



# Bridges Weekly Trade News Digest

*Weekly trade news from a sustainable development perspective*

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## LEAD STORIES

### WTO DG Lamy on Doha: It's the Final Countdown

WTO members are set to launch an intensive series of negotiations as they seek to bring the long-overdue Doha Round of global trade talks to a close by the end of 2011.

Pascal Lamy, director-general of the multilateral trade body, said Tuesday that the Group of 20 leading economies and the Asia-Pacific Economic Cooperation (APEC) forum, as well as leaders he had spoken with individually, had sent WTO members the “signals we need” to take the struggling negotiations into their final stage.

The G-20 leaders’ summit in Seoul in mid-November called 2011 “a critical window of opportunity, albeit narrow” for concluding a Doha accord. Its call for “across-the-board negotiations to promptly bring the Doha Development Round to a successful, ambitious, comprehensive, and balanced conclusion” was echoed by an APEC meet in Yokohama soon afterwards.

The Doha Round has seen many such pledges, and cycles of intense negotiation, since the talks were launched in the Qatari capital in November 2001, with a timetable to finish in just over three years. All have been missed. Nevertheless, the WTO chief says he is taking governments at their word. In his address to the Trade Negotiations Committee meeting on 30 November he outlined an “intensive work programme” for the months ahead, with informal discussions to supplement negotiating committee meetings scheduled for December, followed in January by the start of near-continuous talks on every issue in the Doha Round.

"We have the political signal, we have the technical expertise and we have the work programme," Lamy told negotiators. "We now need to translate these into a comprehensive deal which you can all take back home."

"The final countdown starts now," he added.

### **Lamy's timetable**

The first objective is updated negotiating texts, the draft agreements that would serve as the basis for hammering out a final accord. Lamy wants these for each area of the talks by the "end of the first quarter of 2011." He urged members to come forward with compromise proposals that would reduce the number of disagreements in the future texts. "Convergence is best achieved by members, so that chairs can reflect rather than create compromises [when drafting their texts]," he said.

According to the timetable Lamy described, the so-called 'cocktail approach' of meetings in various formats – small groups, bilateral contacts, negotiating groups and his own consultations – is set to continue, as members search for compromise. From 10 January, the negotiating groups on rules, trade facilitation, trade and environment, intellectual property rights, and development will begin intensive sessions, to be joined a week later by agriculture, non-agricultural market access (NAMA), services, and dispute settlement. Lamy stressed that ambassadors and senior capital-based officials will play a key role in these discussions, in order to help ministers lay the domestic groundwork for an eventual deal.

As Lamy envisions it, this process will ultimately lead to tradeoffs across different areas in the negotiations. Ultimately, members will have to "develop more of a global sense of what the final package will contain."

Frequent meetings alone will not suffice to overcome the deep substantive divisions among major economies that have left the Doha Round deadlocked for the past two years. In particular, the US has clashed with China, India, and Brazil over access to the fast-growing developing country markets. Washington says that the figures currently under discussion in the Doha Round would do too little to open up those markets

beyond current applied tariff levels. The developing countries have rejected these demands as unrealistic and out of proportion to what rich nations are being asked to do to, particularly in terms of cutting farm tariffs and subsidies.

Lamy said that during recent summits, government leaders have not shied away from acknowledging these divisions. "The discussions between leaders," he told the TNC meeting, "were to the point: how to supplement what is already on the table with new 'gives and takes' in order to build a final package that they could take to their respective legislatures."

The WTO head has repeatedly said that officials have been "testing flexibilities" in ongoing informal discussions aimed at understanding each other's positions and finding a way out of the impasse. However, delegates have been hard-pressed to provide Bridges with examples of what these flexibilities might be.

### **Developing countries demand new concessions on ag**

Comments during the meeting underscored the difficulties facing an agreement. Brazil, speaking on behalf of the G-20 developing country alliance on agriculture (not to be confused with the G-20 leading economies), warned that rich countries would have to make new concessions on agriculture if they hoped to get anything in return.

The US reiterated its view that China, India, Brazil and other large developing countries need to provide greater access to their own markets. Chinese Ambassador Sun Zhenyu urged members to take a "realistic and pragmatic approach" to the talks ahead. He noted that the G-20 leaders had also called for "respecting" the Doha Round's development mandate and "building on the progress already achieved," and warned that "any unilateral movement of the goalpost and change of the rules in the end game would cause further delays to the negotiations."

