

# If you are not with us, you are with anti-globalisation forces!

**With so many divergent views among the members, one can expect a fierce battle at Cancun, threatening the survival of the WTO.**

When the Chair of the General Council of the WTO issued the Draft Ministerial Text on 18 July 2003, it was widely criticised for being overtly biased in favour of the developed member countries without paying any heed to the concerns of developing countries. One of the fundamental flaws in this draft was that in most of the issues of significance to the developed countries, deadlines were proposed and the agency responsible for following up the matter was also clearly articulated. This was, however, not the case with the issues of interest to the developing countries.

In order to save the Cancun Ministerial from repeating the Seattle fiasco, the trade negotiators in Geneva worked day and night on this draft and made it more "balanced", albeit marginally, paving the way for the General Council to issue another draft (JOB (03)/150/Rev.1) on 24 August. This is what is currently being intensely debated and negotiated with the objective of breaking the logjam.

Despite a choc-a-bloc of agendas outlined by the Doha Declaration, there are only two achievements to show to the public so far. And these two achievements are also being used as public relation campaign by the developed countries to show as if they care for the interests of the developing countries. Those two much-hyped achievements should also be taken with a pinch (or even a fist) of salt.

First, media reports have it that the WTO members have agreed to help poor countries find access to cheaper medicine for their ailing population. The details of such an agreement are yet to come out but, as the saying goes, the devil is probably in the details. A number of conditions seem to have been attached to the text making it extremely onerous if not impossible for the poor countries without manufacturing capacity to make use of this flexibility.

Second, the accession of Cambodia and Nepal to the WTO is nothing but yet another public relation campaign. Developed countries have squeezed these poor countries into signing several "WTO-plus" commitments as a part of the accession

deal.

Developed countries' negotiators have mastered the art of systematically sidelining the issues of concerns to the developing countries, making use of WTO forum to pursue their vested interests. Implementation issues – which formed the backbone of the Doha Development Agenda (DDA) – have been put aside without any *quid pro quo* being offered to the developing countries.

Agriculture, by far the most contentious issue in the WTO negotiations, will be the 'deal maker' or 'deal breaker' at Cancun. The recent deal between the EU and the USA on agricultural negotiations (read Blair House Accord II) is being opposed by a group of fairly powerful developing countries. The support for developing countries' proposal – which came in the wake of EU-USA alliance – is increasing by the day.

The EU Trade Commissioner has gone on record suggesting that developing countries should not expect any concessions in agriculture without agreeing to the Singapore issues, namely competition, investment, trade facilitation and transparency in government procurement. But the developing countries are not at all prepared to join the 'explicit consensus' required for agreeing to the 'modalities of negotiations' on this issue.

With so many divergent views among the members, one can expect a fierce battle at Cancun – thereby threatening the very survival of the WTO. Some have even questioned the intention of the developed countries. Probably, they do not realise the grave mistake they are committing. By renegeing on their commitments made at Doha and forcing down their expansionary agenda on ill-prepared developing world, they have strengthened the hands of the anti-globalisation forces.

Paradox as it may sound, but time has come for us to assert in a Bush-like fashion: "If the developed countries are not with the developing countries on the global trade agenda, they are with the anti-globalisation forces." ■



## INSIDE

The culture of agriculture...	02
Article 27.3 (b) of TRIPS and South Asia	03
Movement of natural persons...	04
NAMA in the list of contentious issues	05
Where do we go with Singapore issues?	06
LDCs' accession to the WTO...	07
Our plant variety, but whose choice ?	08
Protecting farmers' rights	09
South Asian Agenda for the Cancun...	10
UPOV membership opposed by CSOs	11
Road to Cancun	12



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## The culture of agriculture in WTO negotiations

**The culture of agriculture negotiations requires proactive inputs for correcting the existing imbalances in agricultural trade, writes Prof. J. George.**

The process of negotiations on agriculture in preparation for the Cancun Ministerial witnessed a turning point recently. However, the final verdict on the plight of the peasant community of three-fourth members was not pronounced. The air of despair surrounding the Special Session of the Committee on Agriculture Chairman's draft modalities and the following stalemate and elusiveness of any concrete outcome on the mandate suddenly experienced a flurry of activities beginning 13 August 2003 in Geneva. Three new ideas for incorporation as proposals for consideration at Cancun came in quick succession within a short period of time. These ideas in the draft form submitted at the Heads of Delegation (HODs) meetings sharply brought out the underlying differences of interests that had failed to find a proper place in the revised draft on agricultural modalities mandated in the para 13 and 14 of the Doha Declaration.

Agricultural negotiations in the WTO since 2000 is centered around the three pillars of specific binding commitments by members to improve market access and to reduce production and trade-distorting domestic support mechanism as well as export subsidies. The EU-USA proposal of 13 August 2003 unfairly highlighted the importance of sharply reducing the bound rates of agricultural products prevailing in the developing countries while chose to keep silent on the domestic support and export subsidy issues. The second proposal submitted by six countries in first instance argued for a blended formula on tariff commitments. Then, it made minor adjustments to the reductions in the other two pillars already available on the negotiating table in the form the Chairman's revised draft.

The third proposal submitted by a group of 17 developing countries emphasised on a time-bound elimination of domestic and trade-distorting export subsidies. On the tariff reduction issue, this proposal has submitted a two pronged strategy suitable for the Northern and the Southern countries. In addition, there is a strong case for providing cushions for special products and special safeguard mechanisms to protect against price fluctuations and import surges in the developing countries.

It is clear that the Chairman's report to the trade negotiating committee could have been more than sensitive to the third proposal. That this proposal explicitly makes an engagement with the resource poor producing households in about two-thirds of the world's farmers is not a new development for the Chairman.

We must recognise here that export subsidies are the most trade-distorting elements in AoA. Interestingly, such subsidies are illegal according to WTO rules applicable for non-agricultural products and are used by only a handful of members. Besides, their influence in aggravating price volatility in the world market is now an empirical fact. Obviously, the question arises as to why should it bother the Southern countries? Since such subsidised exports gravely

impact their resource poor producers, the livelihood of the vulnerable groups in these countries suffer to a greater extent. The extent of lack of discipline in this segment is restricted to a few countries that have surplus stocks. Thus, when the world prices are high, it deprives the developing countries from reaping the benefits. This is indeed not a desirable outcome.

By a frontal engagement with the developed countries for severe cuts in all forms of market price support mechanisms in the developed North is to create space for candid discussion on the need for a "Special Safeguard Mechanism" and creation of "Special Product" category in the developing countries' interests. The developing countries have experienced the trade-distorting fruits of blue and green box subsidies. The new policy thrusts obtaining from the new US farm bill and the EU's CAP reform are aimed at shifting most of their supports into the green box. Such circumventing strategies are possible for these developed countries because of the deep fiscal pockets whereas the poor countries in the South are clearly disadvantaged.

