothing shocking about a round that lasts seven or eight years," he went on. "Especially if you consider the rounds in the 1960s and 1970s, when there were only four countries at the table and three subjects to deal with. Today, you have 153 Member countries and a score of items on the agenda."

ICTSD reporting. "Trade officials consider resuming Doha Round talks," REUTERS, 9 September 2008; "OMC: Lamy annonce une reprise des négociations au

niveau technique," AFP, 4 September 2008; "France digs in heels ahead of WTO," AFP, 9 September 2008.

US MULLS CASE AGAINST CHINESE EXPORT RESTRICTIONS

The US government may soon initiate a WTO case against China's export restrictions on a range of raw materials used mainly in the steel industry, arguing that by depressing domestic input costs, the restrictions effectively subsidise Chinese steel producers in contravention of multilateral trade rules.

According to a report in the Financial Times last week, the US could request consultations with China - the first step in WTO dispute procedures - "within weeks," although a decision actually to do so has not been finalised.

The same report, citing sources close to the US' internal deliberations, said that Washington would likely challenge Chinese export quotas and taxes on steel industry inputs such as metallurgical coke, molybdenum, and fluorspar. The restrictions lower domestic prices and raise export costs, the claim would argue, benefiting Chinese industry at the expense of its competitors abroad. US officials are said to be confident that for the raw materials in question, China is in violation of the commitments it made in order to accede to the WTO.

Other sources familiar with the developments say that the filing of a case is not imminent. The export restrictions are one of several irritants in US-China trade relations that officials are working to resolve bilaterally, although the matter could indeed go to litigation in the coming months.

The office of the US trade representative declined to comment on how Washington would structure its case.

One avenue would be to seek a ruling on whether the export restrictions violate the terms of the 'protocol of accession' that China signed upon its entry to the WTO in 2001.

China's protocol of accession commits it to eliminate "all taxes and charges applied to exports" (apart from customs-related fees) on all but 84 specific products. Most of those exceptions, listed in an annex, concern metallurgical industry, providing for export levies of 20 to 40 percent on products ranging from lead and zinc

ores to scrap iron. The raw materials that the US is targeting are not among those on the list.

Brendan McGivern, a Geneva-based partner with White and Case, the international law firm, said that a recent WTO ruling suggested that China's accession protocol was "as enforceable as" any standard WTO rule.

The US could take a broader approach, arguing that the export restrictions benefit domestic steel producers in ways that meet the WTO definition of a subsidy, and that they cause "serious prejudice" to the interests of overseas competitors.

WTO rules define a subsidy as either a "financial contribution" by government entities that confers benefits on the recipient, whether through direct payments or tax breaks, or "any form of income or price support" that promotes exports or reduces imports. Industrial subsidies directly linked to export performance and import use are prohibited. But ordinarily allowable subsidies cease to be legal if they have adverse effects on other countries, such as by undercutting the competitiveness of their industries in other markets.

Many developing countries use export taxes in order to raise revenue and encourage the processing of raw materials at home. They have resisted efforts to constrain the use of such measures in negotiations at the WTO.

The US has long held the view that export restraints can constitute a subsidy to industry, McGivern noted. In fact, Washington has had similar disagreements with a number of its other trading partners in the past.

One such disagreement even went as far as a WTO dispute. But the panel in that case was unconvinced by the US' argument that Canadian export restrictions on some lumber products effectively constituted a "financial contribution" that merited a countervailing duty. Washington did not appeal the decision.

That panel, which issued its ruling in 2001, limited its analysis to the question of whether an export restraint could constitute a "financial contribution" as per the definition of a subsidy in the WTO Agreement on Subsidies and Countervailing measures.

Specifically, it disagreed with the US' argument that the existence of an export restraint that has the effect of encouraging the sale of affected products to domestic purchasers was "the same as if the government had explicitly and affirmatively ordered" that the products be sold to domestic purchasers. The panel said that

extending the US' logic would mean that high import tariffs on coal, for example, could count as 'financial contributions' to a country's domestic coal industry.

The US has launched a spate of WTO cases against China since 2007, targeting Beijing's policies on issues such as copyright rules and counterfeiting and duties on automotive components. The Democrat-controlled Congress has pushed for the Bush administration to step up efforts to enforce trade rules, particularly with regard to China, which has a massive trade surplus vis-à-vis the US.

Inside US Trade, a Washington-based publication, last week reported that the US trade representative's office preparation of the case was intended more to mollify Congress, to convince lawmakers that new legislation making enforcement mandatory was unnecessary.

ICTSD reporting; "US set to challenge China over steel prices," FINANCIAL TIMES, 4 September 2008; "USTR Considers Case On Chinese Export Restrictions For Steel Inputs," INSIDE US TRADE, 5 September 2008.

OTHER NEWS

EU-GHANA TRADE DEAL TAKES AIM AT ILLEGAL LOGGING

The EU and Ghana clinched a deal last week aimed at reducing illegal timber harvesting in the West African nation. The agreement was signed on 3 September on the sidelines of a foreign aid conference in Accra, Ghana. The deal is the first of what Brussels hopes will be a series of so-called Voluntary Partnership Agreements (VPAs) with timber-producing developing countries.

Under the terms of the pact, Ghana is obliged to establish a transparent licensing scheme for EU-bound timber exports that certifies that all of the goods have been legally harvested. The deal also compels the EU to establish a system that ensures that uncertified Ghanaian timber is not able to enter the market. More broadly, the deal is intended to promote better enforcement of forest law and has been designed to facilitate more active involvement in forest management by both civil society and the private sector.

One aim of the agreement is to give Ghanaian timber a competitive edge in the European market. Because more than half of Ghanaian timber exports end up in the EU, the new deal could bring significant gains to domestic producers.