In his address to the TNC, Lamy reminded members that even after a basic agreement on a Doha Round package, it would take at least six to seven months for governments to schedule product-specific tariff and subsidy commitments

and finish up the “legal polishing” of the final accords. “We need to recall constantly that the clock is not our friend.”

While the Doha Round has survived many burials thus far, a failure to conclude the talks in 2011 would be a significant blow. It would send the negotiations past the ten-year mark and into an election year in the United States, where trade might once again become an issue politicians would be reluctant to touch.

ICTSD reporting; “WTO's Lamy says final Doha countdown has begun,” REUTERS, 30 November 2010.

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## Unemployment Stoking Protectionism warns WTO

High unemployment in many countries is fuelling demand for protectionist measures, which could potentially threaten jobs and growth worldwide, a WTO report warned last week.

The report, the global trade body's latest on developments in the international trading environment, noted that trade has bounced back strongly this year, following a sharp contraction in 2009. The WTO now forecasts a 13.5 percent increase in volume (measured by exports) from last year's level. Developing countries have been the main drivers of the recovery with exports rising by 16.5 percent, compared to 11.5 percent for industrialised countries. Developing countries in Asia recorded the strongest increase of 27 percent, higher than any other region.

The pattern mirrors the unequal distribution of economic growth more generally: while developing countries' total GDP is expected to rise by 7.1 percent in 2010, developed countries will achieve just a 2.7 percent increase. (Both groups are expected to achieve slightly slower GDP growth next year.)

### Unemployment, imbalances erode confidence in trade

Most governments will continue to struggle with high unemployment for the foreseeable future.

The ILO estimates that high-income economies will take until 2015 to reach pre-crisis levels of employment. In contrast, some emerging economies have already returned to 2008 levels. Globally, however, thirty million more people are estimated to be jobless than was the case two years ago, with youth unemployment twice the overall rate in most countries.

The report noted that global imbalances – huge trade surpluses in some economies and large deficits in others – were driving up protectionist pressures “at a time when the political consensus in favour of open trade and investment is already under strain from stubbornly high levels of unemployment in many countries.” Such pressures are particularly acute in the US, where the House of Representatives has already passed legislation that would open the door to the imposition of countervailing duties on Chinese goods on the grounds that the low value of the yuan acts as an illegal subsidy to exports.

However, the WTO stressed that restricting trade would do little to address the underlying causes of large trade imbalances, persistent high levels of unemployment and disorderly currency movements. Indeed, trade restrictions “could easily provoke retaliation, which would seriously threaten jobs and growth worldwide,” the report said.

Another issue picked up by the WTO secretariat was that heated debates over trade balances might actually be operating under outdated and inaccurate assumptions. The value of imports from a given source may be overestimated, the report suggested, since customs figures only look at where a shipment originated from – not at whether the product in question was merely assembled in the source country from components manufactured elsewhere. For instance, it was widely reported that each Apple iPad imported to the United States from China worsened the US trade deficit by some US\$287, while in fact only about US\$12 of value is added to each unit in China.

### Members should wind down crisis response measures

The WTO also expressed concern over “the danger of a steady accumulation over time of measures that restrict or distort trade and investment. Since the end of 2008, new trade restrictions have built up to cover 1.9 percent of total imports, while only 15 percent of the temporary crisis response measures introduced since the outbreak of the crisis have been removed so far.

Like previous updates, the November report urged Members prepare exit strategies to unwind stimulus and bail-out measures taken in response to the crisis. The effects of those measures on trade and competition will be examined by the Trade Policy Review Body early next spring. In the meantime, the schemes should not be used as a pretext to discriminate, directly or indirectly, against foreign traders or investors, the report said.

