



**A SUMMARY REPORT ON THE WTO SYMPOSIUM ON TRADE, ENVIRONMENT AND SUSTAINABLE DEVELOPMENT**

**WTO SYMPOSIUM ON TRADE,  
ENVIRONMENT AND SUSTAINABLE  
DEVELOPMENT: 20-21 MAY 1997**

The World Trade Organization (WTO) Symposium on Trade, Environment and Sustainable Development was convened from 20-21 May 1997 in Geneva. The Symposium was divided into seven topical sessions designed to enrich the discussions in the WTO Committee on Trade and Environment (CTE), which was held immediately thereafter. During the sessions, participants from over 70 non-governmental organizations (NGOs) representing business, environment, development and consumer organizations, presented their views on specific WTO-related issues and engaged in discussions with Members of the CTE and other NGOs. The sessions addressed: globalization, trade and sustainable development; synergies between trade liberalization and the environment; multilateral environmental agreements and the WTO; agreement on trade-related aspects of intellectual property rights (TRIPs) and the environment; market access; tariff, non-tariff measures and the environment; and relations with NGOs.

The Symposium was a direct result of the WTO General Council Decision of July 1996 on Guidelines for Arrangements on Relations with NGOs. The Decision indicated that the Secretariat should play a more active role in its direct contacts with NGOs who, as a valuable resource, can contribute to the accuracy and richness of the public debate. The objectives of the meeting were inextricably tied to the process of the meeting and many participants considered the Symposium a success because, for the first time, there was actual interaction between NGOs and member States. Most came away with a greater understanding, though perhaps not sympathy, for the positions of their traditional "opponents." As well, most agreed that this meeting might represent the first of a number of such informal sessions tied to CTE meetings. The door having been opened and, no monsters having been found on the other side, the beginnings of trust between the trade community and civil society may have been established.

**A BRIEF HISTORY OF THE WTO AND THE CTE**

The WTO, established on 1 January 1995, is the successor to the General Agreement on Tariffs and Trade (GATT) and the embodiment of the results of the Uruguay Round. As the legal and institutional foundation of the multilateral trading system, the WTO provides the principal contractual obligations that determine how governments frame and implement domestic trade legislation and regulations. The WTO provides the platform on which trade relations among Members evolve through collective debate, negotiation and adjudication.

The WTO provisions include a number of references to the environment, such as the preamble to the Marrakech Agreement, which notes the importance of "allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to en-

hance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development." Specific references to the environment are included in the Agreements on Subsidies and Countervailing Measures, Agriculture and Technical Barriers to Trade and a number of other WTO provisions.

The principal focus of the WTO's work on trade and environment is contained in the Uruguay Round Final Act, under which ministers adopted a decision on trade and environment that called for the establishment of the Committee on Trade and Environment (CTE) and outlined its work programme. The decision states that the purpose of the CTE is "to identify the relationship between trade measures and environmental measures in order to promote sustainable development," and "to make appropriate recommendations on whether any modifications of the provisions of the multilateral trading system are required, compatible with the open, equitable and non-discriminatory nature of the system."

The CTE builds upon progress achieved in the GATT's Group on Environmental Measures and International Trade, the Committee on Trade and Development and the GATT Council. According to its terms of reference, the CTE shall address:

- the relationship between the provisions of the multilateral trading system and trade measures for environmental purposes, including those pursuant to multilateral environmental agreements (MEAs);
- the relationship between environmental policies relevant to trade and environmental measures with significant trade effects and the provisions of the multilateral trading system;
- the relationship between the provisions of the multilateral trading system and (a) charges and taxes for environmental purposes and (b) requirements for environmental purposes relating to products, including standards and technical regulations, packaging, label-

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- ling and recycling;
- the provisions of the multilateral trading system with respect to the transparency of the trade measures used for environmental purposes and environmental measures and requirements that have significant trade effects;
- the relationship between the dispute settlement mechanism in the multilateral trading system and those found in multilateral environmental agreements;
- the effect of environmental measures on market access, especially in developing countries, in particular to the least developed among them, and environmental benefits of removing trade restrictions and distortions; and
- the issue of the export of domestically prohibited goods.

The 1996 report of the CTE summarizes the discussions and presents the conclusions of the CTE on its work programme. The Singapore Ministerial Declaration, adopted in December 1996 at the WTO Ministerial Conference, noted that the CTE has made an important contribution toward fulfilling its Work Programme and that full implementation of the WTO Agreements will make an important contribution to achieving the objectives of sustainable development. The decision also states that the work of the Committee has underlined the importance of policy coordination at the national level in the area of trade and environment. In this connection, the work of the CTE has been enriched by the participation of environmental as well as trade experts from member governments and the further participation of such experts in the CTE's deliberations would be welcomed. The decision also notes that the breadth and complexity of the issues covered by the CTE Work Programme shows that further work needs to be undertaken on all items of its agenda.

### REPORT OF THE SYMPOSIUM

Chair Gary Sampson, Director of the WTO Trade and Environment Division, opened the meeting on Tuesday, 20 May, and introduced the Deputy Director-General of WTO, Warren Lavorel.

Mr. Lavorel noted that while trade policy evolves, processes related to the environment and sustainable development are also evolving, as evidenced by the upcoming UN General Assembly Special Session (UNGASS) and negotiations under the Framework Convention on Climate Change, the Montreal Protocol and the Convention on Biological Diversity. These developments underlie the importance of ensuring that trade and environment policies are mutually supportive and provide the impetus for this meeting. He encouraged participants to highlight important issues and identify broad areas that warrant attention, and noted that the success of the meeting will depend on the exchange of views. He thanked the Governments of Australia, Canada and the Netherlands for funding the Symposium.

Each of the seven sessions featured from two to six speakers that presented a range of views on the specific session themes. Following their presentations, the floor was opened for a frank exchange of views among Members, NGOs and observers.

### GLOBALIZATION, TRADE AND SUSTAINABLE DEVELOPMENT

This session addressed broad policy and systematic issues related to the links between economic globalization -- of which trade liberalization is part -- environmental protection and sustainable development.

SOUTH-NORTH DEVELOPMENT MONITOR offered two post-Rio assessments. First, the promises made by developed countries in Rio, such as new and additional financial resources, technology transfer and action on debt, had not been honored. Second, the world's natural environment was continuing to deteriorate. He stated that globalization is driven by a set of neo-liberal economic prescriptions that

deregulates commerce and limits State sovereignty, and he argued that the resulting "free hand" could not achieve sustainable development. Northern polluters, such as manufacturers of CFCs now rewarded with monopolies on the production of substitutes, have not been forced to follow the polluter pays principle. He said that wasteful consumption patterns in the North are linked to underdevelopment in the South and that globalization is importing these unsustainable lifestyles to the South. He argued for a "needs satisfying" development path.