It is noted that Quad group of countries maintains tariff peaks of as high as 350-900 percent for important exports, e.g., basic food and footwear. The EU-US framework by ignoring this key issue has in fact further debilitated the developing countries. In the tariff escalation game plan, for instance, staple food items and dairy products are the main commodities where processing units of the developed North are protected with high tariffs. The tariff escalation is anywhere above a multiple of three as one moves up from the primary product level to the final processed level in the chain.

The market access phenomena is a two way street and tariff reduction commitments are encountered only at the first stage of the journey for the millennium attainment of the goal set out in the Doha Round. Domestic support and export subsidies, being prime movers of the culture of protectionism of agriculture in the OECD countries, corrections at the negotiations in these segments of the three pillars are urgently required. In this respect, the group of developing countries must also put forth the idea of levying an equivalent amount of countervailing duties on exports of agricultural products from developed countries.

In the final analysis, the joint statement by about 20 countries (and likely to grow by the time they meet in Cancun) on agricultural products' negotiations is a bold attempt. The core elements responsible for the existing imbalances in the agricultural trade between the South and the North as pointed out above need to be corrected. Indeed, the culture of negotiations requires this proactive input and needs to be sustained. ■

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## Article 27.3 (b) of TRIPS and South Asia

**The revised Article 27.3 (b) should clearly prohibit the patenting of plants and animals including all their parts i.e., genes, gene sequences, cells, proteins, seeds etc., states Avanthi Weerasinghe:**

The efforts of the WTO to extend the IPR application to living things around the globe through TRIPS has resulted in gross injustice to the South Asian countries' farming and indigenous communities. Article 27.3 (b) of the Agreement dilutes the distinction between 'inventions' which are patentable under traditional patent law and 'discoveries' which are not, by sanctioning IPRs over living things, although no body has as yet learned to create a living thing. TRIPS, by enabling commercial breeders to patent genetic material developed over generations by indigenous communities including local farmers, has overlooked the role they play as conservers of biological resources and as breeders of plant varieties over centuries.

The saga of *Neem* and *Basmati* rice provides live testimony of genetic plagiarism perpetrated by corporations in the developed world.

Further, ownership over life forms is antithetical to religious, cultural and social norms of the South Asian communities who have no belief in a concept of ownership rights over life forms but consider them to be the common property of the entire community.

Against this backdrop, it is suggested that the developing countries use the Cancun Ministerial as a forum to challenge the TRIPS provisions. While South Asian countries have come up with several options to review this provision, the following are the most effective and the most pertinent.

Amongst several demands put forward by the South Asian countries, a complete ban on life patenting appears to be the most logical solution to bio-piracy as it addresses the problem at the source. The stand taken by the Sri Lankan Government in 1999 was that the Article 27.3 (b) be amended to categorically disallow the patenting of life forms. Thus, the revised Article 27.3 (b) should clearly prohibit the patenting of plants and animals including all their parts i.e., genes, gene sequences, cells, proteins, seeds etc. It should also prohibit the patenting of natural processes involving the use of plants, animals and other living organisms and their parts and processes used in producing variations of plants, animals and microorganisms.

If the above amendment is not possible, then at least patents, based on traditional/indigenous knowledge and products and processes essentially derived from such knowledge, should be excluded. It should be clarified that the provisions on patenting of microorganisms only apply to genetically modified microorganisms. In a recent determination by the Supreme Court of Sri Lanka on a challenge to the

Intellectual Property Act Bill, the Court observed that the words "...and microorganism other than transgenic microorganism" should be added after the words 'animals' in the provision which corresponded to the Article 27.3 (b). Further, it was ruled by the Court that the term 'transgenic' should be interpreted to mean "an organic that expresses a characteristic not attainable normally by the species under natural circumstances, but which has been added by means of direct human intervention in its genetic composition".

Further, although TRIPS allows countries to have their own *sui generis* system to protect plant varieties, in some countries, the draft laws on plant variety protection follow the UPOV model. As a result, most of such laws are heavily loaded towards plant breeders' rights whereas the rights of farmers and other indigenous communities are recognised

as negative rights. Hence, the sub paragraph in Article 27.3 (b) for the protection of plant varieties by either a patent, or a *sui generis* system or a combination of both should also be amended and elaborated further: a) to disallow the use of patents to protect plant varieties; and b) to ensure that a *sui generis* system may be created.

A number of South Asian countries have proposed to amend TRIPS so that patent applicants are required to 'disclose' where genetic material or traditional knowledge involved in a claimed invention came from and to provide evidence that they have obtained prior informed consent from the necessary authorities and that they have complied with national laws on benefit sharing. Such a provision in TRIPS is imperative in order to make it compatible with the CBD - the United Nations Convention on Biological Diversity. It is a well-established principle in patent law of most jurisdictions that a false representation of material information could lead to a revocation of a patent. Hence, failure to disclose or wrongful disclosure of the above requirements should be addressed in the same manner that a failure to disclose material information is being treated in order to have a deterrent effect on those who pirate biological resources.

It is submitted that only an incorporation of the above amendments could remedy the extremely detrimental nature of TRIPS as such measures would prevent bio-piracy and would give due recognition to custodians of genetic resources and traditional knowledge of the South Asian countries. ■

[Ms. Weerasinghe is associated with Law and Society Trust (LST), Colombo]



## Movement of natural persons: What South Asia needs?

**There is a little chance that the concerns in the areas of temporary movement of natural persons will get significant resonance in the Cancun Ministerial, writes Dr. Ananya Raihan.**

One of the great achievements of the developing countries in the UR negotiations on GATS was the inclusion of mode 4 or temporary movement of natural persons as a separate category of service supply. However, problems with the classification of services and reservations of developed countries limited the progress in market access negotiations under mode 4. While LDCs and developing countries in South Asia have put hope on progress in this area, which have been reflected in the Dhaka Declaration of LDC Ministers (adopted on 02 June 2003), Declaration of Global Civil Society Forum held in Dhaka (adopted on 30 May 2003), Katmandu Declaration of South Asian Civil Society (adopted on 25 July 2003) and 03 July 2003 communication of 14 developing countries, till date there is little progress in this regard.

The progress of negotiations in mode 4 is crucial for South Asia. Alan Winster's estimation is now globally well-known that only three percent of market opening for temporary workers in OECD countries will increase global welfare at least by US\$ 150 billion. There is a direct linkage between mode 4 market accesses and poverty alleviation. South Asia holds 40 percent of world poor population (with a 22 percent share of global population). The ILO report of 2003 revealed that unskilled labour, which represents poor class tend to send more remittance to the country of origin than other skill categories. This plays a positive role in improving living standards of the family members, particularly providing improved access to education, health care services and self employment. Besides, the remittance plays an important role in improving domestic investment. The volume of total remittance from the South Asian workers abroad is around US\$ 16 billion, which is 2.5 percent of South Asian GDP.