### **New trade restrictions**

The report also surveyed WTO Members’ use of import restrictions, including trade remedies. Governments introduced more than 200 new import restrictions between November 2009 and October 2010. Around 1.2 percent of total world imports were covered by these measures in mid-October 2010, up from 1 percent in the previous twelve-month period. Trade remedy investigations that may lead to the imposition of anti-dumping or countervailing duties represent the biggest chunk of the restrictions, followed by tariff increases, export restrictions (on grain and rare earth minerals), as well as non-tariff barriers. The report noted that just three measures accounted for almost half of the 1.2 percent trade coverage for 2009-2010: the EU’s renewal of its prior surveillance system on steel imports, China’s temporary tariff hike on fuel oil and jet fuel, and Beijing’s initiation of a countervailing duty investigation on imports of wireless wide-area networking modems.

In terms of numbers, the sectors most frequently affected are machinery and mechanical appliances (19 measures); iron and steel (18 measures); articles of iron and steel (17 measures); organic chemicals (14 measures); electrical machinery and equipment (14 measures); cereals (13 measures); and plastic products. Import restrictions on base

metals and their products (iron and steel); machinery and mechanical appliances; minerals (fuels and oils); and transport equipment (vehicles) counted the most in terms of trade coverage.

ICTSD reporting.

## **WTO IN BRIEF**

### **New NAMA Text Needed Before End-April, Says Chair**

Luzius Wasescha, who leads the talks on Non-Agricultural Market Access (NAMA), opened the latest round of NAMA talks on 26 November by laying out the next steps in the process and urging delegates to enter into intensive negotiating mode. His comments came just ahead of a similar appeal by WTO Director-General Pascal Lamy, who spoke at the Trade Negotiations Committee (see related article, this issue of Bridges Weekly).

Speaking to the members of the NAMA Negotiating Group, Swiss ambassador Wasescha said that following small group talks between ambassadors on the round as a whole, the ball was firmly back in the court of the negotiators. He called for intensified discussions to take place in small groups, which should develop a new text by the Easter break in order to leave time for members to wrap up the Doha Round at the end of the year. Intensification was key, he said: you can have a large group, which is small in terms of impact if it lacks energy. However, a group that is small in size but large in terms of energy can accomplish accordingly.

Wasescha provided three pointers on the way forward. First, he said that if Members felt some specific issues had not received enough attention, this should be brought up directly with him. Second, he stressed that the coordinators of the various country groupings should make it clear that time was running short, and so the coordination processes should be accelerated. Third, he asked negotiators to focus on the essentials. As such, delegates should avoid detailed and abstract discussions and concentrate on drafting concrete textual proposals.

The NAMA group has been focusing on non-tariff measures such as health and safety standards or technical regulations, seeking ways to prevent them from unduly restricting trade. Chair Wasescha said that while the 'NTB Brief' has been 'easy' until now because members have mainly been introducing and discussing ideas, they will have to start the hard work.

Wasescha said that text-based negotiations should proceed with regard to a 'horizontal mechanism' – set to quickly mediate trade irritants arising from non-tariff measures and avoid the WTO's time-consuming and expensive formal dispute settlement process – as delegates have sufficient elements at hand. He said he would ask for delegations to help in this challenging endeavour and that he wanted a readable text, not unreadable brackets. He stressed that the horizontal mechanism would be an additional tool available to Members, but that its use would be by no means obligatory.

With regard to remanufacturing, he said the situation was similar, and that the only way forward was to focus on essential elements. He would look for a small group of people to help devise a neutral text. On transparency, he said this was an area to work on with regulators, and push the envelope, test new ideas and engage in constructive dialogue. He said he did not understand objections to efforts in this area. The idea, said Wasescha, was not to harmonise standards, conformity assessment requirements etc as such, but to create greater convergence. He stressed that the current talks represented the last opportunity to bring in conceptual inputs on transparency.

Wasescha stressed the need to also get officials in capitals on board and willing to compromise, placing some of the burden on the Geneva-based delegates in this regard. Finally, saying that what he offered was just "friendly advice from the chair," Wasescha called on delegates to be reasonable in the negotiations on the road ahead.

The next set of NAMA talks are scheduled to begin on 17 January next year.

ICTSD reporting.

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## Australia to Comply with WTO Ruling on NZ Apple Ban

The WTO's Appellate Body has found in favour of New Zealand over Australia's 89-year trade ban on apples from its easterly neighbour. Last August, New Zealand's complaint that the ban to prevent the spread of fire blight was not in line with Australia's WTO commitments was supported by a dispute settlement panel.