While the EU is also currently engaged in VPA negotiations with Cameroon, Indonesia, the Republic of Congo (Brazzaville), and Malaysia, the inking of the Ghana deal makes it the first VPA to be finalised since the initiative was proposed in 2003.

VPAs lie at the core of the European Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan, the EU's response to a call for action on the illegal timber trade at the 2002 World Summit on Sustainable Development in Johannesburg, South Africa. Beyond the VPAs, Brussels also promised to require EU member states to purchase sustainable forest products, and to introduce a legislative measure discouraging the importation of wood from unknown -- and thus, potentially illegal -- sources.

Environmentalists cautiously optimistic

Ghanaian timber exports bring US\$ 400 million to the domestic economy, making it the fourth largest industry after gold, tourism and cocoa. But logging practises in the country have been widely criticised as unsustainable and illegal harvesting is rampant. The World Bank estimates that roughly 60 percent of logging in Ghana in recent years has been conducted in contravention of domestic legislation. And Ghana's tropical forest cover has been reduced from 63,400 square kilometres in 1960 down to about 13,500 square kilometres today - nearly an 80 percent decline.

Because there is currently no EU law preventing illegally harvested wood from entering the European market, environmentalists are cautiously optimistic about voluntary agreements like the EU-Ghana deal.

"For many years, Europe has talked the talk of saving the world's forests but demanded increasing volumes of cheap wood imports, providing profitable markets for illegal wood from very poor countries," says Ralph Ridder, a FLEGT expert at the European Forest Institute (EFI). "Once implemented, this agreement will mean that buying wood from Ghana ensures that consumers, industry, and government in the EU are doing the right thing."

In order to ensure proper certification is carried out, the VPA calls for a system of checks and balances that will be verified by a third party. "There will be a verification and tracking system for timber," said Jaap Vermaat, an advisor for the European Commission. "As a safeguard,

Ghana has agreed to have an independent monitor assess their systems on a regular basis."

Loophole still needs closing

But some say that, while the EU-Ghana deal is a promising first step in the fight against illegal logging, it is no magic bullet.

At least initially, the VPA will cover a rather limited range of products: logs, sawn wood, plywood, and veneer. Furniture and other processed wood products will not be regulated by the agreement. And because the agreement with Ghana is bilateral, it will not be able to prevent the export of illegal timber to a non-EU country, where raw logs could be processed, then re-exported to the European market.

Critics argue that this phenomenon, called 'transshipment,' has the potential to be quite significant, as illegal loggers could simply divert their shipments to non-EU markets and completely circumvent the certification process. Thus, they say, in order to be truly effective at combating illegal logging on a global scale, all major timber-importing countries would need to establish similar agreements with producer countries.

But the EU maintains that the transshipment issue has been overstated in light of the potential positive spill-over effects associated with the capacity-building support that the EU has promised will accompany the agreement. Specifically, Brussels argues that EU-funded governance mechanisms will help the Ghanaian government crack down on all illegal logging within its borders, regardless of the ultimate destination of the timber.

Other critics of the program point out that the vast majority of illegally harvested timber does not originate in potential partner countries. The World Wide Fund for Nature estimates that as much as 20 per cent of timber imports to the EU come from illegal or suspected illegal sources - mainly from Russia, China, and Indonesia. They say that the Ghana deal and similar VPAs will likely stop only 10 percent of illegal imports, and that more efforts should be made to tackle the transshipment issue and striking deals with Russia and China.

Further deals in the works

In addition to the ongoing negotiations with Cameroon, Congo-Brazzaville, Indonesia, and Malaysia, informal VPA discussions have also begun with the Central African Republic, Cote D'Ivoire, the Democratic Republic of Congo, Ecuador, Gabon, Honduras, Liberia, Nicaragua, and Vietnam.

The negotiations with Malaysia appear to be moving ahead briskly. Vincent Piket, Ambassador and Head of Delegation EC in Malaysia, noted the progress at a recent appearance in Kuala Lumpur. "Thanks to the high level of commitment from the Malaysian side, we have made good progress. If we can resolve the few remaining issues, then an agreement should be ready by the end of this year," he said. "Right now, we have a number of independent experts doing an analysis of how the Malaysian authorities and private sector assess the legality of Malaysian wood. The results will be tabled for discussion in October. If there are any gaps in the assessment, we will try and remedy it."

The EU currently expects the first VPA-certified shipment from Ghana to arrive in late 2009.

The VPA is the second move in as many weeks to help combat deforestation in Ghana. On the sidelines of a recent climate change conference, officials in Ghana announced a plan to harvest timber at the bottom of Lake Volta, a scheme that aims to help offset terrestrial deforestation (see BRIDGES Trade BioRes, 5 September 2008, <http://ictsd.net/i/news/biores/28638/>).

ICTSD Reporting, "Ghana, EU clinch deal to crackdown on illicit timber trade," AFP, 3 September 2008; "Ghana, EU clinch deal to crackdown on illicit timber trade," AFP, 4 September 2008; "EU, Ghana Agree to Protect Tropical Forest With Timber Pact," BLOOMBERG, 3 September 2008; "EU and Ghana strike deal on illegal timber," FORBES, 3 September 2008; "Ghana agrees with EU to tighten timber exports," REUTERS, 3 September 2008.

DONOR, RECIPIENT COUNTRIES STRUGGLE OVER HOW TO MAKE AID MORE EFFECTIVE

Officials meeting in Ghana last week agreed to an 'Agenda for Action' on ways to improve foreign aid, which critics say is often poorly coordinated, inefficient, delayed by bureaucratic red tape, or redirected to the pockets of corrupt officials.