He stated that the WTO system is biased against the South in that its lack of special and differential treatment means that unequals are treated as equals. He noted that the Information Technology Agreement (ITA), an agreement of interest to Northern producers, was negotiated quickly at the WTO's Singapore Ministerial Conference (SMC), while sectors of longstanding interest to the South, such as textiles and agriculture, received little or no attention.

GREENPEACE INTERNATIONAL cautioned that the term "sustainable development" meant many things to different people and was frequently abused. He said it should be taken to mean economically sound and socially just development. He outlined the basic themes of criticism levied by environmentalists against the trade regime, borrowing from the work of Daniel Esty, including: trade in the context of uninternalized environmental costs might contribute to environmental destruction; trade with countries of lower environmental standards would create, in the high standard countries, pressure for lower standards on competitiveness grounds; and, the GATT/WTO is not sufficiently open to input and scrutiny by civil society.

He stressed the urgency of the environmental dilemma, citing UNEP's Global Environmental Outlook and other recent reports as confirmation that the last five years have seen considerable backsliding. He presented figures demonstrating the severity of the global situation in the areas of climate change, forests, production of toxic chemicals and fisheries depletion. He proposed that every trade decision be subjected to a threshold test to ensure that the result enhances sustainable development.

The WORLD BUSINESS COUNCIL FOR SUSTAINABLE DEVELOPMENT (WBCSD) stressed the potential contribution of trade to sustainable development, and the central role of business in the equation. She underscored that business needs stability and certainty in trade rules, and seeks minimal disturbance to trade flows while achieving other policy goals. The role of business in advancing sustainable development is reflected in some of the initiatives already undertaken by businesses, such as adoption of voluntary environmental management systems, transfer of state-of-the-art technology to branch operations and voluntary codes of conduct, such as the chemical industry's "Responsible Care" or the International Chamber of Commerce's "Charter for Sustainable Development".

She suggested that the WTO should continue to liberalize trade and seek clarity and stability of rules. She recommended that the CTE in particular should become more action-oriented by formulating a clear work plan to identify where progress was possible over the next two years. She understood the necessity of the Committee's first two years of deliberations, but cautioned that the next two years need to go further, lest the WTO suffer a loss of credibility or risk being by-passed by "go-it-alone" solutions.

The INTERNATIONAL INSTITUTE FOR SUSTAINABLE DEVELOPMENT (IISD) cautioned that civil society interaction, such as this Symposium, will by necessity be untidy and difficult, but stressed that better policy was the result. He argued that the five-year review of the Rio accords demonstrated the inability of States alone to deliver sustainable development and the consequent need for meaningful State-civil society interaction. He noted the curious need of the WTO system to take what are essentially disputes among private businesses and transform them into disputes among States.

He characterized the WTO's current interpretation of "like" products as mistaken. He asked why a system that could protect Madonna's royalties by imposing trade barriers against pirated production of her

music could not also protect dolphins by imposing trade barriers against tuna caught using "dolphin unfriendly" methods.

A narrow interpretation of "like" products, he maintained, was dangerous to the trading system. He stated that solving this dilemma was not a matter of establishing a new environmental organization analogous to the WTO, since the complexity of the many environmental issues would frustrate such an organization. The solution lay in engaging civil society in all its forms -- an effort critical to the future of the trading system.

**DISCUSSION:** The SUSTAINABLE DEVELOPMENT POLICY INSTITUTE (SDPI) noted that at the domestic level, globalization gives rise to several arguments that makes his work more difficult. Many people argue that policy is useless, particularly in developing countries where debt problems, multilateral commitments and financial openness swamp any efforts of weak governments to develop policies. Others argue that development and environment are opposed to one another, and that there is a need for industrialization at the expense of the latter. He characterized the second argument as a false dichotomy, but said the first held grains of truth, which underscores the need for capacity building in developing countries and a reversal of some trends in globalization. The ZIMBABWE REGIONAL ENVIRONMENT ORGANIZATION (ZERO) and a number of other NGOs reiterated the urgent need to build domestic capacity in developing countries, noting that many were "floundering" on trade and sustainable development issues.

The THIRD WORLD NETWORK argued that the stable rules desired by WBCSD would not guarantee stability of economies under a globalization scenario, and cited the Mexican peso crisis and the current Thai bhat crisis as proof. He stressed that fairness, rather than the stability, of rules is key. He opposed the view that inequity could not be addressed within the WTO and supported the South-North Development Monitor in calling for special and differential treatment for developing countries.

IISD noted that the environment itself is a key force driving globalization, and argued that globalization necessitates effective governance and capacity for governance at all levels, from sub-national to multilateral, with involvement of civil society. For the WTO, this would entail changing current practices, rule interpretations and agreements.

The WORLDWIDE FUND FOR NATURE INTERNATIONAL (WWF) stressed that the problem of poor connections between trade and other ministries extended beyond the domestic level to include the multilateral level as well. He noted the need for a new intergovernmental framework, within which the WTO could engage civil society and relevant inter-governmental organizations (IGOs). Lacking such a forum, he predicted, the trend toward unilateral actions would continue. JAPAN agreed, but questioned the urgency, noting that there had been as yet no WTO disputes involving multilateral environmental agreements.

CANADA recalled Greenpeace International's proposal for a threshold test of trade policy decisions and asked what such an instrument would look like in practice. JAPAN agreed with the WBCSD that the CTE agenda could be streamlined, but argued that it could not ignore any of the ten points in the current work programme. He pointed out that WTO delegates should not be thought of as trade representatives only, since they have had briefings in their capitals from various ministries.

### SYNERGIES BETWEEN TRADE LIBERALIZATION AND THE ENVIRONMENT

This session explored the synergies between trade liberalization and the environment. Although considerable literature exists on these synergies, the empirical work is incomplete. The WORLD RESOURCES INSTITUTE (WRI) highlighted its recent study on environmentally sustainable trade expansion, which noted, *inter alia*, that impacts of trade on the environment vary greatly by sector and loca-

tion. Factors such as simultaneous adjustment of trade and environmental policies, application of the polluter pays principle and clearly defined property rights all affect the environmental consequences of policy change. He noted that information on the environmental impacts of trade liberalization is fragmentary and trends are difficult to discern. He called for national assessments, better monitoring and research, technical assistance and pollution inventories.

The THIRD WORLD NETWORK called for more equitable use of the world's resources and said the WTO should focus on the principle of common but differentiated responsibilities when discussing environment and sustainable development. He cautioned that trade liberalization rewards the strong and efficient while disregarding others, and perpetuates the transfer of "wrong" technologies. He said that less developed countries (LDCs) must be given the opportunity to promote and protect their domestic sectors and called for trade liberalization for developing country exports. He said that current trade liberalization focuses on areas of advantage to the developed countries. He characterized TRIPs as a monopolization, rather than a liberalization, process and sought an examination of investment liberalization.