Because of the unique flora and fauna in the two isolated countries, New Zealand and Australia are hyper-vigilant against diseases that could threaten agriculture. Australia says it has thus far prevented the arrival of fire blight – a potentially devastating disease for apples and pears – and apple producers say New Zealand imports will throw the door open to the disease.

The apple issue, which has elicited several large-scale protests by apple producers in the past, has been a blemish on an otherwise harmonious bilateral trade relationship. Canberra lifted the 1921 ban three years ago despite the public outcry, but Wellington has argued that in effect the embargo remains in place. Protective measures, such as chlorine baths and orchard inspections, are unreasonably protective, the New Zealand government has said. In August, the dispute settlement panel found that Australia's 16 quarantine measures and "import risk analysis" were not in line with the WTO's Sanitary and Phytosanitary (SPS) Agreement.

"The appeal report upholds the thorough analysis undertaken by the WTO dispute panel around risk assessment and the science at issue," said Tim Groser, New Zealand's minister of trade. "These findings - reached by independent external arbiters - settle any debate."

Australia has announced that it accepts the WTO decision and will conduct a science-based review of procedures. If Canberra fails to conform to SPS regulations, New Zealand will be in a position to impose punitive duties on Australian goods. But all indications are that Australia has given up the fight and will comply with the decision.



“As a country dependent on exports, we cannot turn our backs on the WTO rules that support our nation’s prosperity and that we used to gain access to other countries’ markets,” said Craig Emerson, Australia’s Minister for Trade. “Being a leading member and advocate of global trading rules, Australia must now abide by those rules.”

New Zealand says the decision will be a boon to its producers, who have been forced to export to markets further afield. Groser says his government is anxiously awaiting the details of how Australia will respond to the WTO ruling. “We’re looking forward to working with Australia to implement the findings through an effective and durable solution on access for New Zealand apples.”

ICTSD reporting; “Australia accepts ruling on apples,” BUSINESS DAY, 1 December 2010; “Australia loses WTO apple appeal,” NEW ZEALAND HERALD, 30 November 2010.

## EVENTS & RESOURCES

### Events

#### Coming up this week

30 November – 9 December, Cancun, Mexico. GLOBAL PLATFORM ON CLIMATE CHANGE, TRADE AND SUSTAINABLE ENERGY. Hosted by ICTSD, this series of conferences will take place alongside the upcoming World Climate Summit in Cancun. ICTSD’s events will include such topics as the role of trade and markets in addressing climate change and sustainable development, how to leverage multilateral trade to address climate change, and how patents and access to technology can effect climate change. For more information, please visit the platform’s website at <http://www.ictsdclimate.org/>

4 December, Cancun, Mexico. AGRICULTURE AND RURAL DEVELOPMENT DAY. Agriculture and Rural Development Day 2010, held in parallel to COP16, will bring agriculture sector adaptation and mitigation strategies to the forefront of the global climate treaty negotiations. It will demonstrate clearly that agriculture is where

climate change, food security, and development intersect. It informs the climate change negotiations and advocates for a COP decision on a “work program for agriculture” — and at the same time looking beyond the negotiations. For more information, please visit the official website at <http://www.agricultureday.org/>

4-5 December, Cancun, Mexico. WORLD CLIMATE SUMMIT. The World Climate Summit is a new, open and collaborative platform that cuts across sectors and industries, accelerating these solutions and encouraging partnerships between businesses, investors, and governments. It is a conference that will run every year for at least the next 10 years, in parallel to the UNFCCC COP annual meeting, with the inaugural one in December 4-5th, 2010 during COP 16 in Cancun, Mexico. This global platform will help governments, companies, and investors build bottom-up solutions to meet 2020 targets. For more information, please visit the official website [http://www.wclimate.com/World\\_Climate\\_Summit/HOME.html](http://www.wclimate.com/World_Climate_Summit/HOME.html)

6-7 December, London, England. FOOD SECURITY 2010. Volatility in food and agricultural commodities prices appears to have become a permanent feature of global markets. The relative stability of the past few decades has been broken, largely through increased consumer demand. This conference hosted by the Chatham House will gather business leaders and representatives from governments, multilateral agencies, international and non-governmental organizations to discuss the way forward in establishing a secure and sustainable balance between supply and demand. For more information, please visit the Chatham House website at <http://www.chathamhouse.org.uk/food10/>

#### WTO events

An updated list of forthcoming WTO meetings is posted at: [http://www.wto.org/meets\\_public/meets\\_e.pdf](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.