The mode 4 as a way for temporary movement of service providers has fundamental economic arguments. While the demographic structure in South Asia is skewed heavily to the young population, which will potentially supply huge number of quality professionals (due to huge absolute population) in the next 10 years, the demographic structure of the OECD is just reverse; majority of the population is of middle and old age. Currently, South Asia has around 34 percent of population with age up to 14 years, whereas the OECD holds around 19 percent of the population from similar age group. The share of aged population in the OECD countries is 14 percent, whereas the similar share for South Asia is only 4.5 percent. This

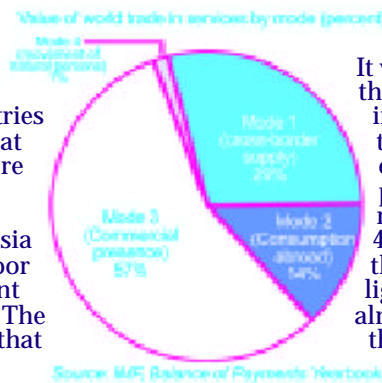
difference creates a natural market of service providers in the OECD countries in the near future. The development of a sound framework of temporary movement of service providers will facilitate to establish equilibrium in the OECD labour market in the long run. The trend of illegal immigrants to the OECD countries can be interpreted differently. One of the interpretations is that the illegal migration and its subsequent absorption in the OECD labour market indicate that there is a tacit demand for labour at the lower end of labour demand curve. The "GATS visa" can address, *inter alia*, the issues of illegal migration and meet the demand for workers in those particular niche areas in a "civilised manner". The constructive negotiations will be able, on one hand, to address the concerns of "brain drain" from the developing countries, on the other hand, to address the concerns of developed world regarding surge of workers, creating pressure on domestic labour market and generating social problems.

It was expected that the draft text of the Cancun Declaration would include the issue of mode 4 negotiations, however, much to the dismay of developing countries, the first text published on 18 July 2003 did not mention specifically about the mode 4 negotiations. The second draft of the Cancun Declaration will see the light of the day when this article will already be published. We hope that the Declaration will address the concerns of the South Asian

countries, which are in general common with the concerns of the developing countries as well as the LDCs. The basic difference between the developing country position and LDC position is the emphasis on coverage of service providers. While LDCs are mainly interested in inclusion of semi-skilled and unskilled categories of service providers in the list of services, developing countries are concerned mainly with the issues of economic needs test (ENT), mutual recognition, transparency etc. As LDCs also have interest in improvement of state of market access barriers through ENT and recognition of qualification, South Asian countries can move forward together with common areas of interests.

As a whole, there is a little chance that the concerns in the areas of temporary movement of natural persons will get significant resonance in the Cancun Ministerial. However, the Cancun Ministerial is not the end, rather just beginning of the comprehensive services negotiations. Therefore, consolidation of the solidarity among the South Asian countries is important and Cancun will be an excellent platform for pursuing that goal. ■

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The volume of total remittance from the South Asian workers abroad is around US\$ 16 billion, which is 2.5 percent of South Asian GDP

## NAMA in the list of contentious issues

**A relatively less controversial item on the Doha agenda has been turned into one where country positions can only be expected to harden further, writes Mr. Pranav Kumar.**

Unlike agriculture and services, the issue of non-agricultural market access (NAMA) is new to the WTO agenda. When the Uruguay Round of Multilateral Trade Negotiations (MTNs) was launched in 1986, the three issues, which formed the built-in-agenda were – agriculture, services and TRIPS. However, reducing tariffs and non-tariff barriers on industrial goods was the core of MTNs under the GATT. The Work Programme agreed upon at Doha changed the situation, by adding negotiations on NAMA.

The mandate to start negotiations on NAMA is mentioned in para 16 of the Doha Ministerial Declaration, which, *inter alia*, states that the negotiations should aim in particular at the reduction or elimination of tariff peaks, high tariffs, and tariff escalation, in particular on products of export interests to developing countries. Further, the negotiations shall take fully into account the special needs and interests of developing and least developed country participants, including through less than full reciprocity in reduction commitments.

Since Doha, negotiations are on but still there is no agreement on modalities. Members have submitted several proposals; some of them are very ambitious. The US proposal calls for complete elimination of tariffs by the year 2015. Japan advocated for “zero-for-zero” and “harmonisation” approach for tariff reductions. According to the EU, the most important goal of the negotiations should be to bridge the gap between applied and bound tariffs. India proposes that for tariff lines already bound, reductions should be undertaken only from bound levels and not from applied rates and a higher percentage to be set for developed than developing countries.

Based on the several proposals, Pierre-Louis Girard, the Swiss Ambassador chairing the NAMA negotiations came out with the first draft containing elements of modalities for negotiations on 16 May 2003, i.e., before the mandated deadline for reaching an agreement on those modalities by 31 May 2003. The deadline couldn't be met. Thus, the missed deadline on NAMA joined many others, including on TRIPS and Public Health, S&DT and Agriculture.

In the first draft, the Chairman had proposed a single formula imposing across-the-board, nonlinear cuts on members' tariffs for non-agricultural goods. The formula, which relies on a calculation of a country's average bound base rate and the average base rate of the product in question, would impose bigger cuts in tariffs for goods where the tariff is above the average rate and lower cuts in tariffs falling below the average. Unlike other contentious issues, no member had outrightly rejected this draft modalities paper on NAMA as a basis for negotiation. Many, in fact, saw it as a good beginning.

This was followed by a revised draft, released on 19 August. The revised modalities text maintains the same basic formula for reducing tariffs. However, it has pacified the developing countries, which are opposed to any mandatory “zero-for-zero” import duty commitment.

Furthermore, it has added a major relief with respect to developing countries on seven sectors, including auto components, textiles, gems and jewellery, leather products and electric & electronic products, which were to be made free of any tariffs in all member countries within a time period.

The new draft has sought to give negotiating flexibility to developing countries, which is in line with what was being demanded by India, though it has failed to address all our concerns. Large developing countries, including India, Brazil, Thailand and Indonesia, are demanding exclusion of sectors like auto components and electronics & electrical from the list. Rather than a binding and mandatory commitment, these countries are pushing for a voluntary compliance by developing countries. They argue that individual developing countries should be free to include or exclude any sector from zero-for-zero commitment.

Under the new draft, developing countries can negotiate to exclude certain sectors, industries or products from the coverage of zero-for-zero duty commitment. They could trade-off one sector or industry for others. However, once agreed the commitments would be binding and mandatory.