"Whether aid works can help determine whether the future is one of hope or privation," World Bank President Robert Zoellick told the participants of the Third High-Level Forum on Aid Effectiveness, which met in Accra from 2-4 September. "The consequences

of getting aid right - or getting it wrong - are very real," he said.

The Accra meeting - which was hosted jointly by the Organisation for Economic Cooperation and Development (OECD), the World Bank and the government of Ghana - brought together 1,200 participants from governments, civil society, and financial institutions; more than 100 countries were represented.

For many low-income countries, foreign assistance is a major source of development finance. In Sub-Saharan Africa, home to most of the world's poorest nations, foreign aid accounts for about two-thirds of all capital inflows, according to World Bank statistics. Recent spikes in fuel and food prices have made effective aid delivery ever more critical, analysts say.

Participants at the Accra meeting reviewed the progress toward achieving the 12 goals for aid effectiveness that were set out in the Paris Declaration of 2005, in which donor governments promised to make aid more predictable and to reduce certain conditionalities attached to it. The declaration also urged donors to work to increase recipient country 'ownership' of development projects, to 'harmonise' aid coming from multiple sources, and to work towards mutual accountability for development results.

While a report by the World Bank gave a mixed review of improvements in aid delivery over the past three years, anti-poverty NGO Oxfam International claimed in an official statement that there has been "little progress by donors on meeting many of the Paris targets."

Making aid effective is critical to the fight against poverty, analysts say. Indeed, some argue that the primary challenge for development is not too little aid - foreign aid from rich-country governments and private sources totals more than US\$ 140 billion per year - but rather that the aid is not delivered effectively.

World Bank President Zoellick told meeting participants that the average recipient country hosts 260 donors a year, and that in 2007 those donors conducted an "astonishing" 14,000 missions to 54 countries; less than one fifth of those projects were done in conjunction with another donor. Zoellick also noted that as the donors increased in number, the size of their donations shrank. In 2006, he said, there were more than 70,000 aid transactions - as compared with 10,000 a decade earlier - and the average project size was just US\$ 1.7 million.

Development experts say that, while the funds are appreciated, the sheer number of projects is a burden on developing country governments.

UNICEF Executive Director Ann Veneman told meeting participants that she had seen such effects first-hand: "I have met with some ministers in developing countries who tell me they spend as much as 60 per cent of their time meeting with individual donors and organisations and their staff spend more time complying with separate bureaucratic procedures than delivering results," Veneman said.

She also noted that donors do not always follow through on their pledges: "In 2007, less than half of aid was disbursed according to schedule," Veneman said.

An 'Agenda for Action'

After three days of intensive negotiations, meeting participants agreed on the Accra Agenda for Action, which has since been both praised as an important step forward in improving aid delivery, and derided by NGOs and developing country officials as nothing more than a weak symbolic gesture. The US and Japan reportedly fought hard against the inclusion of strict timetables for the achievement of the aid goals.

But meeting participants did agree that more aid needs to be funnelled through in-country public financing systems, rather than through external agencies or funding mechanisms. Less than one quarter of aid now ends up in the coffers of recipient country governments, according to OECD figures.

Developing countries argue that most of the donated funds end up covering overhead costs or paying the salaries of rich-country experts.

"You cannot demand or expect us to produce results or alleviate poverty when only 25 percent of the donated money gets to us," said Patrice Bemba, a finance official from the Democratic Republic of Congo, as reported by The Daily Nation.

And developing nations are increasingly able to handle an influx of funds, according to a recent OECD assessment, which found that 36 percent of the developing countries surveyed had improved their public finance mechanisms since 2005.

World Bank President Zoellick expressed his support for efforts to increase the amount of development aid going directly into the national budgets. It was critical for recipient governments to have a "driving seat" in development projects, he said.

Robert Fox of Oxfam International echoed that sentiment: "Aid should strengthen local capacity rather than spawning parallel aid empires or relying heavily on contractors and consultants from the North."

"The sooner we ensure our aid dollars are strengthening the capacity of developing countries to meet their needs, the better," Fox said.

The OECD also reported that donors have made at least some progress on reducing the proportion of aid that comes with strings attached, such as stipulations that project equipment be procured from the donor country. According to OECD figures, 47 percent of aid in 2006 was given with conditions, down from 57 percent four years earlier.

But more flexibility is needed, some say, especially on food aid: "Restrictions, earmarks and onerous conditions on food aid mean higher costs and these should be removed to ensure that food gets quickly to where it is most needed," Zoellick said.

Progress toward the MDGs

The quality and amount of aid provided to the world's poor countries has received significant international attention since the adoption of the Millennium Declaration and the MDGs in 2000. A UN report released on 4 September claims that trade and aid continue to be significant obstacles to the achievement of the anti-poverty Millennium Development Goals (MDGs), even though the debts of many of the world's poorest states have been relieved. Governments and institutions would need to donate an additional US\$ 18 billion per year for the next two years if the MDGs are to be met by 2010, the report says.

UNDP Administrator Kemal Dervis stressed that the commitments made at the Accra conference must be met, especially in the lead-up to a high-level event on the MDGs later this month in New York, as well as the November Doha Financing for Development Review Conference, which will focus on the quantity of foreign aid, and the difference between donors' promises and the payments they deliver.

"The Accra Agenda for Action calls for an urgent response: we must follow through on these commitments. We cannot wait," Dervis said in a statement, according to the UN News Service.

