

**CONSUMER UNITY AND TRUST SOCIETY
AFRICA RESOURCE CENTRE**

(CUTS-ARC)

**Report on the Civil Society Consultative Forum on Doha Development
Agenda in Preparation for LDC and WTO Ministerial Conferences
Livingstone, Zambia Wasawange Lodge and Tours, June 23-25 2005**

**Organised by: Consumer Unity and Trust Society- Africa Resource Centre (CUTS-
ARC),
Civil Society for Trade Network Zambia (CSTNZ) and Organisation Development
and Community Management Trust (ODCMT)**

Acronyms

ACP :	African European Pacific
AIDS :	Acquired Immune Deficiency Syndrome
AGOA :	African Growth and Opportunity Act
AoA :	Agreement on Agriculture
ARVs :	Anti Ritro Viral
AU:	African Union
COMESA :	Common Market for Eastern and Southern Africa
CSO :	Civil Society Organisations
CSTNZ :	Civil Society Trade Network of Zambia
CUTS-ARC :	Consumer Unity and Trust Society Africa Resource Centre
DBS :	Development Bank of South Africa
DC :	Developed Countries
DDA :	Doha Development agenda
DWP :	Doha work Program
EBA :	Everything But Arms
EC :	European Commission
EPAs :	Economic Partnership Agreements
ESA :	Eastern and Southern Africa
EU :	European Union
FTA :	Free Trade Area
GATS :	General Agreement on Trade in Services
GATT :	General Agreement on Tariffs and Trade
GDP :	Gross Domestic Product
GMOs :	Genetically Modified Organisms
GNI :	Gross National income
HAI :	Human Assets Index
HCSC :	Host Country Steering Committee
HIV :	Human Immunal Virus
HON :	Honourable
IMF :	International Monetary Fund
LDC :	<i>Least developed countries</i>
MDGs :	<i>Millennium Development Goals</i>
MEJN :	Malawi Economic Justice Network
MP :	Member of Parliament
NAMA :	<i>Non Agriculture Market Access</i>
NGOs :	Non Governmental Organisations
NSAs :	Non State Actors
NTB :	Non Tariff Barriers
ODA :	Overseas Development Aid
ODCMT :	Organisation Development and Community Management Trust
PELUM :	Participatory Ecological Land Use Management
PRSP :	<i>Poverty Reduction Strategy Paper</i>
RoO :	Rules of Origin

RTAs :	Regional Trade Agreements
SADC :	Southern African Development Community
SAP :	Structural Adjustment Programme
SARPN :	Southern African Regional Poverty Network
SDT :	Special and Differential Treatment
<i>SMEs</i> :	Small and Medium Enterprises
SPs :	Special Products
SPS :	Sanitary and Phytosanitary
SSM :	Special Safeguard Mechanisms
STEs :	State Trading Enterprises
TB :	Tuberculoses
TBT :	Technical Barriers to Trade
TDPIs :	Trade Development and Poverty Initiatives
TRIPS :	Trade Related Aspects of Intellectual Property Rights
UN :	United Nations
UNCTAD :	United Nations Conference on Trade and Development
UN-ECOSOC :	United Nations Economic and Social Council
USA :	United States of America
WTO :	World Trade Organisation
ZARD :	Zambia Association for Research and Development
ZCC :	Zambia Competition Commission

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Chapter One

1.0 Executive Summary

The Civil society Consultative Forum was held on the eve of the LDC Ministerial 23-25 June 2005 in Livingstone Zambia, at the Wasawange lodge and Tours. The workshop was organised by consumer Unity and Trust Society Africa Resource Centre CUTS-ARC, Civil Society Trade Network of Zambia (CSTNZ) and Organisation Development and Community Management Trust (ODCMT).

The main objectives of the meeting were to provide a proactive forum to brainstorm, lobby, and advocate for fair trade rules in the global system, to create an opportunity to advocate stakeholders' concerns pertaining to WTO negotiations and provide a platform for interaction and constructive dialogue on issues of concern to civil society organisations, private sector and policy makers, to prepare a focused and well thought out Declaration on civil society's views, as regards LDC perspectives, on the Hong Kong Ministerial and DWP Negotiations, to flag on priority issues to be considered by Ministers of LDCs and rich countries and achieving UN MDGs using trade as a tool for poverty reduction, to provide constructive inputs which would result in a balanced, development friendly and timely completion of DWP negotiations.

The meeting was attended by 75 representatives from 14 countries; participants were drawn from Non Governmental Organisations and non State Actors from across LDCs and non LDCs.

The meeting was called to order by Prof. Venkatesh Seshamani Chairperson, of the Host Country Steering Committee (HCSC) and officially opened by Mr. George Lipimile Executive Director Zambia Competition Commission and was latter addressed by Zambia's Minister of Commerce Trade and Industry, Hon Dipak Patel MP, who is also the Chair for the LDCs for 2005.

The meeting was organised in sessions, that included Presentations, plenary discussion, and group discussions. The meeting came up with a memorandum and a statement which were delivered by Mr. Stephen L. Muyakwa, Coordinator of Civil Society Trade Network of Zambia, to the LDC Ministerial Experts working on trade and development. Ms Irene Banda Executive Director for ODCMT gave a vote thanks, and the meeting proceeded

1.0.1 BACKGROUND TO CIVIL SOCIETY CONSULTATIVE FORUM ON THE EVE OF LDC MINISTERIAL CONFERENCE, LIVINGSTONE, ZAMBIA 23 -25 JUNE 2005

Zambia is chairing the least developed group of countries (LDCs) and in preparation for the sixth Ministerial Conference of the World Trade Organisation (WTO) that will be held in Hong Kong in December this year, trade ministers of 50 Least Developed Countries' (LDCs) met in Livingstone, Zambia during the period 25th-27th June, 2005. The LDC Ministerial Conference evolved joint positions and adopted a Declaration on crucial issues to poor countries in the global trading system such as trade rules in agriculture, market access, special and differential treatment, trade facilitation, etc.

While the trade ministers and officials exchanged views and take stock of all the key issues in the on-going Doha Development Agenda (DDA) negotiations and formulated joint LDC strategy and positions with regard to the sixth Ministerial meeting, civil society organisations (CSOs) and non-state actors (NSAs) contributed towards the ministerial through a consultative process of evaluations, research inputs, lobbying, advocacy and information sharing. Further, the LDC ministerial was also attended by trade ministers of several rich countries, which provided a unique opportunity for the civil society and the private sector to highlight LDC concerns vis-à-vis global trade rules.

Consumer Unity and Trust Society-Africa Resource Centre (CUTS-ARC) in collaboration with Civil Society Trade Network of Zambia (CSTNZ) and Organisation development and Community Management Trust (ODCMT) hosted a three-day workshop in Livingstone, Zambia titled *Pre-Hong Kong LDC Civil Society Consultative Forum* during 23-25 June 2005. This activity was attended by over 70 national and international organisations which forms a part of the ongoing constructive dialogue, capacity and consensus building for promoting, supporting and advancing the interests of the LDCs at the WTO and other global trade forums. More precisely, the activities planned under the CSO forum focused on contributing to sustainable economic development in poor countries by improving the international trade policy environment and rules on trade and thus, manifesting the role that trade can and should play in enhancing development and reducing poverty in LDCs.

Given the importance of the LDC ministerial meeting in adopting the LDC declaration on the WTO, and the proactive role that civil society organisations could play in advocating for a more equitable and transparent international trading system, it was timely that the society forum was convened to brainstorm and coherently put forward their views.

Rationale

The desire for the LDC CSO Forum by the CSOs and the private sector stemmed from resultant disproportionate and unbalanced benefits to the poor countries that arose from the new agreements and understandings on world trade that have been signed on ever since the mid 1990s. The dynamic goal of deepening market access at the WTO is not only being approached through the trade policy instruments, but also through 'trade-

related' understandings. In the context of several adverse impacts of rapid economic and trade policy reforms introduced in the LDCs during the past decade, there has been a cautious approach to any future fast track liberalisation. Further, civil society organisations are advocating for a proper assessment of the existing situation and a cost benefit analysis before launching any further liberalisation programmes especially in the poor countries.

The DWP negotiations which began in 2001 envisaged that a number of landmarks be achieved during the time bound negotiations and interim assessments at ministerial conferences. Whilst agreements were reached in Trade Related Intellectual Property Rights (TRIPS) and public health issues, it is worrying that a number of deadlines were not met including key issues *such as* tariff reduction formula for agriculture and non-agriculture market access negotiations, market access and preferences for LDCs, special and differential treatment, etc.

Given the huge implications of the DWP negotiations and the mandate of civil society organisations and non-state actors in influencing international economic policy making and advocating the cause of poor countries through research and capacity building initiatives, it is necessary that civil society and private sector representatives found an appropriate forum to put forward their views during the run-up to the LDC meeting and the WTO negotiations. The various pro-active and constructive inputs from the civil society and private sector could speed up the process of consensus building and reaching fair trade deals at the WTO negotiations.

At the previous LDC and WTO ministerial meetings, civil society organizations hosted several formal and informal meetings, which helped in persuading policy makers and negotiators to take positions for the benefit of the poor countries and people at large. It is appropriate that similar and more concerted efforts were made during the run up to the LDC meeting and the Sixth WTO Ministerial Conference in December 2005, where policy makers could interact with civil society and non state actors and vice versa on key trade and development issues.

Background and context

The Doha Work Programme (DWP) negotiations which began in 2001 under the auspices of the WTO, have been quite ambitious and vocal in addressing some of the structural and man-made inequities in the world trade order, that has been characterized by minimal or declining trade share of LDCs over the years. Special initiatives to assist the LDCs have been discussed at previous ministerial meetings and also at the ongoing DWP negotiations especially those addressing supply-side constraints and inequities in the agreements and commitments. In this context, any future agreement under the DWP negotiations and the WTO should contribute to sustainable economic and human development in poor countries by improving the international policy environment as well as trade rules. Therefore, LDCs should advocate for coherence between different agreements and understandings such as WTO, UN Millennium Development Goals

(MDGs) and also articulate a practical agenda vis-à-vis trade and development dialogue, if they have to address poverty reduction in a sustained manner.

Further, the WTO is now over a decade old and it is time for an objective evaluation of its successes in people welfare and poverty reduction through trade rather than just boosting cross-border trade statistics. It is time for the LDC ministers to take notice of the past commitments and craft policies that discipline all sources of market distortion which adversely affect poor people. It is time for a proactive and people centered and equitable trade agreements, and it is up to the alliance between trade policy makers and non state actors to channel coherent sentiments towards these objectives.

With this as a backdrop, the forum involved the cooperation and the participation of 70 civil society representatives from LDCs, Developing countries and Developed Countries to participate in the CSO forum and various workshops and lobby meetings. The idea was to evolve a synergistic and pro active position on a diverse set of development policy issues through South-South and South-North civil society cooperation.

1.1 INTRODUCTION

The Civil Society Consultative Forum was held on the eve of the LDC Ministerial 23-25 June 2005, in Livingstone Zambia at Wasawange Lodge and Tours, the workshop was organised by Consumer unity and Trust Society Africa Resource Centre (CUTS-ARC), Civil Society Trade Network of Zambia (CSTNZ), and Organisation Development and Community Management Trust (ODCMT).

The main objectives of the CSO Forum, were to provide a proactive forum to brainstorm, lobby and advocate for fair trade rules in the global system. To create an opportunity to advocate stakeholders' concerns pertaining to WTO negotiations and provide a platform for interaction and constructive dialogue on issues of concern to civil society organisations, private sector and policy makers. To prepare a focused and well thought-out Declaration on civil society's views, as regards LDC perspectives, on the Hong Kong ministerial and DWP negotiations; to flag on priority issues to be considered by ministers of LDC and rich countries in achieving UN MDGs using trade as a tool for poverty reduction. To provide constructive inputs this would result in a balanced, development friendly and timely completion of DWP negotiations.