The NORTH-SOUTH CENTRE noted that cooperation on environmental issues is unlikely without good political relationships and stressed that integrating forces such as trade could serve as a vehicle. He noted that the concept of free trade is on the defensive in the US and has become linked to other issues such as cooperation to stop drug trafficking and immigration, which leaves little doubt as to why the environment is continuously savaged. Political cooperation at the highest levels breeds cooperation on the environment.

The INSTITUTE FOR RESEARCH ON PUBLIC EXPENDITURE said that the discussion on synergies should include subsidies, which are often the key cause of unsustainable practices and violate the polluter pays principle. Citing a number of case studies on subsidies, he noted that in most cases they are self-defeating, expensive and inefficient, and beneficial for the rich. The WTO could assist in creating a multilateral agreement on subsidy reform. NGOs could play a role in exposing subsidy policies and convincing constituencies.

The CENTRO DE INVESTIGACIONES PARA LA TRANSFORMACION observed that larger companies with newer equipment seem to do well with trade liberalization and demands for environmental performance. But he noted that small- and medium-sized enterprises (SMEs) are often so vulnerable they cannot implement even local regulations. He proposed subsidies for upgrading environmental management schemes for SMEs, noting that some forms of subsidies could support sustainable development. He said that developed countries provide the bulk of agriculture subsidies, which distort agricultural prices and lead to destructive practices in developing countries.

**DISCUSSION:** There was discussion on a broad range of topics raised by the speakers and discussants. MS-DENMARK, an NGO, noted that the goal is ensuring that trade barriers go down while environmental standards go up, but noted these processes are not linked internationally. He said that Members should link environment issues to trade issues, just as negotiations on intellectual property rights and textiles, for example, were linked in the Uruguay Round. He proposed using concessions on trade issues as a bargaining tool for achieving improved rules related to the environment. CONSUMERS INTERNATIONAL said that discussions must go beyond trade to incorporate other aspects such as the political climate between North and South. She noted at the last meeting of the Commission on Sustainable Development, developing countries expressed disappointment at the failure of developed countries to fulfill the promises made at Rio and protested almost all references to "environment" because they assumed it meant more restrictions on their development. The CTE debate may remain technical in nature but will not progress until other issues are addressed.

The SOUTH-NORTH DEVELOPMENT MONITOR said that discussions often focus on a rule-based system, when the multilateral

trading system is a power-based process. FOCUS ON THE GLOBAL SOUTH said that despite talk of expanding the rules-based system, unilateral measures are more frequently used now than ever before. WWF noted that if the WTO is serious about sustainable development then the CTE agenda should spread into all other areas of its work.

ARGENTINA noted that trade and environment discussions often focus on the circumstances under which trade restrictions should be accepted for the sake of the environment, but noted that some Members seemed reluctant to exchange views on subsidies and commodity pricing, which often lead to environmental degradation. FOCUS ON THE GLOBAL SOUTH stated that Northern agricultural subsidies often lead developing countries to use pesticides and fertilizers in order to compete. JAPAN said that the CTE was not the only forum in which agricultural subsidies should be discussed, noting the issues was also a topic for discussion in the Committee on Agriculture. THIRD WORLD NETWORK cautioned that removing subsidies had important distributional effects. AUSTRALIA said participants had focused on low commodity prices and decline in terms of trade, but failed to discuss the underlying causes, and had criticized subsidies while, at the same time, disliking the stronger rules that would protect against them. AMAZONEX-INDUSTRIAL EXPORTADORA said that participants were attempting to simplify a complex situation. He called for education on the importance of the environment, political will from governments, and close cooperation between producers and conservation organizations.

NIGERIA said this discussion faces the same dilemma as discussions in the CTE: agreement on main points, but a breakdown on priorities. He also argued that some of the CTE's problems stemmed from the fact that, unlike other Committees, it had no Agreement to administer. He noted that all of the WTO's work has environmental aspects and encouraged participants to develop a greater appreciation of the difficult issues involved. He also asked participants to discuss their efforts to help with institutional capacity building. AUSTRALIA challenged participants to specify any WTO rules that led to environmental degradation. The NORTH-SOUTH DEVELOPMENT MONITOR replied that listing all problematic rules would require days. He noted, for example, that the Montreal Protocol requires the phasing out of ozone depleting substances but the technology to accomplish this is held by only a few corporations that demand equity in any foreign production, with TRIPs rules preventing compulsory licensing. WWF argued that the CTE should be addressing the negative effects of trade liberalization, having already committed to address the positive effects in item six of its ten-point work plan. MS-DENMARK supported international coordination of an EU-like process, where as trade barriers went down, environmental standards rose. He proposed that the environment could be brought into the WTO and linked to other issues in the same way as intellectual property rights -- another "non-trade-related" issue. NIGERIA and the SOUTH-NORTH DEVELOPMENT MONITOR chided the WTO for still having done nothing on the issue of domestically prohibited goods.

#### **MULTILATERAL ENVIRONMENTAL AGREEMENTS AND THE WTO**

This session examined the links between MEAs and the WTO and sought to identify areas of potential difficulty, as well as possible options to address them. The FOUNDATION FOR INTERNATIONAL ENVIRONMENTAL LAW AND DEVELOPMENT (FIELD) emphasized that while the law may provide technical fixes and rule changes, the problem is fundamentally political. He noted that the British Parliament had considered this issue prior to the Singapore Ministerial Conference and urged support for the EU's proposed amendment to Article XX, the provision of GATT allowing for general exceptions to GATT rules. The amendment would create exceptions for certain trade measures taken under MEAs. He said that where the MEA does not specify the measures to be taken, then the matter becomes one of dispute settlement. Important signals must emanate from the WTO's

Appellate Body, which should distinguish and acknowledge a preference for multilaterally-based measures. This need not involve giving away all trade protections, since the chapeau of Article XX would still proscribe protectionist measures. He also argued for non-governmental intervenors in WTO disputes.

The UNION OF INDUSTRIAL AND EMPLOYERS' CONFEDERATIONS OF EUROPE noted that some participants seemed reluctant to state a position because no conflicts have yet arisen, but added the difference in membership between the WTO and MEAs will likely trigger a conflict. He supported amending GATT Article XX(b) to allow exceptions for measures necessary to protect "the environment," as well as human, animal or plant life or health. He urged the WTO to establish principles on the treatment of trade measures taken under MEAs. Any trade measures taken under MEAs must be balanced and negotiators under MEAs must justify their proposed measures using sound scientific evidence. He proposed including a rebuttable presumption that would reverse the current burden of proof, presuming an MEA's trade measure to be "necessary" until a complainant proved otherwise.

The CENTRE FOR SCIENCE AND THE ENVIRONMENT (CSE) said the fundamental principles of our framework for global governance must be fairness and equity. She characterized the use of trade measures in MEAs as an inequitable lever available only to stronger countries -- legalizing a system where "environmentally errant nations are preaching to the environmentally frugal." She said that under the Climate Change Convention, the North consistently argues for a level playing field and characterizes the South as a "free rider." Meanwhile, the industrialized world continues to produce excessive emissions and refuses to reflect the global price of this consumption in its products. She also noted problematic uniform solutions used by some MEAs, such as the ivory ban under CITES, as exemplifying the leverage that developed countries wield in obtaining developing country consent for "disastrous" policies. She added that developing countries cannot "wish away" the creation of the existing framework for global governance, therefore it must be built with their participation.