Meanwhile, the EU, the US and Canada released a joint paper on NAMA, which has stressed the need for a ‘simple, ambitious, harmonising formula’ for reducing tariffs on industrial and consumer goods ‘applied on a line-by-line basis (e.g., Swiss formula), with a single coefficient’ for determining the actual level of cuts in the tariffs. Several developing countries claimed that the harmonisation approach was not consistent with the Doha mandate, where trade ministers stressed the need to take account of the particular needs and vulnerabilities of developing countries in a final tariff-cutting deal. Advocating a “harmonisation” formula would require their governments to make steeper cuts in higher tariffs.

Clearly, the presentation of this new set of proposals from three Quad members is meant to push aside the modest Girard formula. However, in the revised text, released after this joint paper of EU-US-Canada, the Chairman has stuck with his original formula for tariff reductions as proposed in the first draft. But, one thing is sure that a relatively less controversial item on the Doha agenda has been turned into one where country positions can only be expected to harden further.

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## Where do we go with Singapore issues ?

**Given the mood on Singapore issues, it is likely that negotiations in Cancun would take a softer approach, writes Dr. Veena Jha.**

The Singapore issues include a set of four new issues: investment, competition, transparency in government procurement and trade facilitation, which were brought within the remit of the WTO in Singapore in 1996. The Doha Ministerial Declaration provided a conditional mandate to begin negotiations on these issues at Cancun, should an explicit consensus on modalities for negotiation be reached. Working groups on these issues were already established in Singapore in 1996.

The Draft Ministerial Declaration for Cancun includes two alternatives in each area. The first option is a decision to launch negotiations and sets forth modalities for such negotiations. The second option refers the matter back to the working group for further clarification. The brackets reflect there are still considerable differences between members, "although the scope of divergence is greater in some areas than others," according to the Chairman of the General Council. Many delegations view the establishment of modalities as an issue for Ministers to decide at Cancun. It does not reflect any possible intermediate option for one or more issues, although these intermediate options remain available for Ministers at Cancun.

On Investment, a number of developing countries have raised the issues of home country measures and investor obligations, balanced reflection of the interests of home and host countries, the right to regulate in the public interest, the special development, trade and financial needs of developing and least developed countries and space for policies and flexibility. A key motivation for having competition policy among the Singapore issues is ostensibly the negative effects of restrictive business practices, although developing countries are concerned that it might be used as a means of securing increased market access by developed countries. The inclusion of core WTO principles of non-discrimination (MFN, national treatment), transparency and procedural fairness to a possible multilateral agreement on competition according to developing countries could seriously limit the policy space available to developing countries for industrialisation and sustainable development. Competition policy must be compatible with a country's level of development and take into consideration its development goals.

The estimated size of government procurement markets is around US\$ 2.1 trillion in OECD countries and US\$ 1.3 trillion in non-OECD countries. Developing countries are opposed to any linkage of the possible transparency agreement with market access issues, as in the plurilateral Government Procurement Agreement (GPA). Countries with federal governmental structures, both developed and developing, requested that the coverage should be limited only to procurement by central/federal government. While developed countries insist that procurement by state enterprises should be covered by the agreement, developing countries argue the opposite on the basis of the increased administrative burden arising from such an arrangement (and as there exists already GATT

Article XVII on State Trading Enterprises). Developing countries insist on the need to limit the scope to the procurement of goods only. Developing countries insist that procurement reserved for domestic suppliers in the context of their national preference policy should be excluded from the coverage of the agreement. Developing countries hold that there should be no link to the WTO Dispute Settlement Understanding (DSU).

On trade facilitation, the developing countries confront a range of difficulties in regard to handling of their exports at developed country entry points. It is in the interest of developing and developed countries alike to improve efficiency of trade infrastructure and transparency, and reduce transaction costs and discretion. However, the role of dispute settlement in such an agreement as well as excluding issues such as rules of origin which may be of significant interest to developing countries does not appear justified.

Given the mood on Singapore issues, it is likely that negotiations in Cancun would take a softer approach to begin negotiations on trade facilitation and government procurement, while continuing with the clarificatory process on investment and competition policy. However, should that be the case, there is a need for clarity on scope, outcome, implementation and the concerns of developing countries about their limited resources and their exposure to dispute settlement. More importantly, there is a need to clarify the scope of binding rules and the use of the DSU to enforce these rules on trade facilitation.

Should negotiations on government procurement be launched, its coverage of non-central government entities, concessions and services, the question of thresholds, the domestic review mechanisms and application of DSU should be clearly laid out. There should be a guarantee that the framework sticks strictly to "transparency" and not stray into market access, review mechanisms and decision making procedures.

In the clarification process, some inconsistencies in the proposals of the proponents on investment and competition policy should be highlighted. If GATS mode 3 approach is the preferred approach to an agreement on investment, then references to MFN and national treatment should be removed. Additionally, the architecture of the GATS Agreement based on request and offer should be used. S&DT should be scheduled into the commitments made. Additionally, TRIMs should be removed from the remit of the WTO.

With respect to competition, the role of dispute settlement should be clearly specified, as well as the benefits of its inclusion and scope should be clearly understood and spelt out. Exceptions, which provide flexibility for implementing appropriate industrial and development strategies, should be factored into the articles of the agreement. The framework of an Information Technology Agreement (ITA) type of agreement which gives countries flexibility to join as they please while having a hand in shaping the agreement should also be explored. ■

*(Dr. Jha is Coordinator, UNCTAD, New Delhi)*



## LDCs' accession to the WTO: Lessons from Cambodia and Nepal

**Whatever the conference delegates concede in terms of relaxed obligations will be taken back by accession negotiators, writes Dr. Hiramani Ghimire.**

**T**he Cancun Ministerial is expected to endorse the membership of Cambodia and Nepal making the Khmer Kingdom first and the Himalayan Kingdom second least developed countries to accede to the WTO. Accession negotiations between Cambodia and its trade partners completed in slightly more than two years. In Nepal's case, they took two years longer. It is not only a good news for other acceding LDCs, but also an opportunity to learn from the experiences of these two countries.

Let us first ask why the accession of LDCs in general is important for the WTO and its members. There are three major reasons. First, without the LDCs being able to negotiate their accession, the legitimacy of the WTO, which is often associated with the exclusion of the weak, would be questionable. Such an image crisis needs to be resolved. A number of international forums, including those organised under the auspices of the UN, have been calling for an easy accession process for LDCs. Echoes of these calls are also heard in civil society forums. The WTO system needs to respond to this sense of altruism.

Second, developed countries, who always sit on the first row in WTO negotiations, want to see that LDCs follow the agreed path of economic liberalisation. To them, liberal economic policies should prevail in these countries, even if trade does not necessarily increase. And third, WTO membership is, among others, a political issue in many LDCs. Government gains political mileage out of it. WTO members want to take trade advantage of this "political compulsion" during accession negotiations.

This does not mean that LDCs would necessarily lose by entering into accession negotiations. The WTO membership unfolds opportunities for them, which need strong national efforts to materialise. Both Cambodia and Nepal are enthusiastic about it.