The focused and issue based sessions were addressed by trade policy researchers, advocacy groups, trade unions, representatives of inter-governmental organisations, government, private sector and civil society. The forum worked closely with media networks and advocacy groups. And provided an opportunity for civil society capacity building on trade policy analysis, constructive dialogue with policy makers and provide collective action through experience sharing. It provided an opportunity for LDC officials to brief their positions and interact with non state actors and development partners.

Taking into account the importance of the trade policy and the WTO agreements in influencing economic development and poverty, and based on the previous experience, we proposed to work together with trade and development partner organisations and individuals in hosting a Civil Society Forum.

The occasion provided an opportunity of proximity for filtering ideas to LDC and rich country trade ministers through constructive dialogue, civil society and media outreach. The forum provided an ideal opportunity to brainstorm and lobby with LDC ministers and key trade officials to sharpen their sense of negotiating a fair, development friendly and balanced trade agreement during the DDA deliberations and the sixth WTO ministerial conference. By dealing with practical issues of trade and poverty from a civil society perspective and condensing these with the mood of the occasion, LDC ministers will be more confident to articulate critical development issues knowing they have the research inputs and back up support of the CSOs. Further, the LDC CSO forum released a formal declaration which was presented at the LDC ministerial.

1.2 Opening statement by Mr. George Lipimile Executive Director Zambia Competition Commission (ZCC).

Introduction

In his opening speech Mr. George Lipimile Executive Director ZCC said Zambia is chairing the least developed group of countries (LDCs) and in preparation for the sixth Ministerial Conference of the World Trade Organisation (WTO) that will be held in Hong Kong in December this year, trade ministers of 50 Least Developed Countries' (LDCs) will be meeting in Livingstone, Zambia during 25th-27th June, 2005. Said that the LDC Ministerial Conference is expected to evolve joint positions and adopt a Declaration on crucial issues to poor countries in the global trading system such as trade rules in agriculture, market access, special and differential treatment, trade facilitation, etc.

He said that while the trade ministers and officials will exchange views and take stock of all the key issues in the on-going Doha Development Agenda (DDA) negotiations and will formulate joint LDC strategy and positions with regard to the sixth Ministerial meeting, it is important that civil society organisations (CSOs) and non-state actors (NSAs) contribute towards the ministerial through a consultative process of evaluations, research inputs, lobbying, advocacy and information sharing. Further, he mentioned that the LDC ministerial will also be attended by trade ministers of several rich countries, which provides a unique opportunity for the civil society and the private sector to highlight LDC concerns vis-à-vis global trade rules.

This activity attended by over 50 national and international organisations forms a part of the ongoing constructive dialogue, capacity and consensus building for promoting, supporting and advancing the interests of the LDCs at the WTO and other global trade forums. More precisely, the activities planned under the CSO forum will focus on contributing to sustainable economic development in poor countries by improving the international trade policy environment and rules on trade and thus, manifesting the role that trade can and should play in enhancing development and reducing poverty in LDCs.

Given the importance of the LDC ministerial meeting in adopting the LDC declaration on the WTO, and the proactive role that civil society organisations could play in advocating for a more equitable and transparent international trading system, it is timely that a well conceived civil society forum be convened to brainstorm and coherently put forward their views.

The desire by the CSOs and the private sector stems from resultant disproportionate and unbalanced benefits to the poor countries that arose from the new agreements and understandings on world trade that have been signed on ever since the mid 1990s. The dynamic goal of deepening market access at the WTO is not only being approached through the trade policy instruments, but also through 'trade-related' understandings. In the context of several adverse impacts of rapid economic and trade policy reforms introduced in the LDCs during the over the past decade, there has been a cautious approach to any future fast track liberalisation. Further, civil society organisations are

advocating for a proper assessment of the existing situation and a cost benefit analysis before launching any further liberalisation programmes especially in the poor countries.

The DDA negotiations which began in 2001 envisaged that a number of landmarks be achieved during the time bound negotiations and interim assessments at ministerial conferences. Whilst agreements were reached in Trade Related Intellectual Property Rights (TRIPS) and public health issues, it is worrying that a number of deadlines were not met including key issues such tariff reduction formula for agriculture and non-agriculture market access negotiations, market access and preferences for LDCs, special and differential treatment, etc.

Given the huge implications of the DDA negotiations and the mandate of civil society organisations and non-state actors in influencing international economic policy making and advocating the cause of poor countries through research and capacity building initiatives, it is necessary that civil society and private sector representatives find this forum appropriate to put forward their views during the run-up to the LDC meeting and the WTO negotiations. The various pro-active and constructive inputs from the civil society and private sector could speed up the process of consensus building and reaching fair trade deals at the WTO negotiations.

In conclusion Mr. Lipimile said that at the previous LDC and WTO ministerial meetings, civil society organizations hosted several formal and informal meetings, which helped in persuading policy makers and negotiators to take positions for the benefit of the poor countries and people at large. It is appropriate that similar and more concerted efforts should be made during the run up to the LDC meeting and the Sixth WTO Ministerial Conference in December 2005, where policy makers could interact with civil society and non state actors and vice versa on key trade and development issues.

1.3 Remarks by Hon. Dipak K.A Patel MP Minister of Commerce, Trade and Industry-Zambia

In his welcome remarks Mr. Patel MP thanked everyone for inviting him to make a few remarks at the Civil Society Organisation Forum which he said and welcomed all international participants to Livingstone the home of the mighty Mosi “O” Tunya falls.

He said that he has always valued the determination of CSO and ordinary people world over to make global trade fair. He further said without your support globally the developed countries would not have paid attention to these matters. I urge you to continue this noble work with ever great determination until the developing countries have a fair trade regime, debt cancellation and adequate and predictable development resources. “Zambia pays tribute to you all”.

The minister said that Since the Uruguay round, and then to on to Marrakech to Cancun, the least Developed Countries and Developing Countries have painstaking sought an equitable and rule based international trade regime. For over a decade now we have been saying to the developed world “make haste slowly”

He expressed disappointment that when we are fortunate enough that the developed world listen to our concerns, the Breton Woods institutions push their own liberalization agenda based on how defunct “Washington Consensus” there is no policy coherence.

He outlined the fact the despite the fact that we are technically not ready for negotiations, as least Developed Countries, we put faith in what was agreed under the Uruguay Round, when we agreed that “ members shall take account of special needs of developing countries” what has happened next was developing countries took account and nothing else.

In conclusion he said that there was the Doha Development Agenda, where nothing has happened, the Singapore negotiations were demanded by developed countries it failed. We now have the July package were it has been agreed that Special and Differential Treatment would be treated “ambitiously expeditiously and specifically” so far in Geneva there is nothing of that sort.

1.4 From Cancun to Hong Kong common issues of concern to LDCs by James Chansa.

In presenting the common concerns for LDCs Mr. James Chansa of (CUTS-ARC) stated that most LDCs were disappointed at the Cancun breakdown of talks and the further reluctance of the EU and US to revive talks as they wanted to negotiate bilaterally with LDCs or form regional free trade agreements. But as with all negotiations between determined parties, LDCs and other multilateral trade believers are ready to conclude a successful round of talks.

While the World Bank, The EU and others have their own definition of an LDC, CSOs will mainly use the definition of the United Nations Conference on Trade and Development (UNCTAD, 2004) which lists 50 countries as *least developed*. The criteria used for this classification uses three criteria:

1. A *Low income* criterion-a gross national income (GNI) per capita of less than US\$750
2. A *weak human asset* criterion-as measured by the composite Human Assets Index (HAI) based on (i) nutrition (ii) health (iii) school enrollment and (iv) adult literacy rates
3. An *Economic vulnerability* criterion-this is also measured as a composite index (the Economic vulnerability index) based on indicators of (i) measures in instability in agricultural production, (ii) instability in exports of goods and services, (iii) economic importance of non traditional activities, and (iv) economic concentration.

Others include a population of less than 75 million, while graduation from the list is pegged at meeting one of the above criteria and surpassing the 2004 threshold of US\$900.

Selected Statistics of LDCs

- 49-50 percent of the population in LDCs lived on less than US\$1 per day by 1990.
- If the trend persists the figure of those living below the poverty datum line is likely to increase from 334mn in 2000 to 471mn in 2015
- They have certain inherent weaknesses, e.g. geographical-either as landlocked or island countries.
- They have strong commodity dependency-Minerals or Oil, or a few agricultural commodities
- By 1999 the LDC share of global trade was 0.5 percent. By 2004 that figure stood at 0.68 percent-US\$134bn against US\$9.46 trillion of global trade.

But despite such little trade share LDCs continue to be subjected to onerous commitments. Yes least developed countries agree that despite its shortcomings, a multilateral trading system protects their interests better than a unilateral system, which is usually based on 'might is right'. We agree that there are many benefits of Joining the WTO, but this requires careful, well researched policy negotiations in an all inclusive participatory system.

Chapter Two

2.0 LDCs and the Global Trading System by Ms. Muthoni Muriu

In her presentation, Ms. Muthoni Muriu of Oxfam International highlighted much on sugar and cotton, because these two cases symbolize the unfairness of current subsidy practices of the United States in the case of cotton, as does the case of sugar for the European Union. She made comments on coffee – although this is not strictly a WTO issue apart from the fact that it would be included in a general discussion on commodities.

As the EC announced its proposals on sugar reforms, and as most of you know, a leaked draft version has already been widely criticized by developing country governments and their sugar industries, the Spanish government, other EU member states.

The main criticisms revolve around the lack of clarity and detail on a wide range of issues in the Action Plan. In particular, there is insufficient detail on how support measures will be financed and delivered in a timely and effective manner and to an adequate degree. Further, the Action Plan fails to address the adjustment needs of several sugar-producing Least Developed Countries (LDCs), which are not covered by the plan or which are unlikely to receive adequate help under it.

Many ACP countries and LDCs rightly remain concerned that the EC and EU member states have failed to take account of their concerns in the reform process. In particular, they oppose the depth and speed of the proposed price cuts.² Some of these countries will need EU assistance to offset the likely serious impact of EU sugar reform, whilst others will need help to adjust and make the most of any opportunities presented by reform. However, many of them are reluctant to be drawn into detailed discussions on what adjustment measures will be needed without a clearer idea of which reforms will be implemented, and therefore what adjustment challenges they will face. She briefly outlined four key concerns:

1. The plan must be adequately financed and assistance delivered in a timely and effective way⁴

Under the current EC reform proposals, price cuts will be implemented from 2006, after which time significant reductions in export revenue will affect many ACP and LDC exporting countries. Indeed, the impact of impending reform in the light of the Commission's proposals is already being felt, as loan financing for investment in sugar sector activities is drying up or becoming available on far less favourable terms (i.e. more expensive and with shorter repayment periods). It is therefore welcome that the Commission intends to make funding available for the Action Plan from 2005.

2. Any assistance should benefit all LDCs alongside ACP countries

The Commission proposes that the Action Plan should cover only the 18 ACP countries that are signatories to the Sugar Protocol and which currently export sugar to the EU.⁶

Five of these countries (Madagascar, Malawi, Mozambique, Tanzania, and Zambia) are LDCs, which also export to the EU under the EBA initiative, and will only benefit from assistance under the Action Plan to a level commensurate with their exports under the Sugar Protocol.

A further five LDCs, (Bangladesh, Burkina Faso, Ethiopia, Nepal, and Sudan) export sugar to the EU only under the EBA agreement. These countries will also be adversely affected by the fall in EU prices, as it will reduce the value of their future increased access under EBA.