The KENYA ENERGY AND ENVIRONMENTAL ORGANIZATION (KENGO) stated that the context of this debate is sometimes misplaced because neither the WTO nor the MEAs present a complete opportunity to address the issues. He asked whether the present framework allows for flexibility and how issues of equity and social justice would be addressed in this debate. He said the solution does not lie in training, but in the extent the rules of the game can be changed so that developing countries can participate. He called for an institutional framework to address these issues and avoid the formulation of conflicting policies.

**DISCUSSION:** Regarding Article XX, AUSTRALIA urged participants to bear in mind the purpose of the rule and expressed support for the outcome of the two cases that have arisen under it. On the rules and function of the Appellate Body, he expressed concern that a panel can reinterpret a negotiated text. As for amending Article XX(b), he cautioned that opening the door for one amendment also opens it for several others. The SOUTH-NORTH DEVELOPMENT MONITOR agreed with AUSTRALIA's final point and said any additional references to the environment should be accompanied by references to development. FIELD noted that there have in fact been seven panels on Article XX and two appellate body actions, and reiterated the need to provide the appellate body with direction. He argued that it was proper for judicial panels to reinterpret legislative text, and that negotiators had to "let go" of their creations. He expressed concern about some of the Appellate Body's reasoning and noted its effect on national legislation.

The CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW (CIEL) said the goal of revising Article XX could be accomplished through a revised interpretation. She noted that this issue would be decided in diverse fora, such as the Conferences of the Parties (COPs) of MEAs, national capitals and the WTO's dispute settle-

ment mechanism. Regarding the dispute settlement mechanism, she supported a presumption that environmental negotiators can determine the types of measures available under an MEA that would be compatible with the WTO. The WTO, when facing a disputed measure, could consult the MEA on whether the measure in question was the kind envisaged.

The INTERNATIONAL COUNCIL ON METALS AND THE ENVIRONMENT (ICME) said that Article XX's chapeau already contains a preference for multilateral solutions. He said the problem results more from fragmentation in the MEAs rather than in the WTO provisions and noted that the WTO is not the forum to debate MEA shortcomings. FRIENDS OF THE EARTH stated that MEAs should be given priority and the WTO should not be able to judge their validity. She said the "chill factor" from the WTO is already affecting negotiations on climate change and biosafety. She supported closure of the CTE because the discussions are making no progress.

DUPONT highlighted the importance of specifically defining the criteria for determining whether a measure is included or excluded and noted the need for science-based criteria. He noted that dialogue often centers on flexibility, but cautioned that flexibility invites governments into a gray area. CANADA agreed, noting that the more flexible and less specific a measure, the more vulnerable to abuse, and the more likely to lead to disputes. He noted that many MEAs have weak or non-existent dispute settlement mechanisms, which might lead to issues being brought to the WTO.

ARGENTINA said measures with a strong scientific basis, such as those that may be developed under the Framework Convention on Climate Change, should be distinguished from those lacking in such bases.

SWITZERLAND said negotiators should be free to include trade measures in MEAs and called for a legal clarification between WTO rules and such potential measures. The EUROPEAN COMMISSION supported a multilateral approach and noted that trade measures under MEAs should receive favorable treatment under the WTO. While a WTO Panel should not judge their necessity, this would not create *carte blanche*, since Article XX's chapeau would weed out protectionist measures.

CSE reiterated that fairness and equity cannot be separated from trade issues and objected to suggestions that her opposition to aspects of multilateral systems accordingly revealed her preference for unilateral actions. She clarified that her statements reflected her disappointment that MEAs had not taken any substantial action.

## TRIPS AND THE ENVIRONMENT

This session explored the relationship between the provisions of the TRIPs Agreement, environmental protection and sustainable development, particularly in relation to the generation, access to and transfer of environmentally sound technologies (ESTs) and provisions of some MEAs.

DUPONT stressed that corporations are not fearsome criminal elements, but are a means to efficiently organize economic activity and meet consumers' needs. He argued that innovation lay at the heart of achieving sustainable development, new technologies are needed to reduce waste and reduce the need for large environmental inputs, and corporations are central actors in the transition to sustainable development. He cautioned that such expenditures on innovation are based on an assessment by each firm of risk and return. If firms cannot be guaranteed a return on investment, investment will not proceed. He said that TRIPs advanced sustainable development by protecting the return on innovation and providing incentives for investment. He warned that if industry were not allowed to take on the challenge of helping in the transition to sustainable development, the transition would not occur.

The INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE-ENVIRONMENTAL LAW CENTRE (IUCN-ELC) focused on the relationship between TRIPs and the Convention on Biological Diversity (CBD) and stressed that the latter was more than a

narrow environmental concern. The CBD covers: technology transfer; protection of intellectual property in relation to environmentally sound technologies and products, as well as informal innovations; and the sharing of benefits arising from the use of genetic resources.

Arguing that the WTO cannot deal with such issues in isolation, he offered a number of suggestions to ensure smooth cooperation with the CBD. The CBD's application for CTE observer status could be quickly accepted and observer status could also be granted in the WTO's TRIPs Council. He suggested establishing formal mechanisms of cooperation and, noting work of interest to WTO underway in the CBD, a mechanism to feed such work into the deliberations of the WTO. He said the mandated review of Article 27(3)(b) of the TRIPs Agreement by 1999 offered a good opportunity for positive change.

The SOCIEDAD PERUANA DE DERECHO AMBIENTAL (SPDA) stated that intellectual property rights (IPR) regimes, particularly those involving biodiversity conservation, tend to become strongly linked to other regimes. By way of illustration, he pointed to Decision 39 (1) of the Andean Pact, concerning legislation on access to genetic resources. He noted that Peru had introduced legislation on plant breeders' rights that involved some elements of IPR protection and protection of indigenous knowledge. He observed that as the North becomes more strident about access to and use of traditionally defined intellectual property, the South would continue to respond by restricting access to its raw genetic resources and its traditional knowledge, allowing them to be exploited only under strict conditions.

The TEBTEBBA FOUNDATION linked the TRIPs Agreement to a number of undesirable results, particularly in the context of the patenting of traditional knowledge. Such "monopolization of public knowledge" has led to increased efforts by multinational firms to extract knowledge without due compensation, a practice she referred to as "biopiracy." She objected to language in the TRIPs Agreement that restricted the granting of patents to those innovations that were commercially applicable, noting that this left much traditional knowledge unprotected. She condemned the patenting of life forms, allowed under TRIPs, as an inappropriate intrusion of the WTO on the sovereign rights of nations. She recommended amending TRIPs with respect to environmentally sensitive technology and products (ESTP) to: allow for technology transfer of ESTP on concessional terms on the basis of need; relax patent protection for ESTP; strengthen provisions allowing States to grant compulsory licenses for ESTP; and shorten the periods granted for patent protection.