ICTSD reporting; "Nice, Fuzzy Language on Aid," IPS, 3 September 2008; "US and Japan Fight Overseas Aid Proposals," THE FINANCIAL TIMES, 4 September 2008; "Slow Progress on Development Aid

Improvements," THE GUARDIAN, 4 September 2008; "Africa Tells Off Donors on Aid," THE NATION, 4 September 2008; "Ghana Meeting Calls for Less Talk, More Action on Aid," THE NATION, 4 September 2008; "Ghana Conference Brings Together Aid Donors, Recipients," VOA NEWS, 3 September 2008; "EU Forces New Global Deal on Channelling Aid," THE IRISH TIMES, 6 September 2008; "W. Bank urges better aid to fight food, fuel squeeze," REUTERS, 4 September 2008; "A Scramble in Africa," THE ECONOMIST, 4 September 2008.

IN BRIEF

UNCTAD OFFERS 'GLOOMY OUTLOOK' ON WORLD ECONOMY

The United Nations Conference on Trade and Development (UNCTAD) released its annual Trade and Development Report at the International Institute of Trade and Development in Bangkok last Thursday. Titled 'Commodity prices, capital flows and the financing of investment', the report analyses developments in the world economy and presents economic prospects for developing countries with regards to international financial, currency and commodity markets.

"Overall, the financial turmoil, the commodity price hikes and the huge exchange-rate swings are having an enormous impact on the global economy and are casting a shadow on the outlook for 2009," UNCTAD warned.

According to the report, the world economy is expected to grow by around 3 percent in 2008, almost 1 percentage point less than in 2007. In developed countries GDP growth is likely to be around 1.5 percent. In contrast, due to the stable dynamics of domestic demands in large developing countries, growth in developing countries is expected to remain robust at around 6 percent.

Nonetheless, the report cautions that restrictive monetary policies caused by high commodity prices could slow the growth of developed and developing countries alike. Additionally, while some analysts say that commodity prices may remain high due to structural factors like growing demand from China and India, UNCTAD advises that the end of speculation on

high prices and delayed supply responses may cause some commodity prices to drop. To reduce vulnerability to commodity price shocks - especially for developing countries that depend on primary commodity prices - the report suggests the best strategy is greater diversification and industrial development.

The report also argued that speculators have significantly contributed to the high volatility of commodity prices. The report suggested that stricter regulation of financial markets will be needed to curb speculative activity.

One of the more surprising trends featured in the report is that a significant amount of capital has been flowing from developing nations to developed ones. Forty-two of 113 developing and transition economies were net exporters of capital during the period 2002-2006. This tendency contrasts with mainstream economic expectations that capital, attracted by higher rates of return, transfers from rich to poor nations in the open capital markets.

Moreover, on average investment and growth are higher in developing countries that are net exporters of capital than those that receive net capital inflows. As such, higher rates of investment for diversification and structural change do not always require current account deficits.

While the report suggested avoiding dependence on foreign capital inflow, it stated that a strong increase in official development assistance is nonetheless required to help poor commodity-dependent countries meet the UN's Millennium Development Goals by 2015. Further, the report suggested strategies to increase the productive capacity of development assistance, such as aid directed into local investments.

Please refer to the UNCTAD website for further information and to access the report: <http://www.unctad.org/Templates/webflyer.asp?docid=10466&intlItemID=3492&lang=1>.

ICTSD reporting; "Financial uncertainties dog the 'real economy'," GLOBAL TRENDS, 8 September, 2008; "United Nations points fingers at speculators," FUND STRATEGY, 8 September, 2008; "UNCTAD Report warns of gloomy outlook for world economy," XINHUA, 4 September, 2008; "Experts say economic downturn could spread to developing countries," VOA NEWS, 4 September, 2008.

WTO IN BRIEF

WTO RULES AGAINST MEXICO IN OLIVE OIL DISPUTE WITH

A World Trade Organisation (WTO) dispute panel ruled largely in favour of the EU in its dispute over Mexican import duties on olive oil. The decision, made public on 4 September, upheld three of the claims made by the EU, but dismissed the EU's other points.

Central to the dispute was Mexico's countervailing duties of between 40 cents and 70 cents on imports of EU virgin and refined olive oil, which have been in place since 2005. Mexico imported 8,000 metric tons of olive oil - worth US\$ 21 million - from the EU in 2006, the year that Brussels lodged its complaint with the WTO.

The WTO's Agreement on Subsidies and Countervailing Measures (SCM Agreement) allows Members to impose countervailing duties to counteract subsidies granted to imported products. But before imposing such duties, the importing country must first conduct an investigation that confirms both the existence and the amount of the subsidy, and that proves that the subsidised imports are harming domestic producers of the good.

In the decision announced last week, the panel found that the Mexican olive oil duties violated several provisions of the SCM Agreement. Specifically, the panel ruled that the original Mexican investigation exceeded the set time limit of 18 months, that Mexico failed to disclose sufficient non-confidential summaries and, finally, that Mexico was wrong to use trade data gathered over nine-month intervals, rather than full-year statistics, when determining the level of injury it had suffered because of the EU subsidies.

However, the panel rejected the EU's six other arguments and another two were not addressed on the grounds of judicial economy. Among the claims dismissed, for instance, was the EU's complaint that Mexico had violated trade rules by not inviting the EU for consultation before launching its investigation.

The panel also dismissed the EU's request for a WTO ruling to oblige Mexico to repeal the import duties, recommending instead that Mexico comply with its obligations under the SCM Agreement.

Mexico had contended that the imposed duties were necessary because subsidised European imports - mainly olive oil from Greece, Italy and Spain - frustrated the formation of a domestic industry. According to

Mexico, 94 percent of Mexican olive oil consumption was from subsidised EU imports.

However, the EU - which accounts for 80 percent of global olive oil production - argued that the subsidies targeted by the Mexican duty are being removed through reforms to the olive oil sector adopted by EU Agriculture Ministers in April 2004.

Unless Mexico or the EU launches an appeal, the WTO's Dispute Settlement Body will adopt the panel report within 60 days.