2.1 Trade Development and Poverty Reduction Linkages an LDC perspective by Professor V. Seshamani,

Professor V. Seshamani, a University of Zambia senior Lecture said studies have indicated that Zambia would loose, because of reciprocity flood of imports, Zambia already gains under everything but arms, therefore the EPA would not bring any benefits. Development paradigm that build the institutions together- we need to develop alternative paradigm and use it in the negotiations together with having a common front e.g. jubilee

Professor Seshamani defined the Millennium Development Goals or MDGs as a set of measurable and time- bound goals with associated targets that were adopted at the United Nations Millennium Summit in 2000. Since their adoption, the MDGs have become so popular in the jargon of development debates that today one rarely misses an opportunity to emphasise the need to “MDGs every type of development agenda.

he went on to say that, as things stand, a lot of work remains to be done in this regard. The fact is that, in the first place, neither MDGs nor trade have been mainstreamed in the development strategies of many of these countries. Zambia’s carefully prepared first PRSP, for example, mentioned the MDGs only in a passing sentence and there was virtually no mention of trade or trade policy either in its macroeconomic section or anywhere else in the paper. This was probably true for many other formulated with a hangover of SAP (Structural Adjustment Program) whose focus was mainly on the attainment of macroeconomic stabilization with little attention paid to poverty reduction as a major objective. Clearly, therefore, the time has come when, instead of stylised neo-liberal SAP policy frameworks with cosmetic changes beginning to search for faster tracks towards poverty reduction and development. The agenda of poverty reduction and development must determine the appropriate policy frameworks that can help fulfil the agenda as quickly as possible.

In conclusion he touched on Conceptual- practical levels, studies: Where Zambia would loose because of reciprocity flood of imports. Zambia already gains under nothing But

Arms, would not bring any new benefits. A development paradigm that builds the institutions together- we need to develop alternative paradigm and use it in the negotiations together with having a common front, for instance Jubilee

Why should LDC's make concessions with Doha round if developed countries fail to meet their modest commitments from the Uruguay round?

Comment, Under the Cairo declaration, developed countries must review green box criteria

Market Access:

Recommendation: Any agreement made should enable LDC's to protect its markets from cheap subsidised products

COFFEE:

Africa tried to bring into the agenda. GATS – specialised treatment. Even though the context of the coffee crises has changed and prices have gone up, a more permanent solution must be developed. WTO, EPA etc, specific issues but on the other hand on conceptual level we know there must be a holistic approach. Success of trade on poverty relates to success of trade to create growth. We tend to take a narrow focus on trade and poverty because we tend to think about trade as Liberalisation.

2.2 Special and Differential Treatment

In presenting a paper on the special and deferential treatment Mr. Temwa Gondwe of MEJN categorised SDT in two types:

- Exceptions to overall rules
- Positive actions in favour of Developed Countries

SDTs should be cornerstone of LDC negotiations because countries are not on equal footings. He further said that until now little more than discussions, means in practice little more than time frame for implementation. As much as technical support is part of the requirement for Special and Deferential Treatment, so far support has been limited to workshops and seminars and this cannot be considered to be aid as such.

COMMENTS

During the presentation Ms. Naidu of SARPN said that SDTs should have five main principles,

- 1) They should not be negotiated
- 2) They should be of permanent feature
- 3) They should meet developmental needs
- 4) There is need for policy space for developing countries
- 5) There is need for proposals to meet LDC needs because current proposals do not meet LDCs needs

Floor Discussions

During discussions it was identified that the EPA would bring about benefits because the EU is an important market. However fundamental questions come up on -how the negotiations are structured; as reciprocity could result into other countries being made worse off, thus there are likely to be no benefits.

Public health (Doha Declaration)

Two main points arose from the discussions on –Trips, as it was commonly agreed that TRIPS should not undermine countries' capacity to address public health problems

Further they must not limit access to generic drugs, ARV'S, as currently there is limited access.

In contributing to the discussion Zambia's Minister of Commerce and trade Hon Dipak Patel MP. Said that ESA will meet some 1-2 months from the 24th of June 2005 to discuss joint position. From the Kigali COMESA/ESA brainstorming session the chairman's text was published but was not discussed in the meeting. The text states issues like reciprocity, Singapore.

He further said the EPAs will not be in the WTO- Hong Kong and the Government is not supportive of the Washington Consensus.

2.3 Role of Trade in Alliviating Poverty in the Context Of Development and Policy Imperatives in Africa

In her presentation Ms S. Naidu of SARPAN said despite some signs in progress in Southern Africa, the challenges facing many of these countries has hampered progress. These include the HIV/AIDS pandemic, persisting inequalities, and political unrest.

Poverty and Inequality

Economic growth is a necessary condition for poverty reduction. There is need not only to reduce income poverty, but also to reach the other MDGs. Countries with greatest progress in poverty reduction are those with strongest growth rates. She further said factors for high incidence of poverty: include uneven economic performance across countries, prolonged drought and floods in the sub-region and Skewed income distribution.

Future Imperatives...

Customising the MDGs, she said MDGs should be adapted to national context so that development objectives are set against the socio-economic and political realities of each country.

Customising the MDGs

Countries facing an acute HIV pandemic cannot be expected to achieve the same levels of progress as those countries not confronting such a challenge.

Future Imperatives...

She said that institutional Capacity Development is important in attaining these objectives, and in making substantial progress towards the MDGs in Southern Africa it requires additional resources. She expressed concern that Developing countries will fall short without extra external resource flows. Accompanied by Domestic and external resources.

Chapter Three

3.0 Agriculture in Least Developed Countries. Presentation by Mr. Thomas Dave

Mr. Thomas Dave of MWENGO in Harare, Zimbabwe made a presentation of agriculture in Least Developed Countries. In his presentation, Mr. Dave stated that agriculture plays a very critical role in the lives of people in LDCs in particular and developing countries in general. He said his central theme is that business profits should come after the interests of ordinary people have been taken care of; i.e. "People first and profits last". See annex 2 to this report.

Comments.

1. A representative from PELUM- Zambia stated that the World Food Programme and Red Cross Society bring in food imports which displace local production from the market. This is because the food imports are sold at lower price compared to the cost of locally produced food.
2. A participant from Zambia Association for Research and Development (ZARD) stated that imports of fruits are displacing local producers from the market. Zambia exports electricity to neighbouring countries while many Zambians do not have electricity in their homes.
3. A Kenyan representative stated that Kenya has expanded production of agriculture exports to the European Union (EU) and to the United States of America (USA). This expansion of agricultural exports has not translated into reduced poverty levels the country side in Kenya. The increased agricultural exports have operated enclaves without impacting on the rest of the economy.
4. A representative from ODCMT said that Cotton farmers in Zambia are facing a lot of problems.
 - i) Cotton farmers are supposed to get inputs such as seeds, pesticides and others from multinational companies for whom they produce when farmers deliver their goods hefty deduction are made from their payments leaving the farmer with very little income.
 - ii) Cotton farmers are forced to sell both the cotton and cotton seed to the multinational companies. In the next season, cotton farmers are forced to buy the same cotton seed from multinational companies at high prices.

The Presenter Response

- iii) He stated that most of the contributions were re-enforcing his arguments

- iv) In the case of Kenya where an enclave economy has occurred, it is necessary to explore possibilities of regional trade where products are grown for Tanzanian and Ugandan markets not for European market.
- v) In the case of poor service delivery for farmers, the presenter stated that African government should fight for the re-introduction and strengthening of state trading enterprises (parastatals) in the agricultural sector. The presenter further stated that the Minister of Commerce Trade and Industrial, Hon. Dipak Patel, had indicated the need for government support to small scale farmers in Zambia and should include the State trading enterprises.
- vi) Regarding the issue of exploitation by multinational agricultural companies, the presenter said that the key is mounting effective campaigns to bring about a change of policy that would be more supportive of the small scale farmer.

Additional comments

- i) There is no contradiction between making profits and serving the people. The slogan that putting people first and profits last may be emotional catching but the bottom line is that for continued service delivery the resources have to come from some where. Profits would be the ideal source of resources for continued service delivery without profits you will need aid to delivery services and this is not sustainable.
- ii) Another participant stated that some NGOs go to the people offering agricultural inputs at the end of it all the same NGOs come and collect the farmer's produce to compensate for inputs delivered, leaving the farmer with very little surplus produce. The same participant stated that putting people first is very important. She said that many Zambian farmers grow various products but these products do not find their way into the Zambian markets because of the imported products. If we were putting people first this would not happen.
- iii) One participant stated that the WTO pursues neo-liberal policies. It is important in our dealings with WTO to always emphasize that our economic policies, as Least Developed Countries (LDCs) should always be informed by the poverty situation prevailing in our countries.
- iv) Another participant stated that African Union (AU) Ministers' Declaration in Cairo, has very strong and useful language. The LDCs draft declare on the other hand, has very mild language. It is important that some of the ideas coming from this discussion be presented to the LDCs Ministers so as to strengthen their declaration.
- v) Another participant stated that if Zambian consumers buy imported agricultural produce leaving out local produce, it means there is a problem. The problem could be that either, the Zambian produce is of poor quality or is too expensive or both. There is thus need for the Zambian authorities to investigate and put corrective measures in place.

Presenter's Responses

- i) There is a common slogan CSO “that would is not for sale”. This is an negotiable principle. The welfare of the people should always come first. As an example if a company produces asbestos and this asbestos is dangerous to the people’s health because it causes T.B, that company should close down regardless of how profitable it is .
- ii) The presenter further stated that the problem of Zambian farmers being displaced from the Zambian markets is a policy issues. He stated that there is need for change of “mind set” or thinking to bring in the type of policies that will support Zambian small farmers.

The discussions on trade preferences and Multilateralism verses Bilateralism, come up with two recommendations stated as follows.

- LDCs, although currently exempted from reduction commitments should ensure that they are not adversely impacted by commitments made by regional non LDCs within the context of regional integration processes.
- LDCs need to consider impact of other bilateral processes such as EPAs beyond WTO issues.

Recommendations

African governments should not make further commitments to reduce tariffs on products for food security. And must put efforts towards

- The right to protect the stable foods
- To apply special safeguard mechanism
- To advocate for an end of agriculture substitutes that contribute to dumping
- On the Cairo declaration: there is need for policy space that allows African countries pursue their needs.

3.1 Presentation on the MDGs and Trade by Henry Malumo

In his presentation, Mr. Malumo from Civil Society Trade Network of Zambia-Coordinator of the Civil Society MDGs Campaign Secretariat stated that the MDGs present a set of globally agreed goals, targets and timelines for reducing poverty and other ills afflicting the developing world. He stated that developed as well as developing countries have entered into a pact to achieve the Millennium development goals. Mr. Malumo challenged CSOs to take up their rightful role in ensuring that the leaders are held accountable to their promises. See annex 3 to this report for details.

Comments

- i) LDCs and other developing countries need to find ways of protecting their farmers so as to reduce poverty in line with MDGs.
- ii) Some countries such as Uganda have experienced rapid growth in exports. Uganda has however during the same period experienced rapid growth of imports. The end result has been that export receipts are inadequate to cover the import bill.
- iii) One participant wanted to know what CSOs can do to ensure that there is political will in both developed and developing countries to achieve the MDGs.
- iv) Another participant stated that the MDGs cost money. It is therefore important to access the cost of implementing the MDGs in a country like Zambia. Some SCOs in Zambia are working with government and United Nations Development Programme to come up with the cost of implementing the MDGs.
- v) Another participant stated that the MDGs were in fact originally conceived the by the World Bank and the International Monetary Fund (IMF). The United Nations was merely used to lend legitimacy to the MDGs. The underlying principle is that of the neo-liberal economic paradigm.
- vi) Another participant stated that developing countries, in their costing of the MDGs, should not rely too heavily on donor aid and the 0.7% of the GDP. More effort should be put in mobilising domestic resources to attain the MDGs.