**DISCUSSION:** There was discussion on a broad range of topics raised by the speakers and discussants. MS-DENMARK questioned whether the rewards granted by intellectual property rights (IPRs) were really necessary to stimulate investment in innovation, arguing that just being first was often enough. He also said that allowing developing countries to copy innovations was a good form of technology transfer, fostering learning by doing. The US cited the high costs of research and development as a disincentive to invest, absent IPRs, and the fact that learning by copying does not involve learning to create, which is the heart of innovation. On the latter point, SDPI noted that Japan, Korea and much of the industrialized world had developed their present industries by copying heavily, and that only once they had reached a certain level of sophistication did they see fit to protect intellectual property. IUCN-ELC noted that IPRs are a means to an end, neither good nor bad by nature, and called for more research to determine where they do and do not achieve those ends.

The US questioned the recommendations of the Tebtebba Foundation concerning reduced IPR protection for ESTP. He argued that such actions would reduce incentives to produce ESTP by reducing the payback received by innovators, with the result that less innovation would transpire.

FIELD said there was an urgent and enormous need for capacity building in developing countries on these policy issues. He related the case of a government he had advised that was simultaneously addressing the need to change national laws on genetic resources, the desire to

take advantage of what it sensed were opportunities offered by the Convention on Biological Diversity, and the requirement to respect the TRIPs Agreement in doing both. SPDA agreed with the need to build capacity, and called for further research on the sustainable development effects of IPRs. Such research would help countries assess new technologies and decide which types are needed.

The Chair noted that the WTO's Integrated Plan of Action for Least Developed Countries would address these needs, focusing on capacity building and technical assistance.

SDPI argued that IPRs as enshrined in the TRIPs Agreement are biased in favor of larger Northern research organizations, and against small-scale innovators. He proposed that any system of IPR protection should be based on several fundamental principles: they should disproportionately benefit the weak; they should be introduced with a smooth and lengthy transition to minimize social and economic disruption; and the benefits of the system should be equitably distributed. MS-DENMARK noted the case of agriculture, where, he argued, most research focused only on the needs of the North.

SDPI noted that successful technology transfer must involve massive investment in the capacity to demand, or absorb, the transferred technology. This was the case during the green revolution in Asia, where considerable resources were spent over many years on education and institutions to teach farmers how to use the new varieties.

The CONSUMER UNITY AND TRUST SOCIETY (CUTS) objected to the patenting of life forms as allowed under the TRIPs Agreement, and said that supporting such patents required one to argue that "life has no vital or sacred properties." He further asserted that, contrary to claims that IPR piracy in the South led to financial losses in the North, the North owed the South on balance for the products and knowledge it had taken without compensation. He said one UNDP study estimated this debt at over US\$5 billion, mostly for pharmaceutical and agricultural products.

## MARKET ACCESS: OVERVIEW

This session addressed the effect of environmental measures on market access and discussed problems related to quantitative identification of the relationship between different environmental regulations, standards and conformity assessment procedures and market access. CONSUMERS INTERNATIONAL focused on the potential barriers to market access that derive from changes in consumer demand and noted that instruments of consumer discrimination, such as eco-labels, may not be important as market barriers at present but probably will be in the future. She noted several mechanisms that may allow developing country producers to adapt to "greening" markets: technical assistance and bilateral aid to foster the transition; longer transition periods for SMEs; independent certification of eco-labels; improved market access for developing countries in general; and greater transparency of "green" standards and technical regulations. This transparency could be achieved through central sources of information on such standards and technical regulations, and through mechanisms that allow developing country producers to comment during the formulation of such standards or regulations.

FOCUS ON THE GLOBAL SOUTH noted that the UNCTAD country case studies on trade and environment highlight many of the potential market-restricting impacts that higher green standards in the North might have in the South. He warned that the costs of compliance could fall most heavily on labor in the South, as firms invest relatively more heavily in new technologies. He argued that without accompanying measures to facilitate compliance, rising green standards or technical regulations become *de facto* green protectionism and proposed, instead, agreements that give Southern producers more time and technical and financial assistance to comply. He rejected unilateralism, citing the US' Shrimp-Turtle actions as respectable in their environmental aims but unacceptable in their unilateral means. He called for multilaterally-negotiated treaties on such international environmental issues. He pointed to a pattern of unilateral actions by the

US, particularly over the last few years, despite WTO commitments to the contrary.

He noted the damaging effects of subsidies in the North on sustainable development in the South. In agriculture, for example, Northern domestic subsidies create barriers to Southern exports, and damage developing country agricultural sectors. The need to compete with such subsidized agricultural products has seriously hampered the ability of Southern producers to use sustainable practices.

The INTERNATIONAL CHAMBER OF COMMERCE (ICC) warned that there are no "silver bullets" to solve the problems of market access created by rising green standards and technical regulations. Two broad approaches could help: making such instruments fair in developed country markets and finding ways to help developing country exporters cope. She argued that international standards such as ISO 14000 (a voluntary environmental management standard) are a first step, noting that they respect sovereignty by asking industries in each country to follow the environmental standards existing in that country. She characterized ISO 14000 as a first step in the harmonization of standards internationally.

She noted that trade barriers could result since implementing such systems is difficult and requires training. She highlighted ICC's developing country training programme as an example of a solution. Another problem might be solved by systems of certification that were accessible to SMEs, who normally find such certification beyond their means. On the dangers of eco-labels as potential market barriers, she recommended mutual recognition of standards or systems whereby producer country officials can verify accreditation.

CUTS repeated the warning that rising green standards and technical regulations could, by favoring larger firms, lead to a concentration of industry and rising unemployment. He focused on a different type of barrier to market access and characterized trade barriers erected by Northern governments as special and differential treatment within the trading system that protected inefficient producers in the North. The Multi-Fibre Arrangement, which allows Northern quotas to be placed on textile and clothing imports, is an example. He said this was ironic, since special and differential treatment for Southern producers seemed to be difficult to negotiate, despite general commitments in the GATT text that promise it. He called for a re-negotiation of the Multi-Fibre Arrangement, arguing that the current schedules for its phase-out made any meaningful market opening wait for the end of the mandated ten-year period.

SOUTH ASIA WATCH ON TRADE, ECONOMICS AND ENVIRONMENT (SAWTEE) highlighted the special problems faced by the least developed countries. He emphasized poverty as the root cause of environmental degradation and said an attack on the problem requires that developing countries have access to resources, import ESTs and invest in research and development. He cited examples of the difficulties faced by developing countries in meeting trade restrictions.