EU figures currently value EU olive oil exports to Mexico at 33 million euros.

ICTSD reporting; "WTO Rules Largely Against Mexico in Olive Oil Fight," REUTERS, 4 September, 2008; "Mexican Duties on EU Olive Oil are Illegal, WTO Rules," BLOOMBERG, 4 September, 2008.

EU COURT REJECTS COMPENSATION APPEAL IN WTO BANANA DISPUTE

The European Court of Justice (ECJ) has rejected appeals for compensation for export revenue lost as a consequence of US sanctions imposed on goods in retaliation against the EU's banana import duties. The US sanctions were permitted by the World Trade Organisation (WTO) after a ruling that the EU's banana tariffs were illegal.

The European Community "cannot be called upon to make good damage resulting from a failure of its institutions to comply with World Trade Organisation agreements," the ECJ stated in its ruling.

The European high court clarified that "an economic operator cannot claim a right to property in a market share which he held at a given time, since such a market share constitutes only a momentary economic position, exposed to the risks of changing circumstances."

The ECJ, in dismissing the appeals by two Italian companies - FIAMM SpA and Giorgio Fedon & Figli SpA - and several of their US-based subsidiaries, confirmed a lower court decision that also denied any recompense to the companies. Six European companies whose products were affected by the US retaliatory measures appeared in the Court of First Instance in 2006.

The two Italian firms argued that they experienced a decline in export sales to the US after US duties were applied on a wide range of goods. Standby batteries, car horns, spectacles cases and leather accessories were among the goods for which the most recent claimants sought financial compensation.

The ECJ went further than the decision by Europe's lower court - the Court of the First Instance - by stating that the European Commission could never be held liable in such cases.

Importantly for the EU, the dismissal of the appeal means that no precedent was set for punitive damages to be awarded to companies affected by retaliatory sanctions against EU products in the event of a lost WTO ruling.

The EU awards preferential tariffs on banana imports from some African, Caribbean and Pacific states that are former European colonies. However, the US has successfully challenged that policy at the WTO. While the EU amended the banana rules in 1998, the US argued that they still violated WTO regulations. In 1999 the US was granted permission to impose retaliatory duties on a number of European products amounting to US\$190 million annually. The sanctions were lifted in 2001.

The WTO has consistently ruled against the EU banana tariff policy; Brussels is currently appealing the latest ruling in the dispute (see BRIDGES Weekly, 4 September 2008, <http://ictsd.net/i/news/bridgesweekly/27660/>).

ICTSD reporting; "Companies lose claim for compensation for fallout from WTO banana dispute," REUTERS, 9 September, 2008; "EU court rejects damages claims in WTO banana case," REUTERS, 9 September, 2008; "EU court rejects damages claim in EU-US trade spat," DOW JONES, 9 September, 2008; "EU court throws out banana war lawsuit," ASSOCIATED PRESS, 9 September, 2008.

EVENTS & RESOURCES

EVENTS

Coming up: September 10-16

10 - 11 September. Kigali, Rwanda. AFRICA CLIMATE CHANGE FORUM. The conference will bring together

academic experts, business leaders, non-governmental organisations and policy makers with an interest in applied innovation and sustainable development in Africa. There will be a strong emphasis on constructive participation from all delegates, with the aim of developing national and regional solutions to a global challenge. For further information, please contact Niamh McClean tel: +44 7984 199113; fax: +44 20 7955 6934; email: africa.forum@lse.ac.uk; or refer to the website: <http://www.lse.ac.uk>.

11- 12 September. EDUCATION FOR SUSTAINABLE DEVELOPMENT. This workshop is organised by the OECD Horizontal Programme on Sustainable Development. OECD Ministers recognise that sustainable development is an overarching goal for their governments and the OECD. OECD countries bear a special responsibility in achieving sustainable development worldwide. OECD activities are overseen by the Annual Meeting of Sustainable Development Experts (AMSDE), who reviews special projects as well as progress in mainstreaming sustainable development concepts into the overall work of the OECD. Most OECD activities relate to sustainable development, from climate change analysis to development co-operation to corporate social responsibility. On this website, there are links to a wealth of projects and information which illuminate certain dimensions of sustainable development. For further information please refer to website:

http://www.oecd.org/about/0,3347,en_2649_37425_1_1_1_1_37425,00.html

13- 14 September. Nagoya, Japan. ECO ASIA (Environment Congress for Asia and the Pacific). This workshop, hosted by the Japanese Ministry of the Environment, aims to provide a forum for free and open exchange of views among environmental ministers in the region. Under ECO ASIA, two international workshops were held from 1994 to 2001: "The International Workshop for ECO ASIA Long-term Perspective Project" and "The International Workshop for ECO ASIA NET". Based on its ten years experience, the subsidiary ECO ASIA PANEL was launched in 2002. For further information, please contact Kyoko Hoshino (Ms.) or Noriko Aramaki (Ms.) tel: +81-3-5216-5551; fax: +81-3-5216-5552, email: apce2008eco@congre.co.jp; or refer to website: <http://www.env.go.jp/en/earth/ecواسيا/index.html>

14- 18 September. Freiberg/ Saxony, Germany. INTERNATIONAL CONFERENCE 2008: URANIUM MINING AND HYDROGEOLOGY V. The Institute for Geology of the TU Bergakademie Freiberg is pleased to invite you to the next international conference "UMH V" taking place in Freiberg on September 2008. Participants will have opportunities to learn about innovative and emerging scientific advances and

technologies that are needed to address a wide range of uranium mining and mine closure associated with environmental issues such as soil and groundwater protection, mine water treatment technologies and management, environmental impacts of phosphate mining associated with fertiliser production and technologies for uranium separation. For further information, please contact Andrea Berger tel: 0049 - 3731 - 39-3309; fax: 0049 - 3731 - 39-2720; email: umh@geo.tu-freiberg.de, Internet: <http://www.geo.tu-freiberg.de/umh/>