Presenter's Response

In his response the presenter stated that:-

- a) The Civil Society Organisations (CSOs), have been provided with an opportunity to engage in the MDGs process. It is important that CSOs take up this challenge and engage with their governments, donor agencies and developed country governments to ensure that even these modesty MDGs goals are attained.
- b) That local as well as external resources are mobilized to achieve the MDGs. The 0.7% of GDP is a promise that developing countries made in 1975 and repeated in 2000 at the Millennium Summit and should be held accountable for their promises.
- c) The issue of political will is a big challenge. This in fact is the reason and justification for intensified CSOs engagement in the MDGs process.

3.3 Presentation on Special Safeguard Measures in the World Trade Organisation Agreement on Agriculture by Mr. Stephen L. Muyakwa.

In his presentation, Mr. Muyakwa who is the Coordinator of Civil Society Trade Network of Zambia stated that for many developing countries, agriculture is more a lifestyle than a business occupation. In this connection, trade rules whether from the WTO or other for a need to take into account the special vulnerabilities of agriculture in developing countries generally and the LDCs in particular. Mr. Muyakwa stated that many developing countries have experienced import surges in agriculture. These import surges have had

hard hitting consequences on small scale farmers in developing countries. The main cause of these import surges has been the trade and economic liberalization policies mainly implemented through the World Bank and the International Monetary Fund (IMF) conditionalities. See annex 4 for details. There were no participant responses to Mr. Muyakwa's presentation other than general agreement of the need for special safeguard measures to protect small scale farmers in developing countries.

3.4 LDC Positions in the Agriculture Negotiations of the WTO

Mr. Chansa from Consumer Unity Trust Society- Africa Resource Center (CUTS-ARC) stated that LDCs have presented consistent positions in the WTO negotiations. He however alluded to the difficulties LDCs face in pushing for the adoption of their positions. These difficulties range from lack of resources and negotiation skills to resistance from the developed countries to accept the LDC positions. See annex 5 of this report for details. There was no substantive participant response to Mr. Chansa's presentation.

4.0 Session Recommendations

The session participants came up with the following recommendations to the main workshop/ CSO Forum:

- the need to deconstruct the dominant ideology of neo-liberalism which holds that the free market principles are fundamental to development.
- There is a need to strengthen trade negotiators' capacity to fully analyse the implications of regional and multilateral trade agreements and work out holistic negotiating strategies. This must include all stakeholders including the private sector, civil society organisations, government officials, the media and workers representatives.
- There is need to protect local infant industries and all other established industries from unfair competition brought about by liberalisation.
- LDCs need support from cooperating partners to enable them increase food production- specially by the small scale farmer sector.
- In terms of special products, developing countries and LDCs should continue to fight for the inclusion of the special products concept in the AoA negotiations and final agreement.
- Developing countries including LDCs should have the flexibility to self-declare Special Products (SPs) with respect to food security, livelihoods concerns and rural development objectives.
- The SPs should be exempt from tariff reductions and they should not be subject to restricting conditions.
- In terms of the SSM, developing countries and LDCs should continue to fight for the inclusion of the special safeguard measures (SSM) concept in the AoA negotiations and final agreement.

- The Special Safeguard Mechanism (SSM) for developing countries should not be subject to restricting conditions and should not be limited to a number of pre-determined products.

Session Conclusions.

In his closing remarks, Mr. Muyakwa thanked the participants for their contributions. He requested Mr. O'Brien from Trocaire to close the session.

Mr. O'Brien stated that Trocaire will ensure that the research papers by Mr. Muyakwa and Professor Matambalya will be concluded and posted on the Trocaire website as soon as possible. He once again thanked the participants for their valuable and active participation in the agriculture session. He closed the session at 13.20 hrs.

Chapter Four

4.0 Perspectives on the role of trade in alleviating poverty within the context of the developmental and policy imperatives of Southern Africa. By Gichinga Ndirandu

Economic Partnership Agreements: challenges for the region

During his presentation Mr. Gichinga Ndirangu of Oxfam international said that most countries in Southern Africa are currently engaged in EPAs negotiations with the EU. EPAs seek an end to reciprocal trade and the EU has requested an elimination of all trade barriers on 90 per cent of its trade with ACP countries over a 10-year period. Bilateral trade negotiations with the EU have undermined the solidarity of SADC countries. Reciprocal trade with the EU cannot benefit most countries in the region, which face supply side constraints, poor infrastructure for agricultural development and a weak legal and policy framework. Policy advocacy needs to target ways of making trade an engine for change on livelihoods especially for vulnerable groups such as households affected by HIV/AIDS. It is necessary that Southern Africa countries, in negotiating EPAs, are enabled to benefit from trade opportunities that support poverty alleviation and which address the needs of marginalized and disadvantaged groups including those affected by HIV/AIDS.

Improving trade relations between Southern Africa is an important imperative towards supporting overall economic integration in the region. The sensitive question of South Africa's trade dominance must be tackled and strategies developed to allow for a more inclusive trade framework that benefits and enhances the participation of weaker economies in the region.

Negotiating ways of reducing trade imbalances in favour of these economies vis-à-vis South Africa is therefore an important policy imperative and one which would help reinforce the significance of regional trade. Regional trade represents an important opportunity in harnessing the benefits of trade granted that EPAs, in their current form, would result in net welfare losses for Southern Africa countries unable to compete favourably under reciprocal trade within the limited 12 year phase-in period.

Negotiations under the Economic Partnership Agreements (EPAs) should be slowed down because they present critical challenges for Southern African countries which are currently ill-prepared for reciprocal trade with the EU. In turn, this will undermine the capacity of the resulting trade dispensation to support poverty alleviation.

Parallel FTA trade negotiations should not undermine proposals at other multilateral fora like the WTO, which seek to align trade to the constituent demands of alleviating poverty and safeguarding livelihoods.

4.1 Trade related intellectual property rights and public health Wole Olayele

Mr Wole Olaleye of Action aid gave a background to TRIPS, The Trade Related Aspect of Intellectual Property Rights (TRIPS) Agreement is Annex 1C of the Marrakesh

Agreement Establishing the World Trade Organisation, signed in Marrakesh, Morocco on 15 April 1994. The TRIPs Agreement itself does not focus on trade issues (e.g. eradicating trade barriers). TRIPs: He said that a dividing line was that the WTO TRIPS Council through numerous negotiation rounds has to agree on a solution under Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health.

LDCs: Challenges for Hong Kong

LDCs face a challenge for the Hong Kong such as Biopiracy: under TRIPs, the right of communities to control their natural resources is not guaranteed. Farmers' Rights: are not provided for under the TRIPs agreement. Corporations from the developed countries are attempting to use TRIPs to force farmers to purchase new seed every season. Health and Pharmaceuticals: As the Doha Declaration confirms, TRIPs includes mechanisms intended to safeguard public health while respecting intellectual property.

In concluding he said that Plants and animals (not micro-organisms) can be excluded, but plant varieties must be protected, either by patent or by sui generis system. As Article 27.3(b) allows Member States to exclude plants and animals from patent protection subject to the establishment of an "effective" sui-generis system. He said that it was of concern to observe that the patent system of intellectual property rights denies property rights to local and indigenous knowledge, practices and innovations. TRIPS only accorded patent rights to trade related innovation.

4.2 Trade and Environment Linkages and Implication for sustainable development by Michelle Pressend

In presenting her paper Michelle Pressend of Institute for Global Dialogue outlined the complex linkages between trade policy and multilateral environment agreement is growing global debate. And mentioned that the Trade and environment "theme was brought to the Doha negotiations with much resistance from the South and consequently is part of the Doha declaration. She expressed concern that the South perceives inclusion of environment in trade related policy as working against developing countries, because environment measures imposed measures imposed may restrict market access and promote protectionist measure by the North. Notwithstanding the fact that environment has become the a significant issue in international trade policy and environmentally related themes are linked to a number of WTO rules they key ones being market access, agriculture and domestic subsidies, sanitary and phytosanitary (SPS) measures, technical barriers, trade related intellectual property rights particularly related to article 27.3 on patency of life forms, liberalization of environmental goods and services and trade and the relationship between specific trade obligation (STOs) of multi-lateral environment agreements (MEAs) and WTO rules.

Session Recommendations

- 1 Civil Societies must resist pressure for TRIPS and provision under negotiations on free trade agreements including EPAs, which undermine use of flexibilities under TRIPS.
- 2 LDCs must be guided by the DOHA declarations on TRIPS and public health, (including article 4), to protect public health, promote access to medicines,
- 3 LDCs should seek special and fast solutions on access to second line ARVs to ensure that TRIPS does not undermine protection of public health.
- 4 LDCs should take advantage of window not to enact patent legislation until 2016 and beyond. Progress must not be extremely driven and limiting access to affordable medicines.
- 5 Re-affirm Doha –declaration on TRIPS and public health on countries with insufficient and no manufacturing capacity. There is need for less cumbersome and less procedure for these countries to make use of TRIPS flexibilities.
- 6 Reiterate paragraph 7 of the Doha answer seek agent and time bound commitment both Developed and Developing countries to provide incentive, promote and encourage technology transfer to LDCs.
- 7 Communities must be empowered to use and control their own resources occurring within their specific localized areas.

Chapter Five

5.1 FINANCIAL ISSUES AND NAMA NEGOTIATIONS by Godwil Wanga.

Mr. Godwill Wanga of DAIMA Associates, Tanzania mentioned in his presentation that typically, the financial sector provides financial and technical support for investments from a number of Developed countries (DCs) to Least Developed Countries (LDCs). Investment has been one of the key components of development and has become an important objective of regional economic integration for the LDC.

Financial Products, Characteristics and Role in Investment Support

The financial sector raises on the markets substantial volumes of funds which it directs on the most favourable terms towards financing capital projects. The financial products are under discussion below.

Risk-Based Investment Facilities: These are risk-taking financial instrument designed to support the development of the private sector. Also, special efforts are made to improve the **access** of small and medium-sized enterprises (SMEs) to financial sector's risk sharing instruments and to "term finance" including loans, equity, quasi equity and guarantees. The support for SMEs, most dominant in LDCs, is channelled through the local financial sector. The instruments are also supposed to finance private sector facilitating infrastructure projects in the public sector.

5.2 Trade Facilitation by Nkululeko khumalo

Mr. Nkululeko khumalo of SAIIA, South Africa, said that in WTO context trade facilitation must focus on procedures in movement and release of goods, import, export and transit: simplify, reduce, standardise, modernise, and strengthen and **improve** Article V, VIII and X of GATT Mr Khumalo said that trade facilitation must, on Transit – improve GATT Article V: these are

- **Simplify transit rules, procedures and requirements: critical for landlocked LDCs**
- **Transit should be less complicated than import**
- **Fees and charges proportionate to cost of services provided**

5.3 Recommendations on the Discussions on the session (Agriculture, TRIPS, NAMA, and Trade facilitation)

1. The group reached the following recommendation, LDC must rethink about market fundamentalism (the current neo-liberalism frameworks) LDC must demand domestic driven strategic where the people will be subjects. There is need to protect small scale farmers especially those whose livelihood is threatened due to changes on the global market.
2. There is need to protect local industries from unfair competition. This can be done by
 - Giving incentives for local products.
 - Enhancing rural development and capacity
3. Infrastructure development should be given priority in order to enhance domestic market expansion and linkages to local agriculture industries.
4. there is need to look at tariff and non tariff barriers respectively
5. Tariff reduction should be restricted and the right border protection upheld with individual countries entitled to decide for themselves when, whether and how they should use this right.
6. There is need to consider technical barriers which will address issues to do with progress and packaging concerns.
7. food security should be treated with national agency.
8. there is need to strengthen our call for “NO” to GMOs
9. LDCs need support from co-operating partners to enable them increase food production especially small scale farmers.
10. In terms of SPS LDCs should continue to fight for the special concept in the AOA negotiations and final agreements.
11. The Developed countries should have the flexibility to self declare special products with respect to food security livelihood concerns and rural development objective.
12. The SPs should be exempted from tariff reductions and they should not be subject to restricting conditions.
13. criteria for selection of SPs should include number of people employed in the production of the product, products predominantly produced by low income producers, small scale farmers and women; land areas under cultivation; basic food crops.
14. in terms of the SSM, developing countries including Zambia should continue to fight for inclusion of the concept in the AOA negotiations and final agreements
15. The special safeguard mechanism for LDCs should not be subject to restricting conditions and should not be limited to the number of predetermined products.

