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If you would like to contribute material to the bulletin, please contact Pat Ranald by email at pranald@piac.asn.au. Our website is www.aftinet.org.au.

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1. WTO Ministerial meeting to proceed in Doha, Qatar November 9 to 13, but still no agreement on a statement

Despite security worries and offers by Singapore to provide an alternative venue, the WTO Director-General Mike Moore said this week that the meeting will take place in the Qatar capital, Doha, Nov. 9-13 "unless something seismic or catastrophic happens".

The Qatari government has insisted that it can provide adequate security in the context of the US attacks on Afghanistan. The US government reportedly still has doubts about this but does not wish to offend one of its allies in the alliance against terrorism.

As reported in bulletin 29, many developing country governments objected strongly to the first draft statement for the meeting which did not address their concerns about the implementation of existing agreements. Nor did it address adequately the issues they have raised about access to European and US agricultural markets, public health and the TRIPS agreement and the trade in services agreement. At the same time, the statement pressed for new negotiations on investment, competition policy and government procurement to which many developing countries have not agreed.

Over the last week both the US and the EU have been exerting strong pressure in many developing countries to agree to the new issues. This took place at a special "green room" meeting in Singapore to which only selected developing countries were invited and at the APEC meeting in Shanghai.

One form of pressure has been the argument that agreement to the US/EU agenda is required to demonstrate support for the war on terrorism. Arm twisting has also taken the form of either offering or threatening to exclude developing countries from bilateral trade or aid deals.

The WTO secretariat is expected to produce another draft later this week, which will still reflect the US/EU agenda, and not even acknowledge developing country concerns by including alternative text in square brackets.

2. Australian proposals on liberalisation of environment services and maritime services reveal no recognition of public goods or public interest issues

Bulletin 29 reported on the Australian proposals for trade in education services. The government has also proposed further liberalisation of both environmental services and maritime transport services at the WTO trade in services negotiations.

The environmental services paper argues for a very broad definition of environmental services to include pollution management, cleaner technology and resource management activities. It argues for the removal of what it defines as barriers to trade including arbitrary enforcement of environmental laws and planning restrictions, limits on foreign investment and limits on the foreign ownership of specific assets such as landfills and sewerage systems. These proposals would treat natural resources, water and sewerage systems purely as traded goods without recognising them as essential public goods, which may require regulation in the public interest.

The maritime transport proposals would remove the right of governments to ensure that there is domestic shipping capacity by removing any restrictions on foreign investment and ownership of ships and any requirements that cargoes be carried by domestic ships or shared by domestic and foreign ships.

Both proposals can be found on the DFAT website www.dfat.gov.au/trade/negotiations/services

3. Anthrax scare reveals double standards on access to medicines in Canada and the US summarised from BRIDGES Weekly Trade News Digest (bridges@iatp.org) Oct 23

The link between intellectual property rights and access to essential medicines continues to attract widespread public attention, sparked most recently by Canada's (subsequently revoked) decision last week to override a patent on the antibiotic drug called Cipro used to treat anthrax in order to purchase a locally produced generic version of the drug.

Meantime, WTO Members in Geneva are hammering out the details of a draft Decision on IPRs and Health for the Fourth WTO Ministerial Conference in November. Delegates remain far apart on this issue, with pressure mounting as WTO General Council Chair Stuart Harbinson intends to release a draft text by the end of this week along with the second draft Ministerial Declaration. New US and EC proposals on TRIPs Intense discussions on the draft Decision on IPRs and health are still taking place daily in small informal meetings at the WTO.

The US proposed last week to extend the implementation period for TRIPs for least developed countries, and to have a moratorium of five years on bringing dispute settlement proceedings against intellectual property regulations implemented by developing country Members from sub-Saharan Africa to improve access to medicines to treat HIV/AIDS and other pandemics.

According to one developing country delegate, the US proposal was seen as too narrow and even more restrictive than the options already available to LDCs, such as the right under Article 66 to apply for an extension at the end of the transition period (i.e. in 2005).

The European Commission (EC) is opposing developing countries' demands for a provision stating that nothing in the TRIPs Agreement should prevent Members from taking measures to protect public health. The EC argues that such a statement would be too broad and would need to be reformulated.

The EC is also proposing that developing countries should take steps to prevent cheap medicines from flowing back into developed country markets. While the EC regards such a provision as a fair exchange for its pharmaceutical industry, developing countries fear that it would restrict their options under the TRIPs Agreement, where such a requirement is not mentioned.

Canada accused of 'double standards'

Canada's decision to override the patent for the antibiotic Cipro was criticised by some observers as a 'double standard' in light of past support to pharmaceutical companies when defending their patents on

AIDS/HIV medicines in developing countries, such as the high-profile dispute between the South African government and 39 drug companies .

"It smacks of one rule for the North, another for the South," said Paulo Teixeira, Director of the Brazilian government's AIDS programme. "The anthrax outbreak is very distressing but I hope it will make them reflect more about our position that compulsory licensing is an entirely legitimate instrument if there is a problem of access to a crucial drug," Teixeira said.

The Canadian government last week overrode the patent for Cipro, which is held by the German pharmaceutical company Bayer and valid until 2003, and ordered 1 million generic versions of the pill from Apotex, a Canadian-based company, despite assurances by Bayer that it would be able to meet demand. The Canadian government subsequently withdrew its decision after agreeing on Monday to buy the tablets from Bayer, but will nevertheless pay Apotex the amount of its contract.

The US had criticised Canada's decision, fearing that it could undermine their negotiating position on flexibilities in the TRIPs Agreement that allow the use of compulsory licences in cases of national emergencies. Others, including the Health GAP Coalition, have strongly urged the US to follow Canada's example, arguing that a decision not to supply cheap generic medicines would prevent poor Americans from obtaining Cipro. They also accused the US government of trying to preserve its position in the WTO "no matter how high the stakes". Said Asia Russell of Health GAP, "the US Administration did not want to set a precedent that could be used against it at the WTO."

4. Sydney events:

a) Reminder: Sydney Fair Trade Rally 12 noon Darling Harbour Convention Centre Tuesday November 13, Seminar and Band Night Sunday November 11

Rallies and events for fair trade will be held around the world between November 9 and 13. The Sydney events are:

Seminar : Globalisation from below? Alternatives to Corporate Globalisation

Sunday November 11, 11.30-3.30 pm Tom Mann Theatre, 136 Chalmers St, Surry Hills

Speakers from the International Metalworkers Federation World Congress:

Silumko Nondawnga, General Secretary, National Union of Metalworkers of South Africa (NUMSA); President Mun. Korean Metal Workers Federation (KMWF); Buzz Hargrove, President, Canadian Auto Workers (CAW); Local speakers from AFTINET, Aidwatch, AMWU, Jubilee, NSW Nature Conservation Council, NUS & UnitingCare (NSW.ACT)

Band Night Sunday 11 November 7.30pm Metro Theatre, George St. Sydney

Featuring: The Tenants, Matt Ellis and Raw Sugar. With special appearances by Tug Dumbly and Frank Bennett

Fair Trade Rally

Tuesday November 13, 12 Noon

Assemble at the Convention Centre, Darling Harbour, march to Martin Place.