15 September. Phnom Penh, Cambodia. DISCOVER A CAMBODIA COMPARATIVE ADVANTAGE: WHAT ARE GREEN-GOODS AND WHAT IS THEIR MARKET POTENTIAL? This workshop will discuss what producers would need to think about when considering exporting green goods. Come and discover Cambodian success stories of exported green goods and the Confirel business case. For further information, please contact Heike Baumuller; email: hbaumueller@iisd.org; Internet: <http://www.sdgateway.net/events/www.tradeknowledge.network.net>

15 - 18 September. Patagonia, Argentina. SOUTHERN LIGHTS DIALOGUE ON CLIMATE CHANGE. The Southern Lights Dialogue is one of a number of meetings leading up to the UNFCCC Conference of the Parties in Poznan, Poland, in December 2008. This meeting will gather ministers from twenty-five countries to informally exchange ideas on the evolving post-2012 climate change negotiations. Argentine Secretary of State for Environment Romina Picolotti will host developing and developed country ministers with the aim of encouraging political consensus around a number of key issues in the ongoing discussions taking place under the United Nations Framework Convention on Climate Change. For more information, please contact Secretariat of Environment and Sustainable Development; tel: +54 11 4348 83 08; e-mails: Alvaro Zopatti - azopatti@ambiente.gov.ar or Alex Viets - aviets@ambiente.gov.ar; Internet: <http://www.calafatedialogue.com/muestradetalle.asp?rubro=400&tipo=0&urldes=&descurl=>

15- 18 September. Ontario, Canada. PROJECT IMPLEMENTATION FOR THE BIOSAND FILTER WORKSHOP. The biosand filter is one of several household water treatment technology options which ensure an improved quality of water for people in developing countries. During this workshop participants will receive instruction and hands-on experience in the construction and installation of the filter. The workshop will also provide opportunities to explore the relationship between water and health in the developing world; gain a fundamental overview of water and sanitation, disease transmission, household water

treatment options, water storage, and hygiene; and discover how to successfully implement a household water treatment project. For further information, please contact Bishnu Paudel tel: 1-403-243-3285 ext. 221; email: cawst@cawst.org; Internet: <http://www.cawst.org/>

15 - 19 September. Dakar, Senegal. SIXTH SESSION OF THE INTERGOVERNMENTAL FORUM ON CHEMICAL SAFETY. The Sixth Session of the Intergovernmental Forum on Chemical Safety (IFCS) will be hosted by the government of Senegal. The session will consider the future of the IFCS; nanotechnology and nanomaterials; substitution and alternatives; the need for international action on lead and cadmium; and ecologically sound and integrated pest and vector management. Preparatory meetings will take place prior to the session, on 13-14 September. For further information, please contact: tel: +41 22 791 3873; fax: +41 22 791 4875; e-mail: ifcs@who.int; and refer to: <http://www.who.int/ifcs/forums/six/en/index.html>

15 - 19 September. Antananarivo, Madagascar. AEWA MOP 4. The fourth Meeting of the Parties (MOP 4) to the CMS Agreement on the Conservation of African-Eurasian Waterbirds (AEWA) will meet from 15-19 September 2008, in Antananarivo, Madagascar. For more information, please contact: AEWA Secretariat; tel: +49-228-815-2414; fax: +49-228-815-2450; e-mail: aewa@unep.de; Internet: <http://www.unep-aewa.org>

15- 20 September. Orvieto, Italy. EUROPEAN FOREST INSTITUTE ANNUAL CONFERENCE: ADAPTATION OF FOREST LANDSCAPE TO ENVIRONMENTAL CHANGES. This year, the scientific seminar of the EFI Annual Conference focuses on sharing knowledge on trees and forests for conservation, ecological restoration, energy and raw material sustainability. It will also seek answers to how to use forestry in managing environmental changes. For more information contact: Anu Ruusila, EFI; e-mail: anu.ruusila@efi.int; Internet: http://www.efi.int/portal/news_events/events/extra/2008/efi_2008_annual_conference_and_scientific_seminar/

16- 17 September. The Cumberland, London. FT- WEC ENERGY LEADERS' SUMMIT: INVESTMENT OPPORTUNITIES IN CLEAN ENERGY BUSINESS. This meeting is organised by the World Energy Council and The Financial Times. The global energy industry is on the threshold of fundamental change: the pressing reality of climate change and the growing threats to traditional energy sources are prompting a wholesale rethink of the sector. The answers that emerge will transform our energy system. To be sure, coal, oil, natural gas, nuclear, hydro, micro-generation and

renewables will play an ever-greater role. But how much can we realistically expect these alternative sources to contribute to the world's future energy supply? How will the energy system of tomorrow differ from that of today? Harnessing the knowledge of players on the frontlines of the energy debate, the FT and WEC's Investment Opportunities in Clean Energy Businesses seeks to reconcile the vision of tomorrow's energy landscape with the practical realities of today's energy resources. For more information, please contact Aliki Varsamides tel: +44(0)20 7873 4109; email: aliki.varsamides@ft.com; Internet: http://www.ftconferences.com/energy2008/home.asp?m_pid=0&m_nid=27316