1 + 3 December: Trade Policy Review Board – Hong Kong, China

3 December: Negotiating Group on Trade Facilitation

6 December: Committee on Budget, Finance and Administration

8 December: Committee on Government Procurement

### Other upcoming events

6 – 7 December, London, England. FOOD SECURITY 2010. This conference will gather business leaders and representatives from governments, multilateral agencies, international and non-governmental organizations to discuss the way forward in establishing a secure and sustainable balance between supply and demand. Questions to be discussed include: 1) What impact do distortions in the market, eg subsidies, protectionism, food aid etc, have on food availability? 2) Is food distribution sufficiently prioritized within infrastructure plans? 3) From local to global: how effective are market information systems? 4) What role can Big Food companies play in sustainable food chains? 5) What can be done to ensure the dissemination and adoption of good farming practices? For more information, please visit the Chatham House website at <http://www.chathamhouse.org.uk/food10/>

6 – 7 December, Paris, France. OECD GLOBAL FORUM ON BIOTECHNOLOGY – DELIVERING GLOBAL PROMISE THROUGH THE LIFE SCIENCES. This Forum will review how knowledge in the life sciences is governed, shared, regulated and managed, and to explore new linkages between the life sciences and information and communication technologies. This event is the first time the OECD has taken a systematic look at what the social sciences can bring to their policy-making and experience in this key area. Conference discussions will feed directly into the agenda of

the OECD's working party on biotechnology as well as showcasing 8 years' worth of original EGN research and taking a forward look to new key questions at the intersection of science and society. For more information, please visit the OECD's website at [https://www.oecd.org/document/8/0,3343,en\\_2649\\_34537\\_46142664\\_1\\_1\\_1\\_1,00.html](https://www.oecd.org/document/8/0,3343,en_2649_34537_46142664_1_1_1_1,00.html)

6 – 8 December, Suva, Fiji. THE INTERNATIONAL CONFERENCE ON RENEWABLE ENERGY AND CLIMATE CHANGE. The conference will provide a common venue where the peoples of the Pacific will sit down together and devise their own strategies for solving their common problems. ICRECC2010 will necessarily be multi-disciplinary in nature. It will cover topics ranging from renewable energy resources, to technologies and their relevance to the development of the region and cross-cutting socio-economic and policy issues. It will also include a comprehensive discussion of the impact of climate change as experienced by the people of the Pacific nations themselves. This will be a multi-disciplinary conference covering all aspects of renewable energy and climate change as they impact on the lives of the Pacific people. Topics covered will include (but not be restricted to) renewable energy resource assessment and technology applications, renewable energy economics, policy, socio-economics, technology transfer and capacity building, environment and sustainability, climate change mitigation, vulnerability and adaptation and carbon trading. For more information, please visit the University of the South Pacific's website at <https://www.usp.ac.fj/index.php?id=8984>

9 December, Washington D.C., TRANSFORMATIONAL GOVERNMENT WORKSHOP. Organized by OASIS in cooperation with the World Bank ICT Sector Unit/e-Development TG/eTransform and CS Transform, and sponsored by Microsoft Corporation, this one-day Workshop is designed to provide World Bank public sector management colleagues a unique opportunity to exchange ideas and experiences with professionals from the public administration and the private sector regarding the significance of open standards for efficient and transformational government. Objectives of the workshop include 1) Learn

about the emerging concept of Transformational Government, and how it fits with global initiatives 2) Hear views and experiences from practitioners involved in the Transformational Government agenda including the World Bank e-Transform initiative 3) Help shape the work of the new OASIS Transformational Government Framework Technical Committee (TGF TC). For more information, please visit the Bank's website at

<http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:22766492~menuPK:34482~pagePK:2524753~piPK:51421526~theSitePK:4607,00.html>