A sift through Cambodia's accession offers reveals that they are ambitious and, thus, not commensurate with the country's stage of development. For example, Cambodia has bound agricultural tariffs at around 31 percent and non-agricultural tariffs at around 21 percent. In both cases, peak tariff rates will be 60 percent (compared to peak agricultural tariffs of 252 percent in the EU, 121 percent in the US, and 120 percent in Canada). Obviously, Cambodia's trading partners from the developed world violated the much-hyped decision adopted on 10 December 2002, which requires WTO members to "refrain from asking acceding LDCs to make excessive concessions or commitments, notably those incompatible with their individual development, financial and trade needs". Further, Cambodia was required to bind its agricultural export subsidies at zero percent despite the fact that this is not an obligation for LDCs under the Agreement on Agriculture (AoA).

Several WTO-plus conditions have been imposed on Cambodia also in the area of IPRs. For example, the country has undertaken to implement the TRIPS provisions on pharmaceutical patents by 2007 in contrast to the Doha decision to allow LDCs to defer this until 2016. Further, the accession package obliges Cambodia to sign the Patent Cooperation Treaty under World Intellectual Property Organisation (WIPO). Again, this is not a TRIPS obligation. Cambodia is also required to provide protection to test data related to pharmaceutical products, which need regulatory approval for distribution. The protection provisions will be implemented immediately after accession and remain in place for five years. This means that the products in question will enjoy a period of market exclusivity reducing people's ability to gain access to affordable medicines. It may be recalled that the TRIPS Agreement does speak of data protection against 'unfair commercial use' but is silent on the nature and period of protection. As an LDC, Cambodia should not have been obliged to undertake this commitment anyway. Finally, Cambodia was also compelled to make a commitment to become a member of UPOV by 2004, which is also not the requirement of the WTO.

Nepal has also concluded the accession negotiations. However, information on the accession package is not accessible as yet. Going by the press reports, one could surmise that Nepal's was a better deal than that of Cambodia. In terms of tariffs binding, Nepal has made comparable offers (42 percent for agricultural and 24 percent for other products). The country has also agreed to implement the TRIPS provisions by 2007. This is far less than the 11-year transition period granted to existing LDC members of the WTO. Further, it is not yet clear whether Nepal would have to forego the benefits of deferred deadlines agreed at Doha for implementing pharmaceutical provisions under TRIPS. Reportedly, Nepal, unlike Cambodia, was able to obtain commitments on technical assistance in implementing its accession obligations from developed countries. One should however be cautious in welcoming this.

These cases clearly show that 'conference delegates' and 'accession negotiators' from developed countries are two entirely different sets of personalities. Whatever the conference delegates concede in terms of relaxed obligations will be taken back by accession negotiators. Perhaps, even more. LDCs need to be aware of this (bitter) reality. ■

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**Cambodia was also compelled to make a commitment to become a member of UPOV by 2004, which is also not the requirement of the WTO**

## Our plant variety, but whose choice ?

**As South Asians, we must have a concerted voice against the UPOV and make every possible efforts to enact our own *sui generis* system, opine Dr. Abid Suleri and Mr. Roshan Malik.**

A large number of people live in South Asia whose livelihoods are based on agriculture income. Agriculture is their way of life since the inception of civilisation. Therefore, plant variety protection (PVP) holds great importance for South Asia, particularly in the context of farmers' rights. However, due to the unjust provisions kept in the TRIPS Agreement under the WTO, PVP has come under threat in recent time.

The seed of corporatisation of plant variety was sown in the TRIPS Agreement through the incorporation of Article 27.3 (b), which states that "...Members shall provide for the protection of plant varieties either by patents or by an effective *sui generis* system or by any combination thereof." This controversial provision has created much debate. With the misinterpretation of the provision on an effective *sui generis* system, the developed countries have been forcing the developing countries to adopt the UPOV model, simply because they want their commercial plant breeders to make profits by exploiting the genetic resources of the developing countries.

Since its inception in 1961, UPOV has been amended thrice. The first two amendments were similar and quite favourable as well, providing some cushions to the farmers along with the plant breeders. But the third one - UPOV 1991 made fundamental departure from the earlier ones, sidelining the interests and the rights of farmers of the developing countries. Instead, it strengthened the breeders' rights to the extent of production and reproduction (multiplication), conditioning for the purpose of propagation, offering for sale, selling or other market, exporting, importing and stocking.

The breeder can intervene at the conditioning stage and claim the royalty virtually giving no rights to the farmers to re-use, exchange, sow and sell seeds without his/her authority. The farmers are allowed to re-use seeds only if "legitimate interests of the breeder" are taken care of - the legitimate interests being nothing but the royalties that the farmers should pay to them. This, in view of United Nations Food and Agriculture Organisation, meant "downgrading the farmers' privilege".

Pakistan has unfortunately followed the same model. The consultations with the stakeholders however started in 1999 for framing Plants Breeders' Rights (PBRs) Act. According to the draft bill on PBR, the farmers are denied the rights to store, re-use, exchange and sell seeds, which are culturally very common in the communities. The civil society showed great concerns regarding the bill and tried to incorporate their concerns in it. As the bill was provincial matter and the draft was sent to the provincial governments, resultantly two out of four provinces showed their concerns in the same. Still the draft is pending and government is not bothered to

update the civil society on this. Now, since the democracy in the country has been restored, the draft bill must be debated in the parliament before its commencement.

Only recently, Nepal finalised its final Working Party Report for the WTO membership in Geneva. During the Working Party Meeting with the trading partners, Nepal was also asked to sign onto UPOV 1991 model by the developed countries. However, according to some reliable sources, Nepal did not agree to sign onto it. However, the developed countries have managed to add few lines in the Report stating that Nepal may explore the possibility of signing it at a later date, taking its "national interests" into consideration.

Bangladesh has prepared its Plant Variety Protection Bill in 1999, which was considered to be more favourable for the farmers. However, it was upheld by some external pressures and the new bill, which is more a replication of UPOV 1991, once enforced is likely to be a playing field for the commercial breeders and not for the farmers.

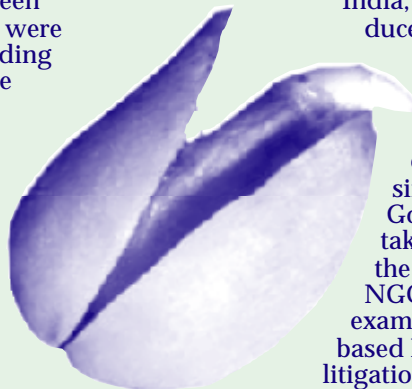
India, on the other hand, has introduced Protection of Plant Varieties and Farmers' Rights Act 2001, which protects the interests of the farmers in true sense of the term. The Act secures the rights of the breeders and farmers simultaneously. However, the Government of India has suddenly taken a U-turn and decided to join the 1978 version of the UPOV.