17- 20 September. Crans-Montana, Switzerland. GENEVA TRADE & DEVELOPMENT FORUM (GTDF): TRADE AS A DEVELOPMENT TOOL - PARTNERSHIPS AND POLICIES. The first conference of the GTDF will connect about 250 top thinkers, practitioners and decision makers from the trade and development fields from more than 40 developing, transition and OECD countries with the goal to foster a more inclusive globalisation by addressing some of the specific challenges and opportunities of developing countries in their quest to liberalise trade and integrate into the world economy to the benefit of all. The conference is expected to develop country-specific action plans/policy recommendations as well as policy principles on trade governance and new ideas and approaches to promote trade as a development tool. Participants will probe how entrepreneurship, food security, service development, labour mobility, intellectual property rights, commodities, climate change, livelihoods, export development, trade built on decent work, trade rules and governance can contribute to reducing poverty and enhancing integration into the world trading system. The focus will be on what each stakeholder can do to contribute to solutions. A group of key stakeholders will form a "constituency for change" to work to advance the Forum's agenda. IDEAS Centre is organising the GTDF, backed by Canada, Denmark, France, Germany, the Netherlands, Sweden and Switzerland. For more information, visit www.gtforum.org.

18 - 19 September. Auckland, New Zealand. GEF SUB-REGIONAL WORKSHOP FOR THE PACIFIC SIDS. The Sub-Regional Workshops are an annual opportunity for GEF Focal Points to meet with their counterparts from other countries in the region and GEF Partners to discuss and review policies and procedures and for peer to peer exchange of lessons and experiences from development and implementation of GEF projects and their integration within national policy frameworks. For more information contact: tel: +1-202-473-0508; fax: +1-202-522-3240/3245; e-mail:

secretariat@thegef.org; Internet: <http://gefweb.org/interior.aspx?id=21630>

18 - 20 September. Cracow, Poland. 12TH BIENNIAL CONFERENCE OF EUROMEDITERRANEAN NETWORK OF EXPERIMENTAL AND REPRESENTATIVE BASINS. The conference will be organised around the theme "hydrological extremes in small basins". For more information contact: Jagiellonian University; tel: +48-12-664-5276; fax: +48-12-664-5385; e-mail: erb2008@geo.uj.edu.pl; Internet: <http://www.geo.uj.edu.pl/konferencja/erb2008/>

20- 24 October. EUROPEAN FOREST WEEK. The European Forest Week will be marked by events in Brussels, Rome and throughout Europe. The week highlights the contribution of European forests in mitigating the effects of climate change, providing wood and renewable energy, promoting fresh water supply and protecting the environment. The European Forest Week, declared by ministers responsible for forests in 46 European countries, is jointly organised by the European Commission, the Food and Agriculture Organisation of the United Nations, the Ministerial Conference on the Protection of Forests in Europe and the United Nations Economic Commission for Europe, in close collaboration with the Presidency of the Council of the European Union at the time of the event, France. For more information, visit <http://www.europeanforestweek.org>.

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.

Upcoming WTO Events:

15 September, Dispute Settlement Body
15-16 September, Aid For Trade - Symposium on Monitoring
24- 25 September, WTO Public Forum. For more information, see http://www.wto.org/english/forums_e/ngo_e/forum08_background_e.htm.

Other Upcoming Events

17 September, Renaissance Hotel, Brussels - AFTER THE G8, INDUSTRY FACING THE CLIMATE CHANGE CHALLENGE. This discussion will be divided into three parts: implications of the EU ETS on the electricity sector, implications of the EU ETS on energy intensive sectors, and implications of the EU Climate policy on non-ETS sectors. For further information please contact Martine Breux; email: breux@ifri.org and Internet:

http://www.ifri.org/frontDispatcher/ifri/manifestations/minaire_1033636016876/publi_P_energie_mar_s_br_1220277356808

19 September, 2008. Kolkata, West Bengal. REGIONAL ECONOMIC COOPERATION IN SOUTH ASIA WITH A FOCUS ON INDIA-BANGLADESH TRADE. Objectives of this Stakeholders Consultation are to engage the participation of Indian stakeholders in regional trade initiatives in South Asia and to promote policy responses that would be inclusive of stakeholder preferences. Furthermore, its aim includes involving business representatives, farmer organisations, civil society representatives, academics, and government for creating an awareness and momentum towards regional economic cooperation in South Asia in a way that is expected to influence the future policy direction on trade and investment promotion within the country. For further information, please refer to <http://www.cuts-citee.org/events.htm>

22 September 2008. GENERAL ASSEMBLY HIGH LEVEL MEETING ON IMPLEMENTATION OF THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT. UN headquarters, New York, US. This high-level meeting will be held on 22 September 2008, prior to the general debate of the sixty-third session of the General Assembly. The meeting will be held at the highest possible political level, and will include Heads of State or Government, ministers, special representatives and other representatives, as appropriate. The meeting will result in a political declaration on Africa's development needs; the UNGA President will produce a draft text in consultation with member States, and convene informal meetings on the draft text. The Secretary-General will submit a comprehensive report, with recommendations, on "Africa's development needs: state of implementation of various commitments, challenges and the way forward" in cooperation with relevant development agencies of the UN, the Bretton Woods institutions and other relevant regional and international financial and trade institutions. For more information, visit <http://www.un.org/ga/62/meetings.shtml>

22- 25 September. Limbé, Cameroon. CAPACITY-BUILDING WORKSHOP FOR CENTRAL AFRICA ON

NATIONAL BIODIVERSITY STRATEGIES AND ACTION PLANS (NBSAPS) AND MAINSTREAMING OF BIODIVERSITY. This workshop will focus on particular topics including the status of development and implementation of National Biodiversity Strategies and Action Plans in the region; updating and increasing the effectiveness of National Biodiversity Strategies and Action Plans; integrating biodiversity into sectoral and cross-sectoral plans, programmes and policies including strategies for poverty reduction and achievement of the Millennium Development Goals and national and local planning processes; and a discussion on next steps in implementing and updating NBSAPs and mainstreaming biodiversity. For further information, please refer to <http://www.cbd.int/meetings/>.