16 TRIPS must be on the ministerial agenda,

5.4 Trade Related Capacity Building by Alex Worth

Mr Alex Worth of CUTS-International mentioned in his presentation that the two underlying rationale of TDPIs are Donors: Supporting business organisation/development organisations and Capacity building for the recipient

He said the main focus of TDPIs are; Donors: balanced distribution of work on skills development of producers/workers, enhancing regulatory compliance and building trade negotiating capacity (but last component strongest!), he further mentioned that the Major Modes of implementation are Capacity building workshops, Institutional Capacity Building, Trade policy research.

5.5 Gender statement on Trade by Elizabeth Eilor

On delivering the statement on Gender and Trade Ms. Elizabeth Eilor of AWEPON gave the following views, Trade expansion – both within and across borders – has been dependent on poor women’s labour. Trade justice therefore implies not only more equitable terms of trade and national economic sovereignty, but also guaranteeing women’s rights.

- UN - ECOSOC must commission a comprehensive social and gender sensitive review of the current process of trade liberalization, trade expansion and intensification and their utility and efficacy for just, equitable and sustainable development, paying particular attention to the concerns of women, and to the impact of the privatisation of services under GATS on women.
- A stop to trade liberalization, as it leads to undesirable consequences such as dumping of cheap products which adversely affects national food sovereignty, pushing women out of the formal sector and contributing to increased exploitation and loss of livelihoods.
- A stop to export-driven economies, as they put increasing burdens on women who are often the providers of cheap labour without reaping the benefits of profits.
- Trade agreements must stop pushing national governments into a privatisation agenda, which puts basic social services in the hands of the private sector making them inaccessible to poor African women.
- Remove subsidies, tariffs and non tariff barriers in international markets, which negatively impact on women’s earning capacity.

- To find a solution to urgently deal with the continued falling commodity prices as they reduce the women's incomes.
- Ensure women's land rights, labour rights and decent jobs, as well as protecting women's agricultural activities, maintaining food security, livelihoods and traditional knowledge.
- Develop policies so that the benefits of trade will advance development objectives, including international commitments to women's rights.
- The current trade and international financial regime privileges capital vis a vis Labour and the rights of investors take precedence over the human rights of the large majority of citizens, especially those in developing countries. All institutions dealing with trade policies and governments need to be made accountable and transparent, and policy-making needs to be made democratic and participatory. Multinational corporations, which are major beneficiaries of the current trade regime, should be monitored more effectively and made accountable and socially responsible.
- The voices of women and poor people, which are largely missing from trade policy negotiations, need to be heard and respected.
- Policy changes are likely to occur unless there are a substantive democratization of policy-making at all levels. In particular, the voices of women and poor people, which are largely missing from trade policy negotiations, need to be heard and respected. Consultations with working women's groups, including those representing workers in home-based industries and the informal sector need to be institutionalized.

The phenomenon of globalization, of which trade liberalization is a major component, has so far proven to be a brutal one of many. Long-standing critiques of market fundamentalism call for a 'humanization' of globalization (see Helleiner 2000). This needs to start with asking what are the rights of each and every human being and what obligations do those who are privileged have towards the fulfilment of these rights. It is only when we realize that there are human beings behind the commodities we consume that we can begin to a truly humane world economy and society.

Conclusion

The three day deliberation ended with CSO taking a positive step towards lobbying the LDC and OECD ministers respectively, by issuing a statement to experts and a press conference to highlight the views of the CSO over the issues the LDC ministers were preparing for Hong Kong

Recommendations

75 participants representing civil society organizations from 14 African countries working on aid, trade, debt, and development issues met in Livingstone,

The civil society participants dialogued on key issues on trade facing LDCs in the run up to the Hong Kong WTO Ministerial conference in particular, and the multilateral trading system in general. Specific recommendations on key thresholds on trade under the WTO framework were developed and presented for consideration to the trade ministers

We take this opportunity to communicate to you, members of the press, our views on LDC countries concerns and positions on the on-going trade negotiations in the World Trade Organization as well as regional trade agreements, especially the Economic Partnership Agreements (EPAs) currently being negotiated and where 39 LDCs are parties.

In this context, we express our appreciation of the Cairo Road map and the AU Declaration on the EPA negotiations from the 3rd AU trade ministers meeting in Cairo, June 7-9 2005. We also appreciate the outcome of the 2nd South Summit of G77 and China, Doha, June 12-16, 2005. We note that both expresses sensitivity to the special challenges the LDC faces in the context of globalization.

Experience has shown us that free market principles tied to development have been fundamentally flawed for the majority of LDCs. There is a need to change the focus to a domestic demand driven structure in favour of local entrepreneurs. Therefore the 6th WTO ministerial meeting should adopt pro-poor trade policies that are driven by global commitment to sustainable development and poverty eradication.

We recognize that reliance on market mechanisms alone is insufficient to meet the challenge of development in a globalizing world economy and to achieve national, regional and the internationally agreed development goals, including the Millennium Development Goals (MDGs).

We therefore urge the LDC Ministers to promote national efforts to sustainable human development and attainment of the MDGs. Further, we recognize the importance of debt

cancellation in releasing resources to social and economic development. We call for total and unconditional debt cancellation for all LDCs.

We note that four years since the adoption of the Doha Work Programme (DWP), there is little evidence of progress in tackling the developmental concerns of LDCs and other developing countries which were proclaimed as pivotal to the success of the Doha agenda. On the contrary, as evident in their proposals, the rich and powerful industrialized countries of the WTO continue to pressurise for deeper commitments in the direction of further liberalization in crucial sectors such as agriculture, services, binding industrial tariffs. Also the rich countries try to tighten instead of securing rules that gives access to non-reciprocal regional trade agreements (RTAs).

The lack of progress on the SDT and implementation issues manifests the absence of commitment by the major trading partners to promote development within the multilateral trading regime. LDCs and other developing countries face the prospect that the current imbalances in the international trade regime threaten their economies and peoples.

We urge the LDC governments to remain firm in articulating and sustaining positions which promote the interests of their people and their economies, and to continue efforts to strengthen unity and solidarity among countries of the South.

In this light, the following are our recommendations on the most pressing issues in international trade negotiations:

UNDERLYING PRINCIPLES:

- The LDCs should recognize that any trade rules that adversely impact on the livelihoods of their people and economies are non-negotiables under any multilateral, regional or bilateral trade arrangements.
- The LDCs should exploit and preserve their policy space to pursue their development objectives, including food security, livelihoods, health and welfare of their peoples, full employment, and industrialization and value addition especially to their primary commodities.
- LDCs should not accept to use SDT as a negotiation tool. The SDT should remain a cornerstone of global governance to address the asymmetry between unequal parties in the global trading system.
- Development benchmarks rather than arbitrary longer compliance periods should be the basis for determining SDT.
- Developed countries should desist from using financial support in the form of technical assistance, development aid and financing, including debt relief, as a tool to influence the negotiation and trade policy positions of LDCs and other developing

countries. Financial support should be dealt with independently of LDC trade negotiation positions.

- LDCs should remain vigilant and firm in pursuing their development objectives within the multilateral trading system as well as under regional and bilateral trading arrangements, to secure the interests of their peoples.

SPECIFIC RECOMMENDATIONS

Agriculture

1. We call for urgent implementation of the Marrakech Decision on NFIDCs and LDCs and a clear reflection of the special and differential treatment component of any disciplines to be developed on export credits.
2. We call for rapid conclusion of a flexible Special Safeguard Mechanism (SSM) whose coverage is not predetermined as this would constitute a unique instrument for responding to the concerns of LDCs and other developing countries on issues of food security, livelihood security and sustainable rural development.
3. We also call for modalities with respect to the self designation of special products (SP) to be devised in a way that provides maximum flexibility and exemption from tariff reduction and binding to LDCs and other developing countries to reflect their particular domestic circumstances and development needs.
4. Export subsidies and other support measures that contribute to dumping, including the review of green box subsidies should be removed. This elimination shall be without prejudice to S&D treatment of NFIDCs and LDCs.
5. LDCs State Trading Enterprises (STEs) should be excluded from the application of any new disciplines; in recognition of the critical role they play in sustaining livelihoods, food security and poverty reduction.
6. LDCs must ensure farmers' rights to conserve, exchange, share, multiply and market farmers' varieties and utilise them on a sustainable basis. To this end, we say No To GMOs! GMOs are also more about profits and not about corporate social responsibility.

Cotton

7. We are encouraged by the recent Appellate Body and Panel Decisions on cotton adopted by the DSB on the 21 March 2005. We warn against some major subsidizing countries attempt to distract the focus from their obligations. Therefore, with a view to retaining policy space for future value addition, we urge the LDC countries to maintain priority focus on the elimination of all export subsidies and domestic support measures on cotton.

Gender and Trade

We recognise that trade, both within and across borders – has been dependent on poor women's labour. Trade justice therefore implies not only more equitable terms of trade and national economic sovereignty, but also guaranteeing women's rights.

- UN - ECOSOC must commission a comprehensive social and gender sensitive review of the current process of trade liberalization, trade expansion and intensification and their utility and efficacy for just, equitable and sustainable development, paying particular attention to the concerns of women, and to the impact of the privatisation of services under GATS on women.
- Adopt mechanisms to ensure trade liberalization and export-driven economies eliminate the undesirable consequences such as dumping of cheap products which adversely affects national food sovereignty, pushing women out of the formal sector and contributing to increased exploitation and loss of livelihoods.
- Remove subsidies, tariffs and non-tariff barriers in international markets, which negatively impact on women's earning capacity. And also find a solution to urgently deal with the continued falling commodity prices as they reduce the women's incomes.
- Ensure women's land rights, labour rights and decent jobs, as well as protecting women's agricultural activities, maintaining food security, livelihoods and traditional knowledge. The voices of women and poor people, which are largely missing from trade policy negotiations, need to be heard and respected.
- The current trade and international financial regime privileges capital vis a vis Labour and the rights of investors take precedence over the human rights of the large majority of citizens, especially those in developing countries. All institutions dealing with trade policies and governments need to be made accountable and transparent, and policy-making needs to be made democratic and participatory. Multinational corporations, which are major beneficiaries of the current trade regime, should be monitored more effectively and made accountable and socially responsible.

Services

8. We reiterate that LDCs and other developing countries have the right to regulate services and liberalize their economies in line with their national development policy objectives.
9. LDCs are not under any obligation to further liberalize their services sectors. Industrialized countries should therefore withdraw any demands on services liberalization from LDCs.
10. The multilateral working group on domestic regulation, government procurement, subsidies and safeguards should be guided and satisfactorily concluded to secure the development needs of LDCs and other developing countries.