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## Resources

LIFTING EURO AREA GROWTH: PRIORITIES FOR STRUCTURAL REFORMS AND GOVERNANCE. By Céline Allard and Luc Everaert. (The International Monetary Fund, 22 November 2010). According to the authors, to live up to its growth potential and secure its inclusive social model, the euro area must make better use of its available labor. In the aftermath of the crisis, boosting growth is essential to prevent unemployment from becoming a long-term problem and to facilitate the return to fiscal sustainability. Labor utilization in the euro area has been lagging considerably behind its best performing peers. While fewer hours worked may, to some extent, reflect a social choice, higher unemployment rates and lower participation rates, on the other hand, cannot easily be attributed to individual preferences. Here, policies and institutions matter more. And there is little excuse for relatively low labor productivity, a particular bane in southern Europe and an increasing challenge everywhere. The authors present ways to kick start growth, and suggest ways that reform can improve the area. For more information, please visit the IMF website at <http://www.imf.org/external/pubs/ft/spn/2010/spn1019.pdf>

THE DAY AFTER TOMORROW: A HANDBOOK ON THE FUTURE OF ECONOMIC POLICY IN THE DEVELOPING WORLD. By Otaviano Canuto

and Marcelo M. Giugale. (The World Bank, 27 September 2010). The disconcerting but exciting search for a new intellectual compact has begun according to the World Bank. To help guide the discussion, *The Day after Tomorrow: A Handbook on the Future of Economic Policy in the Developing World* puts forth four key messages: 1) While the developed world gets its house in order, and macroeconomics and finance achieve a new consensus, developing countries will become a (perhaps the) growth engine for the world. Faster technological learning and more South-South integration will fuel that engine. 2) Governments in developing countries will be better—they may even begin to earn the trust of their people. 3) A new, smarter generation of social policy will bring the end of poverty within reach, but the attainment of equality is another matter. 4) Many regions of the developing world will break out of their "developing" status and will graduate into something akin to "newly developed." Africa will eventually join that group. Others, like Eastern Europe, have a legacy of problems to address before such a transition. For more information, please visit the World Bank's website at [http://publications.worldbank.org/index.php?main\\_page=product\\_info&cPath=0&products\\_id=23882&wbid=7b8ead2ff6d504522ddaef0fa5a14c4a](http://publications.worldbank.org/index.php?main_page=product_info&cPath=0&products_id=23882&wbid=7b8ead2ff6d504522ddaef0fa5a14c4a)

EUROPEAN PARLIAMENT HEARINGS ON FOREIGN DIRECT INVESTMENT. By Nathalie Bernasconi-Osterwalder. (International Institute for Sustainable Development, 2010). Nathalie Bernasconi-Osterwalder looks at some of the trends in the area of investment protection and dispute settlement, and at the investment treaty arbitrations Europe is facing. She identifies some of the main challenges that have become apparent in the area of investment protection and examines issues that have arisen in relation to the substantive rules contained in investment treaties and investor-state dispute settlement mechanism. Drawing on the experience of countries like the U.S. and Canada, she outlines ways in which some of the main problems could be addressed in the European context. For more information, please visit <http://www.iisd.org/publications/pub.aspx?pno=1365>

THE EQUITABLE SHARING OF ATMOSPHERIC AND DEVELOPMENT



SPACE: SOME CRITICAL ASPECTS. By Martin Khor. (The South Centre, November 2010). In the quest for an international agreement on actions to address the climate change crisis, three aspects have to be the basis simultaneously: 1) The environmental imperative, to prevent the climate from changing to the extent that would have disastrous consequences. 2) The developmental imperative, in that developing countries have the needs and goals of eradicating poverty and providing jobs, fulfilling basic and human needs of the population, and 3) The equity imperative, as a global agreement that works has to be based on an equitable sharing of responsibilities and rights towards meeting the environmental imperative, and be based on the understanding of the developing countries' development needs. This South Centre Research Paper aims to contribute to the discussion on the issues of environment, development and equity that are at the centre of the climate, development and equity nexus. For more information, please visit the South Centre's website at [http://www.southcentre.org/index.php?option=com\\_docman&task=doc\\_download&gid=1927&Itemid=182&lang=en](http://www.southcentre.org/index.php?option=com_docman&task=doc_download&gid=1927&Itemid=182&lang=en)