NGOs are opposing this move. For example, Gene Campaign, a Delhi-based NGO has filed a public interest litigation at the Delhi High Court to reverse the decision of the government.

In the case of Sri Lanka, a draft law on "Protection of New Plant Varieties (Breeders' Rights)" has been prepared. But, this draft has nothing new, it rather reflects the spirit of UPOV. It has the potential to prevent farmers from saving seed for subsequent planting without the permission of the breeder. While certain exceptions are made, which allow the use of such seeds for private or non-commercial purposes, it is still detrimental to farmers, as the moment a crop is cultivated for sale, it becomes a commercial activity.

These experiences have provided the basis of discussion for formulating PVP legislation in the region. Indian initiative is a glaring example of how to balance the rights of breeders and farmers, without tempering with the requirement of the TRIPS Agreement. As South Asians, we must have a concerted voice against the UPOV and make every possible efforts to enact our own *sui generis* system that suits our local realities and national interests. ■

[Dr. Suleri and Mr. Malik are associated with Sustainable Development Policy Institute (SDPI), Islamabad]



## Protecting farmers' rights

After the TRIPS Agreement came into force in 1995, the issue of protecting farmers' rights has become a matter of intense debate. It is evident that due to unjust policies of the WTO, farmers' rights are at stake. If adequate measures to protect their rights are not ensured, the future of agriculture and farmers are obviously bound to be exposed to greater risk. Realising this, several NGOs around the world – in particular in the South – have been campaigning, collectively and severally, to ensure that farmers' rights are adequately respected and protected.

Against this backdrop, a group of NGOs actively working on farmers' rights issues, namely AcitonAid, Consumers International, Gene Campaign, SAWTEE have teamed up to organise an *International Panel Discussion titled The TRIPS Review: A Roadmap for Protecting Farmers' Rights* in the sideline of the Cancun Ministerial. The objectives of the Discussion are to:

- Create pressure on the trade ministers and officials to make decision at Cancun to harmonise TRIPS with CBD, ITPGR and other international instruments that recognise, respect, protect and promote farmers' rights.
- Sensitise a wide range of stakeholders about the need to protect farmers' rights by exercising the options contained in the TRIPS Agreement.
- Create an international coalition of like-minded organisations, named, Farmers' Rights Advocacy Network to conduct necessary follow up activities.

The Discussion will be chaired by Dr. Posh Raj Pandey, SAWTEE. Other speakers are: Dr. Biswajit Dhar, Professor and Head, Indian Institute of Foreign Trade (IIFT), New Delhi; Dr. Abid Suleri, Sustainable Development Policy Institute (SDPI), Islamabad; Mr. Andrew Mushita, Community Technology and Development Association (CTDA), Harare; Mr. Sabbir Bin Shams, ActionAid Bangladesh, Dhaka; and Prof. Carlos M. Correa, University of Buenos Aires, Buenos Aires.

The Discussion will be held on 11 September 2003 from 10:30 - 13:00 hours at Room # 3, NGO Centre, Hotel Sierra Av. Kukulcán Km. 10, Zona Hotelera, Cancún, Q. Roo, México 77500 [For further information, please contact us at *Aristos Cancun Plaza Hotel, Blvd Kukulcan Km 20.5 Zona, 77500, Cancun, Mexico, Tel: (998) 885-21-26*]. ■

## Standards and market access

A Panel Discussion on Standards and Market Access will be held as part of the Cancun Trade and Development Symposium hosted by International Centre for Trade and Sustainable Development (ICTSD) on 11-12 September 2003.

During the same Discussion, CUTS and SAWTEE, in collaboration with Federation of Indian Chambers of Commerce and Industry (FICCI), Research Information System (RIS), Consumers Association (CA), Bureau Européen des Unions Consommateurs (BEUC), International Lawyers and Economists Against Poverty

(ILEAP), will organise a Session on *Northern Consumers – Southern Producers: The Need for an Alliance* from 9:30 – 13:30 hours on 11 September 2003 at Picasso Room, Hotel Gran Melia, Boulevard Kukulcan, km. 16.5 77500 Cancun, Mexico.

The prime objective of the Session is to explore ways and means by which an alliance between Northern consumers and Southern producers can be facilitated on a sustainable basis. The overarching goal of this Session is to help promote better understanding of trade relations between Northern consumers and Southern producers.

The Session will be moderated by Mr. Pradeep S. Mehta, CUTS. Other speakers are Mr. A.C. Muthaiah, FICCI, India; Mr. Sachin Chaturvedi, RIS, India; Mr. Phil Evans, CA, UK; Mr. Jim Murray, BEUC, Brussels; and Mr. Dominique Njinkeu, ILEAP, Canada [For further details, please contact Ms Manleen Dugal/ Mr. Pranav Kumar at [citee@cuts.org](mailto:citee@cuts.org)]. ■

## Marginalisation of LDC concerns

Centre for Policy Dialogue (CPD), Dhaka and International Centre for Trade and Sustainable Development (ICTSD), Geneva will organise the Symposium on Post Doha Marginalisation of LDC Concerns from 14:00 – 18:00 hrs on 12 September 2003 at Picasso Conference Room, Hotel Gran Melia, Cancun, Mexico. The co-organisers of the Symposium are CUTS-Africa Resource Centre (CUTS-ARC), EU-LDC Network, Research and Information System for the Non-Aligned and Other Developing Countries (RIS), and SAWTEE.

- The objectives of the symposium are:
- Highlighting the trade interests and concerns of the LDCs in the context of the evolving WTO regime
  - Mobilising broad based support in favour of the LDCs during the negotiations to be held at the Cancun Ministerial Consolidating the LDC solidarity surrounding the common issues of concerns
  - Proliferating the legitimacy of the LDC concerns to all stakeholders
  - Sketching future plan of action after the Cancun Ministerial.