24- 25 September. Geneva, Switzerland. WTO PUBLIC FORUM 2008: 'TRADING INTO THE FUTURE'. This year's Forum - "Trading into the Future" - will provide a platform for reflection on the multilateral trading system's six decades. In particular, input will be sought on the challenges and opportunities facing the WTO in each of its main functions, as well as on the challenges and opportunities facing the main actors and stakeholders of the system. This dialogue can contribute towards identifying practical and effective ways forward for the multilateral trading system. Civil society representatives interested in organising a session during the 2008 Public Forum should fill out the Call for Proposals Form before Thursday 1 May 2008. For further information please refer to: http://www.wto.org/english/forums_e/public_forum08_e/public_forum08_e.htm

25 September. UN headquarters, New York, US. HIGH-LEVEL EVENT ON THE MILLENNIUM DEVELOPMENT GOALS (SEPTEMBER SUMMIT). The UN Secretary-General and the President of the UN General Assembly are organising the September High-Level Event on the MDGs. The September Summit will seek to be the central political development event of the year, setting the tone for the Doha Financing for Development Conference in late 2008. It will seek to mobilise world leaders including heads of state, major business leaders, civil society and religious leaders, the heads of foundations, and other stakeholders to agree on the practical steps that are needed to achieve the MDGs. The central objective of the Summit is to gather announcements of commitments for concrete initiatives from all participants that will translate their promise to support the MDGs into action on the ground. For more information contact: tel: +1 (212) 963 3125; e-mail: nqls@un.org; Internet: <http://www.un.org/millenniumgoals/2008highlevel>

RESOURCES

THE LAW AND POLICY OF THE WORLD TRADE ORGANIZATION by Peter Van den Bossche. August 2008. This book provides both a detailed examination of the law of the World Trade Organization and a clear introduction to the basic principles and underlying logic of the world trading system. It explores the institutional aspects of the WTO together with the substantive law. New to this edition are examinations of the WTO rules on the protection of intellectual property and the rules on technical barriers to trade and sanitary and phytosanitary measures. Assignments are integrated throughout to allow students to assess their understanding, while chapter summaries reinforce learning. In addition further-reading sections have been added to each chapter and exercises have been included to draw on primary sources and real-life trade scenarios, enabling students to hone their practical and analytical skills. For more information please refer to <http://www.cambridge.org/uk/catalogue/catalogue.asp?sbn=9780521727594>

THE PRINCIPLES OF SUSTAINABILITY by Simon Dresner. August 2008. This new fully revised edition covers the latest on the climate change front, particularly the advances in scientific understanding and political awareness of climate change. Other updates include more recent economic analyses, particularly the Stern Report, and the global shift away from faith in markets over the past five years. At a time of increasingly rapid environmental deterioration and climate change, sustainability is one of the most important issues facing the world. Can we create a sustainable society? What would that mean? How should we set about doing it? How can we bring about such a profound change in the way things are organised? This text tackles these questions directly. It covers historical development of the concept of sustainability; contemporary debates about how to achieve it; and obstacles and the prospects for overcoming them. For more information please refer to <http://www.earthscan.co.uk/?TabId=33941&v=404651>

THE NEW GLOBAL FRONTIER: URBANIZATION, POVERTY AND ENVIRONMENT IN THE 21ST CENTURY by George Martine, Gordon McGranahan, Mark Montgomery and Rogelio Fernández-Castilla. August 2008. The world's developing countries will be experiencing massive increases in their urban populations over the 21st century. If managed intelligently and humanely, this growth can pave the way to sustainable development; otherwise, it will favour higher levels of poverty and environmental stress. The outcome depends on decisions being made now. The principal theme that runs through this volume is the need to transform urbanization into a positive

force for development. Part I of this book reviews the demography of the urban transition. Part II asks how urban housing, land and service provision can be improved. Part III analyses the challenges and opportunities that urbanization presents for improving living environments and reducing pressures on local and global ecosystems. These social and environmental challenges must be met in the context of fast-changing demographic circumstances; Part IV explores the range of opportunities that these transformations represent. These challenges and opportunities vary greatly across Africa, Asia and Latin America, as detailed in Part V. For more information please refer to <http://www.earthscan.co.uk/?TabId=4379&v=405789>

TRADE AND DEVELOPMENT REPORT 2008 - United Nations. September 2008. Subtitled "Commodity Prices, Capital Flows and the Financing of Investment," this report highlights the paradox that the "capital poor" developing world is exporting capital to the "capital rich" developed countries. This 'puzzle', which defies mainstream economic theory, is all the more intriguing as many capital-exporting countries have been achieving higher rates of investment and growth than those that continue to rely on net capital imports. Against this background, the report suggests to shift the focus in financial policies from households putting more money aside and imports of foreign savings, to the reinvestment of profits and credit creation through the domestic banking system. For more information please refer to <http://www.unctad.org/Templates/webflyer.asp?docid=10438&intlItemID=1397&lang=1&mode=highlights>

ENERGY EFFICIENCY IN BUILDINGS FACTS & TRENDS by the World Business Council for Sustainable Development. September 2008. Fourteen companies headquartered in 9 countries have studied and synthesised an exceptional data set reflecting more than 100 billion square metres of building floor space and two-thirds of world energy demand. The result is a significantly more detailed view of the current state of energy demand in the building sector than has previously been compiled. Importantly, it concludes that all participants can immediately drive down world energy demand and reduce carbon emissions using technologies and knowledge available today. The EEB vision is a world in which buildings consume zero net energy. For more information please refer to <http://www.wbcsd.org/>

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