**DISCUSSION:** DUPONT, with support from JAPAN, noted that while the discussions on this issue have focused on the effects of Northern regulations in the South, and the greater effects on SMEs than on multinationals, in reality this issue is much more complex. He pointed to the maze of environmental regulations and bureaucracy his firm, a large Northern multinational, faces in the US and EU and the high costs associated with them.

The BRAZILIAN PULP EXPORTERS CORPORATION agreed with speakers who espoused the need for mutual recognition across countries of standards such as eco-labels. He cited the difficulties in defining internationally harmonized principles for sustainable forestry, which must differ from region to region. CANADA warned that mutual recognition might not be easy to achieve. He offered the principle of equivalency as an alternative, whereby each country's standards might, by negotiated agreement, be considered equivalent to those of other countries. Canada previously tabled a paper on equivalency in eco-labels in the CTE. The COALITION FOR TRUTH IN ENVIRONMENTAL MARKETING agreed that mutual recognition might

not be easy, pointing to the difficulties currently faced in negotiating a Mutual Recognition Agreement between the US and the EU.

The FORESTRY STEWARDSHIP COUNCIL (FSC) expressed concern with the ICC's hope that ISO 14000 might be a first step in harmonizing environmental standards globally, citing problems with the ISO process. He complained that representation by developing countries was poor, the rule of consensus was not respected in practice and industry representatives dominated many committees and sub-committees. CONSUMERS INTERNATIONAL agreed with some speakers that the costs of certification with ISO 14000 are high and participation is low. She pointed out that such systems were useless unless national environmental laws themselves are strong in the first place. CANADA argued the need to talk about ISO 14000 in the context of the ongoing triennial review of the Agreement on Technical Barriers to Trade (TBT), noting that ISO 14000 is a tool for environmental improvement that respects national sovereignty, yet which focuses on non-product related process and production methods. He also noted that one way of ensuring non-discriminatory application of eco-labelling schemes would be to ensure that they are covered under the TBT's Code of Good Practice, which demands such conditions as transparency of formulation and implementation.

### TARIFF, NON-TARIFF MEASURES AND THE ENVIRONMENT

This session focused on a number of concrete examples of the links between trade and environment policies, including tariff and tariff-escalation and consumer-driven environmental policies such as eco-labelling and certification.

The CANADIAN PULP AND PAPER ASSOCIATION (CPPA) listed two broad elements necessary for a sustainable pulp and paper industry: a more environmentally informed marketplace and smooth-functioning markets, with as few trade impediments as possible. On the latter, he noted that tariffs were still high on paper and wood products, and that they became higher as the degree of processing increased, a phenomenon known as escalating tariffs that discourages economic development in natural resource-based economies. He noted that it was not until the NAFTA lowered such tariffs that much value was added to such products in Canada. On the subject of environmental education, he outlined an eco-labelling scheme that CPPA would soon be operating. Unlike other "Type I" schemes, which give a pass-or-fail grade to the product based on a number of aggregated criteria, the CPPA scheme would be a "Type III" and would list in a table the disaggregated scores on a number of different environmental criteria, and let the buyer choose on that basis. He noted that no eco-labelling scheme could avoid discriminating between products on the basis of how they are produced, a controversial practice within the WTO.

The LATIN AMERICAN ORGANIZATION FOR FISHERIES DEVELOPMENT (OLDEPESCA) argued that free trade was not in fact "free," but subject to various political interests. He cited a number of examples, such as the tuna-dolphin case, where US legislation to protect dolphins has resulted in US\$900 million losses to his organizations. He objected to the legislation as unrelated to conservation, since the dolphins in question are not endangered. There had been subsequent progress on negotiated settlement, such as the La Jolla agreement, which bound the six affected countries together with environmental organizations and the private sector to promote improved techniques and scientific assistance, with a view to ending the US embargo. However, the US Congress had defeated the legislation ratifying the agreement. He argued that developed and developing countries have different values and priorities, and objected to being forced to protect animals such as dolphins in a region where millions of children die each year from poverty-related preventable diseases.

He noted that openness is important for business just as it is for environment and development NGOs, and suggested that business be invited to participate in policies developed by NGOs. He cited a WWF-Unilever collaboration on labelling of sustainable fisheries

products, which he said had been undertaken with no consultation with Latin American producer associations.

WWF International reiterated the objections some speakers had raised to the ISO process on the lack of participation by public interest groups, SMEs and developing countries. The result, he said, was that the ISO standards will not serve the interests of sustainable development. He noted that the ISO 14000 drafters had objected to including environmental improvement as an objective, and called for a better balancing of the objectives of trade facilitation and environmental improvement. He noted that the result of limited participation in such processes was that civil society would create its own institutions, noting the proliferation of private eco-labelling schemes. He described an initiative coordinated by WWF that brought together representatives from the trade, development and environment communities to search for policy solutions to the current impasse. This initiative, the Expert Panel on Trade and Sustainable Development, responded to the vacuum at the international level for intergovernmental mechanisms for policy coordination on the issues of trade and sustainable development.

The FORESTRY STEWARDSHIP COUNCIL (FSC) agreed with previous speakers that, under the wrong circumstances, eco-labels can become green protectionism. He asked how consumers could be sure imported goods whose eco-labels were granted abroad were subject to meaningful criteria and suggested that mutual recognition or equivalency was the solution, although not an easy one.

He noted that the FSC did in fact have a scheme in place for equivalency covering its 120 members in 25 countries that certified sustainable management of forests. At the international level, this scheme is based on 10 principles whose formulation had been subject to wide consultation. At the national level, these principles are translated into specific requirements, again using a consultative process, and all resulting national-level standards are regarded as equivalent, although they may differ.

ICME repeated the message that tariff escalation was alive and well in some sectors, notably metals, with even low tariff levels on inputs resulting in high effective levels of protection. He noted that the inflexible application of Type I eco-labels could lead to trade barriers and echoed Canada's view that the issue was relevant to the review of the TBT. He noted that the issue was broader than that and that any discrimination based on process and production methods is relevant to GATT Article III, which specifies equal treatment for foreign and domestic producers of like products, the issue being whether two identical products produced differently are considered "like". Defining what products are "like" is not only an environmental issue, but has been at the heart of a number of high-profile trade disputes. He argued that Type II and Type III eco-labels avoided such problems and that the TBT Agreement might offer the possibility of a negotiated agreement.

He noted that mandatory recycling requirements could also be impediments to trade and to sustainable development by shutting out foreign producers, particularly those in developing countries. Similarly, bans on exports, such as the Basel Convention ban on the export of hazardous wastes from OECD to non-OECD countries, could hurt developed and developing countries alike.

**DISCUSSION:** The discussion in this session carried over from that of the last session, covering a number of topics of shared relevance. The EUROPEAN UNION cautioned that the WTO was not the proper forum for judging the environmental effectiveness of eco-labels and that the appropriate consideration should focus on whether eco-labels are trade distorting. He argued that the primary means for reducing protectionist elements in such schemes was transparency. The INTERNATIONAL FEDERATION OF AGRICULTURAL PRODUCERS (IFAP) agreed and noted that standards such as eco-labels were not currently subject to requirements of notification in the way that technical regulations (government-mandated standards) were. He argued that standards subject to frequent change could also constitute green protectionism.