[For further information, please contact Dr. Ananya Raihan at [ananya@raihan.net](mailto:ananya@raihan.net)] ■

## SAWTEE on the government delegation

As per the decision of the Cabinet Meeting of the His Majesty's Government (HMG) of Nepal held on 1 September 2003, Mr. Ratnakar Adhikari, Executive Director, SAWTEE has been included in the government's official delegation to the Cancun

Ministerial Conference of the WTO. Nepal is going to accede to the WTO during this Conference. This is the first time ever, HMG has included any representative of non-governmental organisation in their official delegation to the WTO Conference. ■



## South Asian Agenda for the Cancun Ministerial

The Annual Conference of South Asian Civil Society Network on International Trade Issues (SACSNITI) titled *South Asian Agenda for the Cancun Ministerial* was organised by SAWTEE and CUTS from 24-25 July 2003 in Kathmandu, Nepal. Participated by more than 60 participants representing academia, government agencies, public interest NGOs, business community and media from South Asian countries, the Conference unanimously passed the *Kathmandu Declaration of South Asian Civil Society on the Cancun Ministerial* that included the following points:

- Implementation Related Issues and Concerns adopted by the Doha Ministerial should be fully and satisfactorily resolved before the Cancun Ministerial, including the issues of market access, agriculture, textiles and clothing, and standards, which are of particular concern to South Asia.
- S&DT be made precise, legally binding, enforceable and operational including additional market access, longer transitional period, lower commitments, technical and financial assistance, as provided for in the paragraph 44 of the Doha Declaration and a Framework Agreement on S&DT should be finalised before the Cancun Ministerial.
- Improved market access be provided for all developing countries, including rationalisation of tariffification process and newly emerging non-tariff barriers and measures, and in the case of LDCs to give effect to bound commitment on zero quota - zero tariff market access to all goods of LDCs' origin.
- Developed countries to immediately and unconditionally phase out all types of trade distorting subsidies provided to their agriculture and they must not dump their agricultural products into any developing countries' and LDCs' markets, and the concerns of the Net Food Importing Developing Countries (NFIDCs) and LDCs be appropriately addressed.
- South Asian countries must seek flexibility to rationalise and rebalance their tariff bindings on agriculture products, keeping in view: (i) food security; (ii) livelihood requirement; (iii) interests of small farmers; (iv) balance of payment concerns; and (v) developmental needs and in doing so emphasise that they have already reduced tariffs on autonomous initiatives as part of stabilisation and structural adjustment policies and overall liberalisation of their economies pursued in the recent years.
- Effective and expeditious implementation of para 6 of the Doha Declaration on TRIPS and Public Health be made so as to ensure effective use of compulsory licensing by developing countries and LDCs which have insufficient or no manufacturing capacity with no limitation on coverage of diseases and exportability and parallel import be allowed to meet the domestic demand for pharmaceutical products in non-producing countries.
- We reiterate that no patents on life forms and on food & agriculture be granted, and that the review of Article 27.3 (b) of the TRIPS Agreement be conducted as per the spirit of CBD and ITPGR, including the access and benefit sharing provisions of these instruments.
- UPOV model not be imposed on developing and least developed countries and they be allowed to develop their own sui generis systems.
- TRIPS Agreement must respect, recognise and reward indigenous knowledge and practices in conformity with the CBD.
- A system of regulating the labelling and transferring of GMOs and/or LMOs and their products should be instituted as per the spirit of the recent decisions of Codex Alimentarius Commission (CAC) and Bio-safety Protocol.
- Full and effective implementation of S&DT-related Article IV of the GATS be made, in order to strengthen domestic capacity in the services sectors and enable South Asian countries to participate in trade in services in the different modes of supply and sectors of special interest to them.
- Temporary movement of natural persons provided for under Mode Four of the GATS Agreement be liberalised without excluding any skill category by the members, and the ongoing negotiations must ensure that administrative procedures and other barriers in the developed countries do not impede the full and effective access of service suppliers in the name of the Economic Needs Test, mutual recognition of qualifications, and implementation of the commitments under GATS including a GATS' visa as regards the supply of services under Mode Four.
- LDCs should not be asked to make additional commitment on services liberalisation and credit for autonomous liberalisation be provided on the basis of well-defined transparent criteria.
- The guidelines adopted by the General Council on 10 December 2002 for simplified and accelerated procedures for the accession of LDCs to the WTO, be strictly followed, particularly during the bilateral market access negotiations.
- In the context of standards becoming non-tariff barriers to trade, it be made mandatory for all WTO member countries to base standards on internationally accepted norms such as adequate science, cost-benefit analysis, issue of proportionality, and the participation of developing countries and LDCs be ensured in the international standard setting institutions.
- During the Doha Round of negotiations on non-agricultural market access, the applied tariff rates in South Asian countries should not in any circumstances be considered as the benchmark for tariff talks.
- We say no to any discussion on New Issues including Singapore issues, given the burden of the existing agenda on the scarce resources and capacity of the South Asian countries, and emphasise that the implications of these issues on the livelihoods of the poor in South Asia need to be better understood.
- We are disappointed with the Draft Cancun Ministerial Text of 18 July 2003 as the issues of our concern have been brushed aside, condemn the process followed to prepare it, and urge the WTO members to strictly follow a consensus-based and participatory system while preparing any official documents.
- We condemn the practice of informal consultations followed during the ministerial conferences particularly Green Room process/ Friends of the Chair, in which developing countries and LDCs are/were not adequately involved.
- We believe that an equitable trading order is critical for the development of South Asian countries. However, the benefits of an equitable trading order cannot be realised without instituting a democratic and participatory system that is transparent and accountable at all levels, and hence urge the South Asian countries' governments to institute democratic systems that are inclusive, transparent and accountable. ■

## UPOV membership opposed by CSOs

At a time when the Nepalese negotiators were giving a final shape to the Working Party Report for Nepal's accession to the WTO in Geneva, National Alliance for Food Security – Nepal (NAFOS) and Unity Service Cooperation Nepal (USCN) organised a press meet entitled *WTO and Nepal* on 13 August in Kathmandu, Nepal. Currently, SAWTEE is the Secretariat of NAFOS, a loose network of more than 20 NGOs, INGOS and other agencies such as UN and media.

The meet was organised to protest against the pressure exerted by the developed countries to the Nepalese negotiators in Geneva to make Nepal a member of the International Union for the Protection of New Varieties of Plants (UPOV) – a Convention that infringes the rights of farmers on seeds and the local biological resources.

At the press meet, the participants opined that Nepal should rather not accede to the WTO than signing in UPOV as it has direct and negative impacts on farmers' rights and agriculture. Being an agrarian least developed country, Nepal can remain aloof from the global economy but cannot survive if its agricultural sector collapses, asserted the participants.

At the meet, it was clearly mentioned that UPOV 1991 provides a high level of protection to the breeders but severely dilutes the farmers' privilege thereby restricting the rights of farmers to save, reuse, exchange and sell seeds. The UPOV has 52 members. ■

## Farmers' rights in Nepal

National Alliance for Food Security (NAFOS) – of which SAWTEE is the Secretariat at present – and Unity Service Cooperation Nepal (USCN), with the support from South Asia Network on Food, Ecology & Culture (SANFEC) and International Development



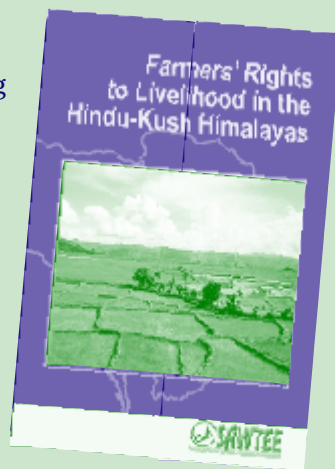
Research Centre (IDRC), organised the national workshop on *Protecting Farmers' Rights for Food Security and Sustainable Livelihood* in Dhulikhel, Nepal from 06-07 August 2003. The participants in the workshop dwelt upon different issues relating to farmers' rights, food security and sustainable livelihood, reflecting their views and concerns in the context of: a) indifferent policies of the government towards the agricultural sector in Nepal; and b) unfair policies of the globalisation, liberalisation and the WTO system, which have made the agricultural sector most distorted in the global market.