Market Access

11. Developed countries, and other developing countries in a position to do so, must provide bound duty and quota free market access at remunerative prices for agricultural products originating from LDCs. This should not be tied to reciprocity.
12. On preferential schemes such as the EBAs and AGOA whose tariffs are zero-rated or low, the LDCs face restricted market access because of complex Rules of Origin (RoO), Sanitary and Phytosanitary measures (SPS), Non Tariff Barriers (NTBs) and Technical Barriers to Trade (TBT). These rules should be simplified and harmonized and the LDCs should be facilitated through relevant and demand driven technical assistance to benefit from market access.
13. Given the asymmetry between parties under the trade rules, preferences will remain an important tool for LDCs, and other small economies (SIDS and LLDC). Therefore the issue of preference erosion has to be addressed urgently within the WTO.

Industrial Tariffs

14. The LDCs, although currently exempted from reduction commitments under the NAMA, should engage in the NAMA negotiations with a view to retaining future policy space. LDCs should also ensure that they are not adversely affected by commitments made by non-LDCs in the context of common regional integration processes.

Trade Facilitation

15. Recognising the legitimate concerns of LDCs associated with trade facilitation in the Doha Work Programme, we call for the provision of contractual and enforceable rights within the WTO framework for technical assistance and capacity building. There should also be provisions for monitoring and review, in the respective WTO body, of the implementation process.

Intellectual Property Rights

16. We reaffirm the right of LDCs to make use of flexibilities under the TRIPS agreement to protect public health as well as biodiversity and technology transfer. We call on LDCs to take appropriate measures at the national level to make full use of these flexibilities and to resist attempts to introduce TRIPS Plus proposals (which go beyond TRIPS obligations) under the EPAs negotiations, bilateral or any FTA arrangements.
17. LDCs should resist the pressure from developed countries and industry to enact patent laws that limit policy space.

TRIPS and Public Health

18. We reaffirm the Doha declaration on TRIPS and Public health and in particular paragraph six on countries with insufficient capacity or no manufacturing capacity. We reiterate that the TRIPS agreement should not undermine access to affordable medicines. While recognizing efforts to address this problem specifically under the 30 August 2003 decision, we call upon WTO members to develop a less cumbersome and complex procedures for countries with insufficient or no manufacturing capacity to make use of TRIPS flexibilities to access affordable medicines.
19. We reaffirm Para 7 of the Doha declaration on TRIPS and Public Health and seek an expeditious and time bound commitment by developed country members to provide incentives, promote and encourage technology transfer to LDCs pursuant of Article 66.2 of the TRIPS Agreement.

TRIPS and Biodiversity

20. The LDCs should reaffirm the Africa group proposal to review Article 27.3b of the TRIPS to exempt from patentability of all life forms. The LDCs should insist that the TRIPS is not in conflict with the Convention on Biological Biodiversity (CBD) and the International Undertaking on Plant Genetic Resources for Food and Agriculture.
21. LDCs should ensure that intellectual property rights on technologies do not undermine indigenous knowledge systems, farmers and communities rights, access to and control over plant genetic resources for food and agriculture.

Regional Trade Agreements (RTAs)

22. 39 LDCs are parties to the EPA negotiations with the EU. These negotiations are undermining the few rights and developmental interests of LDCs under the WTO framework. The LDCs should not negotiate such agreements.
23. Regional agreements between unequal parties, especially in the EPAs are undermining the regional integration efforts to strengthen regional policies and economies. The experience of developing countries in the WTO ministerial meeting in Doha 2001 showed clearly how well coordinated positions against the so-called Singapore Issues faded away because of the lack of clarity on rules

governing regional trade agreements. The LDCs should support and strengthen proposals on the GATT Article 24 and GATS Art 5 to ensure that the principle of non-reciprocity and SDT rights are ensured under RTAs between asymmetrical parties to the agreements.

24. LDC governments should have a coherent and consistent approach to positions and results that have been obtained in the WTO when they negotiate in other fora. We therefore reassert that the LDCs should not accept the reintroduction of the Singapore Issues in RTAs despite the major powers' attempt to do so.

Commodities

25. We urge WTO Members to address the crisis of instability and secular decline in commodity prices with the aim of attaining stable, equitable and remunerative prices on these products.

4.8 Way forward for CSO to Hong Kong December 2005

The need for civil society participation is because of their proximity to the realities of the poor, CSOs, play central role in making citizens aware of their rights and responsibility and preparing them to exercise those rights. They have the expertise, values, and ethical underpinnings that can make development frameworks more responsive to the needs, right hand realities of the poor and more equity enhancing in terms of gender, regional balance, children, disabled and minority groups.

CSOs counter-balance economic considerations such as competition, efficiency and commercialism with other values such as dialogue, solidarity, empowerment and cooperation, to make development interventions more people-centred and sustainable

The items which arose for discussions included

- The need to strategise on how to get feedback from the ministerial.
 - Process
 - Preparation for Hong Kong
 - Press Conference
-
- The issue of how to feed into the G8 was discussed and, it was resolved that it was better to get back to various centres, and have a press conference where the memorandum of this meeting can be distributed
 - On the Millennium Summit: there is need to engage with the national stakeholders on trade-so that we can try and get into the delegation teams
 - **The African workshop 17 – 18-0**
 - A road map to the Hong Kong meeting could emerge from this meeting (with important dates mentioned i.e. role of CSOs, possibility of having similar meetings)
 - There is need for coordination, side events, and contacts with ministers at Hong Kong
 - There was need for small workshops, ODCMT to collect signatures, will have a big function.
 - SARPN would update on what's going on in different countries through its website .
 - It was important to identify Governments in Africa and organise training to sensitise them on trade issues, jointly done by CSO's

It was discussed on how to take advantage of Zambia's lead of the LDC group? to ensure CSO's standing in the group. The following were the adopted way forward. Journalists didn't succeed due to lack of Networking.

- Need to come up with the committees
 - CUTS should feed the other networking of Journalists because in house training is not possible due to resources
 - Need to have an initial training breakdown of certain words i.e. WTO
 - Need to involve Journalists in conferences so as to be a board from the word goal
 - Identify Journalists who can go to Hong Kong and understand the dynamics of World Trade.
 - ODCMT has been taking advantage of meeting for signature; there is need for small workshops.
-
- SEATINI, CUTS, MWENGO normally organised workshops before Cancun but because of lack of resources has not been continued.
 - They arose a question on whether CSO's are best people to train? Rather provide selected Journalists with continuous flow of information- is training productive, as there is need for the initial training – followed by information.
 - There is need to for the inclusiveness of Journalists in Different fora

How can CSO work with Government

Mostly the presence of CSO is not felt on the Government delegation team, is their impact felt through interaction

- Most of the CSO input found their way into the government
- The government has its own inconvenience most missing meetings to send feedback to the Boss(Minister)
- How CSO get diluted in the delegation – need for CSO to push hard into government delegation.
- Need to use the media appropriately

Training followed by information flow plus inclusive of journalists.

- It was discussed that it is important like in Cancun to take those journalists who are already involved to Hong Kong

CSO's in Hong Kong?

- WTO website has information
- It was identified that hotel bookings are problematic

And the possible actors for the media training were identified these are :

- Media institute of Southern Africa
- Open society initiative of Southern Africa

Relationship with the Zambian Minister of Trade

- Minister favourable: discussion on opening formal channels i.e. make one of the key government official's parts of the CSO's. In Uganda CS meets first and forms a common position, then takes part in official structure
- CSO policy
- Bill in parliament: CSO's to have formal channels to the officials
- Regular meetings possible
- National working group on EPA's where CSO's present
- Ugandans experience – could be borrowed? Paper on this at CAFOD website
- Formalisation of CSO participation beyond December
- Danger of co- operation _ need for strong CS example of CSPR: positive view amongst the public (strong grassroots support). 75% the suggestions by CSPR found their way to the PRSP. Representatives nominated to government bodies, but lots of practical problems. Hence the government is invited to CSPR meetings and usually they participate. Credibility as independent and representative body
- Kenya: CSO's got together before Cancun and engaged with government lobbied hard to include CSO's in the delegation. Doesn't dilute the message. Information flows more efficient if you are in the delegation
- Parliamentarians: invited to Hong Kong(accountability – should be engaged)

CSO's AND GOVERNMENT

UGANDA

- In Uganda, CSO have a forum in which they discuss before giving views.
- They make sure the government takes more CSO representation on there delegation to the WTO
- So as Zambians, we can do the same but it calls for proper organisation or else your voices will not be heard

Inter- institutional committee on trade

- Central Bank, key ministries, CSO's
- Ministry of trade is secretariat
- NGO's involved in trade issues
- Country position arise(not government position)
- Quarterly meetings
- Ministry of trade is unlikely to go forward without knowing the position of CS

KENYA

National committee on WTO

- CS presents in different areas
- Before Cancun a loose network of NGOs
- CS in delegation
- Only problem you can't be as vocal as you might want
- Workshops, Seminars for Journalists – targeted Journalists

Annex

Annex i CSO Statement to experts

Annex ii LDC Ministerial declaration

Annex iii CSO LDC consultative forum agenda

Annex iv LDC CSO Attendance list

Annex i

Civil Society Statement to the Trade Experts Meeting preparing for the Meeting of the Ministers Responsible for Trade in Least Developed Countries (LDCs), Livingstone, Zambia, 25 June 2005

Honorable Chairperson and Minister Patel, Honorable Ambassadors, Ladies and Gentlemen, first of all we from civil society want to express our appreciation for being given the space to express our opinion at this meeting. Our concern for the poor populations of the LDCs has guided our engagement to meet and to prepare this statement regarding the on-going trade negotiations in the World Trade Organization as well as regional trade agreements.

Experience has shown us that free market principles tied to development has been fundamentally flawed for the majority of LDCs. There is a need to change the focus to a domestic demand driven structure in favour of local entrepreneurs. Therefore the 6th WTO ministerial meeting should adopt pro-poor trade policies that are guided by global commitment to sustainable development and poverty eradication.

We note that since the adoption of the Doha Work Programme there is little evidence of progress on the development concerns of LDCs and other developing countries even though this were proclaimed as pivotal to the success of the Doha agenda. On the contrary, as evident of their proposals, the rich and powerful industrialized countries of the WTO continue to pressurise for deeper commitments in the direction of further liberalization in crucial sectors such as agriculture, services, binding industrial tariffs. Also the rich countries try to tighten instead of securing rules that gives access to non-reciprocal regional trade agreements (RTAs).

The lack of progress on the SDT and implementation issues manifests the absence of commitment by the major trading partners to promote development within the multilateral trading regime. LDCs and other developing countries face the prospect that the current imbalances in the international trade regime threaten their economies and peoples.

We urge the LDC governments to remain firm in articulating and sustaining positions which promote the interests of their people and their economies, and to continue efforts to strengthen unity and solidarity among countries of the South.

In this light the following are our recommendations on the most pressing issues in international trade negotiations:

On Agriculture

26. We reiterate that SDT is agreed to be a component of any disciplines to be developed on export credits.

27. We call for rapid conclusion of a flexible Special Safeguard Mechanism whose coverage is not predetermined as this would constitute a unique instrument for responding to the concerns of LDCs and other developing countries on issues of food security, livelihood security and sustainable rural development.
28. We also call for modalities with respect to the self designation of special products do be devised in a way that provides maximum flexibility and exemption from tariff reduction and binding to LDCs and other developing countries to reflect their particular domestic circumstances and development needs.
29. A time bound elimination of export subsidies and other support measures that contribute to dumping, including the review of green box subsidies is overdue, without prejudice to S&D treatment of NFIDCs and LDCs.
30. LDCs State Trading Enterprises shall be excluded from the application of any new disciplines on STEs; in recognition of the critical role played by STEs in sustaining livelihoods, food security and poverty reduction.