Defending the EU eco-label, the EU noted that it had been criticized by national and international sources, which he interpreted as an endorsement of its lack of protectionism. He cited a Joint Experts report soon to be released that found that eco-labels in the EU had no major impacts on trade flows. The CPPA countered that while there may be little evidence of such effects at present, his concern was for the future, where government procurement might be linked to such schemes, and where more environmentally conscious consumers might be the norm. He argued that it was important to address any problems now.

The EU agreed with some speakers that any eco-labelling scheme had to be based on how a product is produced and on an analysis of its whole life cycle, but noted that some in the WTO considered this "GATT-illegal." He called for clarification on this issue. ICME agreed, calling for clear rules and guidelines, and a positive forward-looking agenda that avoids the use of the WTO dispute settlement mechanism to resolve the problems on a case-by-case basis.

ARGENTINA proposed that the CTE's most important contribution might be to identify win-win situations, where both the environment and economies benefited. He said that removing non-tariff barriers, such as perverse subsidies, was clearly such a situation and called for an end to distortions of commodity prices. IFAP added that commodity producers suffer when tariff escalation prevents their adding value and cited Nicaraguan coffee producers, forced by escalating tariffs to export unprocessed beans, as an example.

IISD noted that eco-labelling represented a segmenting of markets and asked what the proper role of governments was in such processes. He argued that it was necessary to avoid fraudulent claims, to avoid abuse of market power, and to simultaneously achieve the goals of public policy.

CIEL agreed with previous speakers that the TBT Review was relevant to these issues and, in light of the criticisms raised by others of the ISO process, called on Members not to name ISO as an internationally recognized standard setting body. She argued that the requirement in the TBT text that such bodies be "open to relevant organizations from Member States" was not fulfilled by the ISO, which allows only nationally-recognized standard setting bodies. BRAZIL noted concern on behalf of its industries about the high costs of ISO certification.

## RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

This session addressed WTO relations with NGOs and heard proposals from NGOs on future meetings and actions. The INTERNATIONAL CENTER FOR TRADE AND SUSTAINABLE DEVELOPMENT (ICTSD) noted the urgent need to improve popular understanding of the multilateral trading system and characterized this meeting as another block in the construction of better governance of international trade. He cited a number of past apprehensions regarding NGO involvement and noted they were giving way to the realization that NGOs can serve a number of useful roles, such as information providers, policy analysts and consultants. He stated that NGO involvement results in better policy because different points of view will be integrated. He cautioned that the rules of trade, if they are expected to last, cannot be written by a few for the benefit of a few. He said a standing mechanism for NGO consultation with the WTO would be welcome.

CIEL noted that the WTO has positioned itself to make policies that have an impact on a range of issues and trade representatives will need information on important environmental concerns. She stated that NGOs would need access to information prior to WTO action in order to contribute constructively and urged the WTO to operate under the presumption that documents will be made public unless otherwise specified. She noted that participation at the national level is pointless if NGOs remain uninformed about discussions at the international level. To develop better trade policy and build greater public confidence, delegates should consider: providing resources for input from develop-

ing country NGOs; including NGO representatives on their delegations; and allowing "friends of the court" briefs during dispute settlement.

A number of NGOs underscored the importance of access to information and capacity building. IUCN noted that developing country NGOs also need capacity building in order to contribute effectively. IISD called for a meeting among interested parties to address capacity building. The SWISS COALITION OF DEVELOPMENT ORGANIZATIONS and the TRANSNATIONAL INSTITUTE underscored the importance of timely access to information and urged governments to improve NGO access at the national level. An NGO representing agricultural producers noted that information should be sent directly to NGOs because, in some cases, NGO access is restricted at the national level.

Regarding future actions, IUCN called for establishment of an NGO forum to work toward consolidated opinions and urged NGOs to adopt sustainable development as the framework against which WTO trade policies are judged. IISD noted that representatives from international environmental regimes should be encouraged to attend future sessions. He also said that future NGO meetings should be tied more closely to the ongoing agenda of the CTE. GREENPEACE said the WTO Director-General should call for an expedited review of NGO participation at the UN General Assembly Special Session (UNGASS) in June. He noted that future sessions should include a rapporteur to produce a record for consideration by the CTE. The TRANSNATIONAL INSTITUTE noted that a review must be made within two years on NGO relationships and called for a future meeting specifically on this issue.

CANADA underscored the importance of de-restricting documents to facilitate national-level input. He encouraged other governments to provide funds for meetings such as this in the future. AUSTRALIA noted there is considerable scope for constructive NGO interaction and called for a common dialogue. She noted efforts to inform and seek input from national NGOs. On the de-restriction of documents, the US noted recent improvements and said there are a number of steps that delegations can take to improve document access. On NGO relations, he called for more constructive ways to provide input from NGOs and noted that the full diversity of NGO views had not emerged at this session. UNEP sought NGO input on a draft proposal for a UNEP/UNCTAD capacity building programme in Africa, Asia and Latin America.

Following the final session, the Chair thanked participants and noted the excellent quality of the discussions.

## A BRIEF ANALYSIS OF THE SYMPOSIUM

Most delegates and NGOs who attended the WTO Symposium seemed to agree that the meeting had been a success because, for the first time, there was actual interaction between NGOs and Members. Furthermore, most came away with a greater understanding, although perhaps not sympathy, for the positions of their traditional "opponents." Two previous NGO sessions at the WTO, in June 1994 and September 1996, had been criticized by a number of NGO participants for their lack of interaction with Members. Few members spoke at the 1994 session and no Members even attended the session in 1996. There was speculation that this meeting might represent the first of a number of such informal sessions tied to CTE meetings. The door having been opened and, no monsters having been found on the other side, the beginnings of trust between the trade community and civil society may have been established.

Interaction between Members and NGOs, when it took place, was direct and frank -- a result undoubtedly stemming from the informal nature of the sessions. One participant noted that the NGOs were obviously more accustomed to such interaction, and their remarks dominated the sessions. Another commented that NGOs, having been denied access to Members in the past and uncertain of future opportu-



nities, were poised and ready to communicate the full range of their concerns. Most of the NGO interventions wasted little time on formalities and spoke directly to their concerns.

While observers noted that the divide between Northern and Southern NGOs was not as striking as in the June 1994 session, there was a discernable difference in focus and priorities. Many Northern environmental NGOs emphasized changes that could be made to specific rules within the multilateral trading system to further environmental protection. Business representatives highlighted maintaining certainty in trading rules and expressed concern regarding existing and future rules that could hinder their ability to import and export. A number of Southern NGOs, however, appeared unwilling to focus on rule changes and objected to the WTO system as a whole, characterizing it as unfair to developing countries and blind to equity concerns.