Farmers from different remote regions of the country were invited to express their concerns and problems in order for making a linkage between the micro and macro levels. The two-day workshop was divided into one introductory session and four technical sessions – Agricultural Plans and Policies in Nepal, Intellectual Property Rights, Agreement on SPS Measures and AoA. At the end of the day, the workshop passed the Dhulikhel Resolution (*Please visit our web to see the Resolution*). ■

## Farmers' rights to livelihood in the HKH region

Mountains are rich storehouses of biodiversity, minerals, forests and water, yet mountain people are among the world's poorest and marginalised. Majority of the mountain communities depend on farming for their livelihood and farmers constitute majority of the mountain population around the world. Mountain farmers face a number of inherent problems such as lack of access to market, inputs, technology and requisite infrastructure (including transportation and communication) due to their natural locational disadvantage.

Worse still international organisations such as the WTO do not recognise any S&DT for the mountain farmers. Instead, the WTO instruments have promoted the piracy of the genetic resources they possess, directly affecting their traditional knowledge, skills, practices and technolo-



gies. The problem is further compounded by the gross neglect of the mountain areas in the domestic policymaking process. As the mountain areas have limited inhabitants, the political parties too consider focusing on mountain areas as gross misallocation of their resources. They rather prefer to focus on the development of the plain areas where voters are high in number. These initiatives are the major factors that disregard farmers' rights to livelihood.

Against this backdrop, SAWTEE published a book on *Farmers' Rights to Livelihood in the Hindu-Kush Himalayas*. The book, edited by Mr. Ratnakar Adhikari and Mr. Kamallesh Adhikari, has 13 chapters that focus on the experiences and perspectives of Hindu-Kush Himalaya (HKH) region and Sri Lanka in relation to farmers' rights. Various distinguished authors across the South Asia region have contributed their papers in the book. ■

## Road to Cancun

In view of Nepal's impending membership in the WTO, SAWTEE and ActionAid Nepal (AAN) organised the two-day national workshop titled *Road to Cancun* on 10-11 July 2003.

The workshop came up with the National Resolution on Road to Cancun, which has been circulated to a wide range of stakeholders in Nepal as well as abroad.

Five papers on AoA, S&DT, Implementation Issues, TRIPS and Singapore issues were presented at the workshop. Since these papers were quite instrumental in raising the national priorities for the Cancun Ministerial, SAWTEE and ActionAid Nepal published the compilation of these papers in a book form. The

book, edited by Dr. Hiramani Ghimire, has six chapters, including an introduction.

The book delves on the opportunities and the challenges that Nepal faces after it joins the WTO. It seeks to provide inputs to the Nepalese negotiators to make a framework to prepare Nepal's position at the Cancun Ministerial and beyond. ■

## Nepal's commitment at the WTO

SAWTEE and ActionAid Nepal organised their sixth Monthly Forum on Globalisation and WTO on 28 August 2003 in Kathmandu with the theme *Nepal's Commitment during WTO Accession*.

The participants in the forum criticised that the Nepalese government, even after completing series of bilateral and multilateral negotiations with the trading partners in Geneva, and agreeing on final document for accession to the WTO on 15 August, has not taken any initiative to make the document public. They unanimously maintained that the democratic government seems to have ignored the citizen's right to know which the Constitution of the Kingdom of Nepal, 1990 has provided.

They also said that the stakeholders must have an access to the accession package and it should be debated nationwide. Failing to do so may lead to problems in preparing the strategies to tap the opportunities and mitigate the threats of WTO membership, warned the participants.

Replying to the queries of the participants in terms of pressure exerted by the developed countries to make Nepal sign onto UPOV, an official from the Ministry of Commerce, Industry and Supplies, Kathmandu clarified that Nepal has not committed to be a member of the UPOV. He revealed that the developed countries had tried to put a pressure on Nepal to sign onto UPOV. However, some reference has been made in the document, which implies that the UPOV chapter is not closed yet. Hydra-headed as it is, UPOV may haunt in the future, sooner or later.

Nepal's accession package comprises of 152 paragraphs, which is the shortest package agreed upon by any country for the WTO membership. There are 25 paragraphs that contain the commitments that Nepal has made at the WTO. One of the important achievements that Nepal has made is that the trading partners have agreed to provide technical assistance to Nepal.

Nepal has managed to bind its tariffs on agricultural sector on 51 percent. This, according to experts, is a good deal. Similarly, it has been said that Nepal has not made any unconditional commitments on services liberalisation. Commitments on about 70 sub-sectors have been made that include professional services such as legal, accounting, auditing, engineering, etc.

The participants in the forum identified that all promised benefits of the WTO boil down to three issues, namely policy lock-in, transit right and predictability of business environment. However, in order to secure these benefits, capacity building at the domestic level is a must. ■



## SAWTEE NETWORK

### BANGLADESH

1. Associates for Development Initiatives (ADI), Dhaka
2. Bangladesh Environmental Lawyers Association (BELA), Dhaka

### INDIA

1. Citizen Consumer & Civil Action Group (CAG), Chennai
2. Consumer Unity & Trust Society (CUTS), Jaipur
3. Development Research & Action Group (DRAG), New Delhi
4. Federation of Consumer Organisation of Tamilnadu & Pondichery (FEDCOT), Thanjavur

### NEPAL

1. Society for Legal & Environmental Analysis & Development Research (LEADERS), Kathmandu
2. Forum for Protection of Public Interest (Pro Public), Kathmandu

### PAKISTAN

1. Journalists for Democracy & Human Rights (JDHR), Islamabad
2. Sustainable Development Policy Institute (SDPI), Islamabad

### SRI LANKA

1. Law & Society Trust (LST), Colombo

## SAWTEE

Launched in December 1994 at Nagarkot, Nepal by a consortium of South Asian non-governmental organisations (NGOs), South Asia Watch on Trade, Economics & Environment (SAWTEE) is a recognised, registered, non-profit and non-governmental organisation. Its mission is to build capacity of the stakeholders in South Asia by equipping them with knowledge, information and skills to voice their concerns particularly in the context of liberalisation and globalisation. It currently operates through its headquarters in Kathmandu and 11 network institutions from five South Asian countries, namely Bangladesh, India, Nepal, Pakistan and Sri Lanka.

The views expressed in the articles published in *Trade and Development Monitor* are solely those of the authors and do not necessarily reflect the official position of SAWTEE or its member institutions.

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