Cotton

31. We are encouraged by the recent Appellate Body and Panel Decisions on cotton adopted by the DSB on the 21 March 2005. We warn against some major subsidizing countries attempt to distract the focus from their obligations. Therefore, with a view to retaining policy space for future value addition, we urge the LDC countries to maintain priority focus on the elimination of all export subsidies and domestic support measures on cotton.

Services

32. We reiterate that LDCs and other developing countries have the right to regulate services and liberalize their economies in line with their national development policy objectives.
33. LDCs are not under any obligation to further liberalize their services sectors. Industrialized countries should therefore withdraw any demands on services liberalization from LDCs
34. The multilateral working group on domestic regulation, government procurement, subsidies and safeguards should be satisfactorily concluded to secure the development needs of LDCs and other developing countries.

Market Access

35. Developed countries, and other developing countries in a position to do so, must provide bound duty and quota free market access at remunerative prices for agricultural products originating from LDCs. This should not be tied to reciprocity.

36. On preferential schemes such as the EBAs and AGOA whose tariffs are zero-rated or low, the LDCs still face restricted market access because of complex Rules of Origin (RoO), Sanitary and Phytosanitary measures (SPS), Non Tariff Barriers (NTBs) and Technical Barriers to Trade (TBT). These rules should be simplified and harmonized and the LDCs should be facilitated through relevant and demand driven technical assistance to benefit from market access.
37. Given the asymmetry between parties under the trade rules, preferences will remain an important tool for LDCs, and other small economies. Therefore the issue of preference erosion has to be addressed urgently within the WTO.

Industrial Tariffs (NAMA)

38. The LDCs, although currently exempted from reduction commitments under the NAMA, should engage in the NAMA negotiations with a view to retaining future policy space. LDCs should also ensure that they are not adversely affected by commitments made by non-LDCs in the context of common regional integration processes.

Trade Facilitation

39. We remain convinced that trade facilitation should not be dealt with through a multilateral agreement in the WTO. However, we note that governments have agreed that this be negotiated within the Doha round.

Intellectual Property Rights

40. We reaffirm the right of LDCs to make use of flexibilities under the TRIPS agreement to protect public health as well as biodiversity and technology transfer. We call on LDCs to take appropriate measures at the national level to make full use of these flexibilities and to resist attempts to introduce TRIPS Plus proposals (which go beyond TRIPS obligations) under the EPAs negotiations, bilateral or any FTA arrangements
41. LDCs should resist the pressure from developed countries and industry to enact patent laws that limit policy space.

We will distribute our specific text on TRIPS, Public Health and Biodiversity

Regional Trade Agreements (RTAs)

42. Currently, 39 LDCs are parties to the EPA negotiations with the EU. These negotiations are undermining the few rights and development interests of LDCs under the WTO framework. The LDCs should not negotiate such agreements.
43. Regional agreements between unequal parties, especially in the EPAs are undermining the regional integration efforts to strengthen regional policies and economies. The experience of developing countries in the WTO ministerial meeting in Doha 2001 showed clearly how well coordinated positions against the so-called Singapore Issues faded away because of the lack of clarity on rules

governing regional trade agreements. The LDCs should support and strengthen proposals on the GATT Article 24 and GATS Art 5 so that the principle of non-reciprocity and SDT rights are ensured under RTAs between asymmetrical parties to such agreements.

44. LDC governments should have a coherent and consistent approach to positions and results that have been obtained in the WTO when they negotiate in other fora. We therefore reassert that the LDCs should not accept the reintroduction of the Singapore Issues and other WTO Plus agreements in RTAs despite the major powers' attempt to do so.

Commodities

45. We urge WTO Members to address the crisis of instability and secular decline in commodity prices with the aim of attaining stable, equitable and remunerative prices on these products.

FOURTH LDC TRADE MINISTERS' MEETING

Livingstone, Zambia,
25—26 June 2005

LIVINGSTONE DECLARATION *

We, the Ministers responsible for Trade of the Least Developed Countries (LDCs), meeting in Livingstone, Zambia, with a view to adopting a common position on LDC agenda prior to the 6th WTO Ministerial Conference to be held in Hong Kong, China, from 13 to 18 December 2005:

Reaffirming the principles and objectives as set out in the Marrakesh Agreement establishing the World Trade Organization (WTO), and reiterating the commitment to further strengthen the rules-based multilateral trading system to meet the development needs of LDCs;

Recalling the commitments made, inter alia, at Ministerial Conferences held in Singapore (1996), Geneva (1998) and Doha (2001) by the WTO Members in assisting LDCs to secure beneficial and meaningful integration into the multilateral trading system and the global economy;

Recalling in particular the commitment of the Doha Ministerial Declaration to meet the development needs of LDCs, which is further re-enforced by the Decision Adopted by the General Council on 1st August 2004 on the Doha Work Programme;

Recalling the commitments undertaken by the international community at the Third UN Conference on LDCs held in Brussels in 2001 to promote, inter alia, sustained economic growth in LDCs and for beneficial integration into world economy;

Recalling the LDC Ministers' Declarations adopted at Zanzibar (2001), Dhaka (2003) and Dakar (2004) prior to the WTO Ministerial Conferences in Doha, Cancun and before the July 2004 General Council Meeting respectively;

Reaffirming the commitments made at Doha to conduct the negotiations in a transparent and all inclusive manner;

Welcoming the reaffirmation by the General Council to renew its determination to fulfill the commitments made at Doha concerning LDCs and not to detract in any way from the special provisions agreed by Members in respect of LDCs;

Appreciating the improved market access initiatives taken by some WTO Members in favour of LDCs;

*As adopted by the Ministerial Meeting on 26 June 2005.

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Welcoming the adoption on 21st March 2005 by the Dispute Settlement Body of the Report of the Appellate Body on the United States — Subsidies on Upland Cotton and the Report of the Panel as modified by the Appellate Body, and endorsing the draft modalities on cotton contained in document TN/AG/SCC/GEN/2 with a view to achieving ambitious, expeditious and specific results on Cotton, as agreed in the 1st August 2004 Decision of the General Council;

Concerned that the failure to meet deadlines set out in the Doha Ministerial Declaration, and the failure even to meet subsequent deadlines, is jeopardising the development objectives of the Doha Development Agenda, which is leading to a continuous marginalisation of LDCs and their exclusion from the multilateral trading system;

Concerned about the slow progress in finding a permanent solution through amendment of the TRIPS Agreement to enable countries with no or insufficient manufacturing capacity to access pharmaceutical products at affordable prices;
Concerned about the slow pace in addressing the secular deterioration of the terms of trade of commodities;

Recalling Members' commitment to place the needs and interests of Least Developed Countries at the heart of the Doha Work Programme and highlighting the special needs of inter alia, post conflict, small island, landlocked and vulnerable economies in the multilateral trading system;

Concerned at the continuing onerous demands put by some WTO members in the accession process of LDCs;

Appreciating development partners and international organizations especially UNCTAD and WTO for their technical assistance and capacity building support, extended to acceding LDCs at all stages of the accession process;

Appreciating the recent initiative taken by the United Kingdom in an effort to address the concerns of Africa and the new direction proposed by the Commission on Africa Report, as it compliments Africa's own initiatives such as the New Partnership for Africa's Development (NEPAD);

Appreciative of the recent decision of G-8 Ministers of Finance to cancel the debt of some LDCs to the World Bank, IMF and the African Development Bank;

Seeking additional, adequate and timely support from all of our development partners and International Financing Institutions in meeting the Millennium Development Goals (MDGs) and other programmes aimed at significantly reducing poverty;

Call upon the relevant WTO bodies and the Sixth Ministerial Conference to agree on:

1. Binding commitment on duty-free and quota-free market access for all products from LDCs to be granted and implemented immediately, on a secure, long-term and predictable basis, with no restrictive measures introduced;

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2. Complete exemption for LDCs from any reduction commitments;
3. Further strengthening the existing preferential schemes and the incorporation of provisions in the modalities to address the erosion of preferences;
4. The need for non-debt creating financial resources from international organizations and bilateral partners, for adjustment required in LDCs as a consequence of changes in the multilateral trade rules;
5. Incorporation of special provisions in the modalities to maintain preferences until such time as all domestic and export subsidies are removed that affect LDCs' commodities, complemented by compensatory and transitional measures to allow LDCs to fully prepare their commodity industries for open and fair competition;
6. Increased resources and an effective delivery mechanism for trade capacity building to address the inherent supply-side capacity constraints faced by LDCs with a view to enabling them take advantage of increased market access opportunities;
7. Strengthening the effectiveness of the Integrated Framework, inter alia, by a significant resource increase, including through other initiatives, with a view to building up supply-side capacity, technological and physical infrastructure that would support diversification of LDCs' production and export base;
8. The need for "Aid for Trade" as an additional, substantial and predictable financial mechanism to strengthen supply-side and infrastructure capacity, diversification of trade in LDCs and address adjustments challenges and costs for the effective integration of LDCs into the International Trading System;

9. The need for all development partners to effect full debt cancellation for all LDCs, including in the measures of implementation, in order to address their trade and development concerns;

10. The need for all development partners to assist LDCs in attaining the MDGs, by making concrete efforts to achieve the targets on Official Development Assistance (ODA) with respect to LDCs as contained in the Brussels Programme of Action and the Monterrey Consensus, in particular to address the trade concerns of LDCs;

11. The special circumstances and needs of inter alia, post conflict, small island, landlocked and vulnerable economies to be taken into consideration in meeting their commitments in the WTO; and the provision of adequate financial and technical assistance and capacity building programmes on a sustained basis for such countries to enable them to integrate more fully into the multilateral trading system;

12. Incorporation of provisions in the modalities on realistic, flexible and simplified rules of origin, certification and inspection requirements and technical and safety standards;

13. A moratorium on safeguard measures and antidumping actions against LDCs so as to facilitate exports from LDCs;

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14. Binding commitments on targeted and substantive technical assistance programmes in favour of LDCs to enhance their capacity, inter alia, to meet SPS measures, standards requirements, Rules of Origin and other Non-Tariff measures in the importing countries;

15. Ambitious, expeditious and specific cotton-related decisions, in particular the elimination of domestic support measures and export subsidies that distort international trade in cotton, as indicated in the African Group submission by no later than the 6 WTO Ministerial Conference. The decision includes bound duty-free and quota-free access for cotton and products derived from cotton for the LDCs cotton producers and exporters;

16. The creation of an Emergency Support Fund for Cotton as well as the commitment by WTO Members to address the development-related aspects of the Cotton Initiative, ensuring the coherence between the trade and development aspects of this issue;

17. A credible end-date for the elimination of all forms of export subsidies and significant reduction of all forms of trade distorting domestic support, while taking into account all Special and Differential Treatment provisions and recognising the need for transitional measures that will offset the negative, short-term effects of removal of subsidies in terms of reducing or removing LDCs' preferential margins into the markets of developed countries;

18. Engaging in the review and clarification of the green box criteria and improve obligations for monitoring and surveillance to avoid box shifting;

19. Establishing a Special Safeguard Mechanism (SSM) to respond to the needs and the particular circumstance of LDCs enabling them to adopt temporary emergency measures in order to address import surges and price declines with a view to safeguarding food and livelihood security as well as rural development. The SSM to be agreed must take into account the institutional capacities and available resources of LDCs, and thus must be simple, effective and easy to implement;

20. Full implementation of the commitments made in the Marrakesh Declaration and Ministerial Decisions in favour of LDCs, and the Ministerial Decisions on Measures concerning the Possible Negative Effects of the Reform Programme on LDCs and Net-Food Importing Developing Countries (NFIDCs);

21. Modalities on food aid that will discipline the commercial displacement effects of food aid while ensuring that food aid is available at all times to meet the needs of LDCs and NFIDCs. Modalities must include commitments by donors in the context of the Food Aid Convention and improved monitoring of food aid transactions, while at the same time encouraging local and regional purchase, where possible, and which limits to a minimum, the impact of food aid on the local production of recipient countries;