Members' assessments of the Symposium were mixed. Some claimed to have heard it all before and expressed concern that a number of NGO speakers failed to appreciate the complexity of the issues. However, more said that the meeting had been valuable in exposing them to a range of new views. It is worth noting that while many Members cautioned the Secretariat before the Symposium that their remarks would not be intended for attribution, by the meeting's end, all speakers indicated their comfort with being identified.

NGOs seemed pleased, for the most part, to have been heard, although many doubted that the substance of their presentations would have much immediate impact on the CTE meeting that followed. Most participants agreed that they could provide more substantive input if future symposia focused on issues to be discussed at subsequent CTE meetings. The Committee meets again in September and in November, but it may be premature to speculate on whether similar symposia will be associated with either or both of these meetings.

Nonetheless, a number of NGO participants noted that the Symposium represented a first step in the WTO's evolution away from the closed practices of the GATT. They argued that as the Organization moves from a focus on tariffs to issues of an increasingly domestic nature, such as rules for environment, investment and intellectual property, it must either take into account the input and expertise of civil society, and other international organizations, or face a crisis of credibility.

### THINGS TO LOOK FOR

#### WTO COMMITTEE ON TRADE AND ENVIRONMENT:

The CTE will meet from 22-24 September and from 5-7 November 1997. For information, contact the CTE, Centre William Rappard, 154, rue de Lausanne, CH-1211 Geneva, Switzerland; tel: +41 (22) 739-5111; fax: +41 (22) 739-5458; e-mail: webmaster@wto.org. Also try <http://www.wto.org>.

**OTHER WTO MEETINGS:** The Dispute Settlement Body will meet on 28 May, 25 June and 30 July 1997. The Committee on Technical Barriers to Trade will meet from 19-20 June 1997. The Committee on Market Access will meet on 24 June 1997. The Council for TRIPs will meet on 15 July 1997. For information, contact the WTO; tel: +41 (22) 739-5111; fax: +41 (22) 739-5458; e-mail: webmaster@wto.org. Also try <http://www.wto.org>.

**APEC MEETINGS:** The APEC Meeting of Environment Ministers on Sustainable Development will be held 9-11 June 1997 in Toronto. For information contact Gloria Yang, Environment Canada; fax: +1-613-991-6422.

#### EXPERT MEETING ON EXISTING AGREEMENTS ON INVESTMENT AND THEIR DEVELOPMENT DIMENSIONS:

This expert meeting will be held from 28-30 May 1997 in Geneva. For information contact UNCTAD's Office of the Secretary of the Board; tel: +41 (22) 907-4815; fax: +41 (22) 907-0056; e-mail: awni.behnam@unctad.org.

#### SPECIAL SESSION OF THE UN GENERAL ASSEMBLY:

The Special Session of the UN General Assembly is scheduled for 23-

27 June 1997. The session, which will be preceded by a week of informal consultations, will conduct an overall review and appraisal of progress in implementing the UNCED agreements since the 1992 Earth Summit. For more information, contact: Andrey Vasilyev, UN Division for Sustainable Development, tel: +1-212-963-5949, fax: +1-212-963-4260, e-mail: vasilyev@un.org. Also visit the Home Page for the Special Session at <http://www.un.org/DPCSD/earthsummit/>.

#### FRAMEWORK CONVENTION ON CLIMATE CHANGE:

The next sessions of the subsidiary bodies are scheduled to take place from 28 July to 7 August 1997 at the Hotel Maritim in Bonn, Germany. The subsidiary bodies (SBSTA, SBI and AG13) will meet from 28-30 July and will likely meet once more the following week. The *Ad Hoc* Group on the Berlin Mandate (AGBM) will meet from Thursday, 31 July – Friday, 7 August. The subsidiary bodies (except for AG-13) are scheduled to meet again from 20-31 October 1997 at a conference facility in Bonn to be determined. The third Conference of the Parties is scheduled for 1-12 December 1997 in Kyoto, Japan. COP-3 will immediately allocate the completion of decisions of the Berlin Mandate process to a sessional Committee of the Whole, open to all delegations. The political negotiations will be finalized in a ministerial segment, which will be convened from 8-10 December and where the final text of a protocol or other legal instrument will be adopted. For all meetings related to the FCCC, contact the secretariat in Bonn, Germany; tel: +49-228-815-1000; fax: +49-228-815-1999; e-mail: secretariat@unfccc.de. Also try the FCCC home page at <http://www.unfccc.de> and UNEP's Information Unit for Conventions at <http://www.unep.ch/iuc.html>.

**CONVENTION ON BIOLOGICAL DIVERSITY:** The third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-3) will be held in Montreal from 1-5 September 1997. The third meeting of the *Ad Hoc* Group on Biosafety (BSWG-3) is scheduled for 13-17 October 1997 in Montreal. During BSWG-2, delegates discussed the possibility of a fourth meeting to be held February/March 1998. They also considered a fifth meeting in late 1998. The Fourth Meeting of the Conference of the Parties (COP-4) will be held in Bratislava, Slovakia, from 4-15 May 1998. For more information, contact the CBD Secretariat, 393 Saint Jacques St., Office 300, Montreal, Quebec, H2Y 1N9, Canada; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: biodiv@mtl.net.

**CONVENTION TO COMBAT DESERTIFICATION:** The resumed session of INCD-10 is scheduled from 18-22 August 1997 in Geneva. COP-1 is currently scheduled for 29 September -1 October 1997 in Rome. For more information, contact the CCD Secretariat; Geneva Executive Center, 11/13 Chemin des Anemones, CH-1219 Chatelaine, Geneva, Switzerland; tel: +41 (22) 979-9419; fax: +41 (22) 979-9030/31; e-mail: secretariat@unccd.ch. Also see the INCD World Wide Web site at <http://www.unccd.ch/>.

**CITES:** Zimbabwe will host the CITES Conference of the Parties from 9-20 June 1997 in Harare. For more information contact: the CITES Secretariat, Geneva Executive Centre, 15 Chemin de Anemones, CP 456, CH-1219 Chatelaine-Geneva, Switzerland; tel: +41 (22) 979-9139/40; fax: +41 (22) 797-3417; e-mail: cites@unep.ch. Also see <http://www.unep.ch/cites.html> or <http://www.wcmc.org.uk/convent/cites>.

**PRIOR INFORMED CONSENT:** The third session of the intergovernmental negotiating committee for the preparation of an international legally-binding instrument for the application of a prior informed consent procedure for certain hazardous chemicals in international trade (INC-3) will be held in Geneva from 26-30 May 1997. The UNEP Governing Council, at its last meeting, adopted a decision calling for completion of negotiations on a legally-binding agreement by the end of 1997. For more information contact: UNEP Chemicals (IRPTC); tel: +41 (22) 979 9111; fax: +41 (22) 797 3460; e-mail: IRTPC@unep.ch.