22. Flexibilities for LDCs to determine the levels of binding commitments of their tariff lines consistent with their trade, development and financial needs;

23. The need to urgently amend the TRIPS Agreement to incorporate the 30 August 2003 Decision on the Implementation of paragraph 6 of the Declaration of TRIPS and

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Public Health as a permanent solution to the problems of LDCs with insufficient or no manufacturing capacity;

24. An expeditious mechanism to address, through Modalities in relevant negotiation bodies, the concern of declining, and volatile commodity prices and the deterioration of the terms of trade as well as an increase in the participation of LDCs in the value chain of production. LDCs welcome the launch of an international Task Force on Commodities at UNCTAD and call on the International Community to provide support for its effective operation;

25. The urgent need to operationalize the objective of coherence mandate between the WTO and International Financial Institutions (IMF, World Bank), in line with the rights

and flexibilities that LDCs have obtained under the WTO, since these are aimed at achieving and supporting LDC development objectives;

26. Full implementation of the Modalities for the Special Treatment for LDCs in the Negotiations on Trade in Services;

27. Full market access and national treatment to LDCs in the sectors and modes of supply of export interest to them, including less-skilled and non professional services providers under Mode 4 on a temporary and contractual basis;

28. Adequate targeted technical and financial assistance to LDCs, including to carry out sectoral assessments and take part in the request/offer process in a beneficial and meaningful way;

29. Increased, sustained and targeted technical and financial assistance in favour of LDCs, consistent with the spirit of the Doha work programme;

30. Strengthening the Joint Integrated Technical Assistance Programme (JITAP) for Selected Least Developed and Other African countries and extend it to all LDCs;

31. Developing and applying domestic regulation disciplines, including recognition of qualifications, simplification of administrative practices and visa requirements, and without asking for economic needs tests, that enhance market access to the sectors and modes of supply of export interest to LDCS. Further, take into account the special development, financial and trade needs for LDCs in this respect;

32. Ensuring that the Special Modalities for LDCs and Guidelines and Procedures for the negotiations in services adopted by the Council for Trade in Services in 2001 and 2003 respectively continue to remain the basis for the negotiations;

33. The full implementation of the provisions of Special and Differential Treatment, and to make them more precise, effective and operational; and adoption of new special and differential measures to take into account problems encountered by LDCs and address meaningfully the special and differential proposals of LDCs;

34. Providing LDCs adequate policy space to engage in regional trade arrangements in the pursuit of their development goals and objectives;

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35. The need for the negotiations on systemic issues to address the principle of less than full reciprocity, asymmetry in market access and the development concerns of LDCs entering into regional arrangements with developed countries under the GATT 1994 Article XXIV and GATS Article V;

36. Operationalizing the flexibilities agreed in the Modalities for Negotiations on Trade Facilitation which, inter alia, stipulates that LDC Members will only be required to undertake commitments to the extent consistent with their individual development, financial and trade needs or their administrative and institutional capabilities;

37. Full and faithful implementation of the Modalities for Negotiations on Trade Facilitation that ensure adequate financial and technical assistance and capacity building including support for infrastructure development of LDCs, through coordinated and sustained flow of funding that also address cost implications of proposed measures affecting LDCs;

38. Full and faithful implementation of the Guidelines for LDCs accession to the WTO adopted by the General Council on December 2002, ensure the full application of the S&D provisions that would emerge from the Doha Round of negotiations to the acceding LDCs and intensify the provision of adequate financial and technical assistance and capacity building support to the acceding LDCs at all stages of the accession process, including through the Integrated Framework;

39. The provision of adequate financial and technical assistance and capacity building programmes on a sustained basis for newly acceded LDCs to enable them adhere to their commitments in the WTO as well as to expedite their integration into the multilateral trading system;

Agree to mandate Zambia, in her capacity as Coordinator of the WTO LDC Group to further pursue the negotiating agenda as contained in this Declaration and to present it to the Sixth WTO Ministerial Conference to be held in Hong Kong, China, from 13 — 18 December 2005;

Express our appreciation to the Government and People of the Republic of Zambia for hosting our meeting in Livingstone and to thank the UNCTAD and WTO secretariats as well as our development partners for their support.

**Civil Society Consultative Forum on Doha Development Agenda
in Preparation for LDC and WTO Ministerial Conferences, 2005**

23-25th June, 2005

Venue: Wasawange Lodge, Livingstone, Zambia

Proposed Programme		
Day Zero (22nd June , 2005 Arrival of Delegates at Livingstone) 20:00-21:00 hrs		Early registration of delegates and curtain raiser
Day One (23rd June, 2005)		
	08:00-08:30	Registration
	08:30-09:30	Opening Session
Prof. Venkatesh Seshamani	08:30-08:40	Call to order by Chairperson, Host Country Steering Committee (HCSC)
Mr. Stephen Muyakwa/ CSO Secretariat	08:40-08:45	Format of the CSO Forum –
Special Guest	08:45-09:00	Official Opening of the CSO Forum
Mr. James Chansa	09:00-09:15	Presentation of the theme paper- From Cancun to Hong Kong: Common Issues of Concern to LDCs
ODCMT	09:15: 9:20	Vote of Thanks
	09:15-09:30	Floor Discussion
----- Agenda Topics -----		

09:30-11:00 Thematic Session I: Cross Cutting Themes		
Chair:		
Suggested Speaker Ms. Muthoni Muriu Oxfam International	09:30- 09:45	1. LDCs and the Global Trading System <ul style="list-style-type: none"> • Commodities Trade-Cotton, Sugar, Coffee • Agricultural negotiations and subsidies
Prof. Venkatesh Seshamani University of Zambia	09:45-10:0	2. Trade, Development and Poverty Reduction Linkages-An LDC Perspective
Malawi Economic Justice Network- MEJN, Lilongwe	10.00- 10.15	3. Special & Differential Treatment and the LDCs
	10:15- 11:00	Floor Discussion
	11:00- 11:15	Tea/Coffee Break
Southern African Regional Poverty Network –SARPN	11:15 - 11:30	4. A Perspective on the Role of Trade in Alleviating Poverty in the Context of the Development and Policy Imperatives in Africa
To be announced (Moderated discussion)	11:30- 11:45	Trade Preferences & Multilateralism Vs Bilateralism: Experiences and Options for LDCs (EPAs, Regional Trade Arrangements, etc.)
	11:45- 12:15	Floor Discussion
Sajeev Nair/CSO Secretariat	12:15- 12:30	Briefing on Format of Subsequent Sessions and Venue

	12:30-13:30	Break for Lunch
Amb. Love Mtesa Zambia's Ambassador to the UN, Geneva	13:30-13:45	6. Critical Analysis of the DDA negotiations, WTO July Package 2004 and the LDCs
	13:45-14.15	Floor Discussion
Thematic Sessions		
14:15-15:30	SECTOR SPECIFIC ISSUES	
	<i>Session A: MDGs & POVERTY REDUCTION IN LDCs</i>	<i>Session B: SPECIAL & DIFFERENTIAL TREATMENT IN TRADE</i>
SESSION-A: <u>Organiser:SARPN</u> <u>Co-organizers</u> <u>ODCMT, CUTS-ARC</u> Venue: Plenary Hall	14:00-14.45	1. Trade and Poverty Reduction: An MDG Perspective: Prof. V. Seshamani 2. Achieving MDGs in Southern Africa –Ms. S. Naidu
SESSION B: Organiser: MEJN Co-organisers: CUTS-ARC Venue: Seminar Room		1. S&D Issues of LDCs, Landlocked And Island Economies 2. What should be the LDC priorities and demands on S&D at the WTO
	14:45-15:15	Floor Discussion
	15:15-15:30	Tea/Coffee Break
15:30-16:45	Group Work/Break Away Sessions on MDGS & S&D Two Groups (Group A- Plenary Hall Group B- Seminar Room)	

	16:45-17:30	Reporting Back to Plenary: MDGs & S&D
	17:30-18:00	Discussion and Conclusion of Day One

Day Two: Thematic Sessions

SECTOR SPECIFIC ISSUES

08:00-09:15 (Session A- <u>Agriculture</u> Organiser: CSTN/Trocaire	Session C: AGRICULTURE TRADE A. Agriculture- 1. Background to the Agricultural Sector in LDCs 2. Challenges and Opportunities of meeting the MDGs through Trade 3. Special Safeguard Measures in the WTO Agreement on Agriculture	1. DDA: LDC Modalities & Request/Offer
09:15-10:15	Group Work/Break Away Session on MDGs, Trade, Development and Poverty	Group Work/Break Away Session on DISPUTE SETTLEMENT UNDERSTANDING
10:15-10:30	TEA/COFFEE	
10:30 -11: 30	Session E-NON- AGRICULTURAL MARKET ACCESS	Session F: Market Access for LDCs

Proposed Resource Persons Proposed Resource Persons <u>NAMA</u> 1. ILEAP 2. UNCTAD UNECA		NAMA- 1. NAMA negotiations & LDC Concerns 2. Preference/EBA Erosion-Sectoral Initiatives 3. Tariff ???	
11:30 12:45		Group Work/Break Away Session on NAMA	Group Work/Break Away Session on MARKET ACCESS
12:15: 13:00		Reporting Back to Plenary	Sessions: 1 MDGs, 2=DSU; 3= NAMA; 4= Market Access?
13:00-14:00		Break for Lunch	
14:00- 15:00 Session Organizers and Organizers 1) Zambia Business Forum MEJN	Session G: FAIR TRADE, COPORATE SOCIAL RESPONSIBILITY AND THE ROLE OF BUSINESS IN THE WTO NEGOTIATIONS	Session H-SPECIAL & DIFFERNTIAL TREATMENT (LDC, LANDLOCKED AND ISLAND ECONOMIES)	

15:00-15:15		TEA/COFFEE	
15:15-16:00		Group Work/Break Away Session on NAMA	Group Work/Break Away Session on
16:00-17:00		Thematic Sessions:	
		Session I: Gender and Trade Agreements	Session J: to be identified (may be WTO Accession Issues of LDC)
17:00- 17:30	Reporting Back to Plenary	Sessions: CSR and S&DT	
17:30- 18:00		Discussion on the Frame work and focus of LDC CSO declaration	

Day 3:			
08:00-09:00	Break Away Session on the above two sessions viz.		
09:00-10:00	Thematic Sessions:		
	Session K: Trips and Public Health: An Assessment of Cancun and After	SESSION L-TRADE FACILITATION AND LDCs	
10:00-11:00	Group Work/Break Away Session on		
11:00 -12:00	Reporting Back to Plenary and Discussion	Group work presentations on the four sessions	
12:00-13:00		Discussion on Draft CSO declaration	
13:00-14:00	Break for Lunch		
14:00-14:45		Adoption of the LDC CSO declaration	
14:45- 15:15		Follow up and Lobbying Strategy/ Meet with Government	
15:15-15:45		Press Conference	
15:45-16:00	Tea/Coffee		
16:30-19:00		Sight Seeing – Victoria Falls	

<i>Session B: DISPUTE SETTLEMENT UNDERSTANDING AND LDCs</i>			
DSU			

1. Trade Agreements and Litigation: LDC experiences
2. Collective Retaliatory Action
3. Financial compensation with retrospective effect

Session D: *DISPUTE SETTLEMENT UNDERSTANDING AND LDCs SERVICES TRADE*

B. General Agreement on Trade in Services (GATS)

2. LDC Specific Issues & Concerns in GATS negotiations-mode 4

Annex iv
List of Participants

Civil Society Consultative Forum on Doha Development Agenda in Preparation for LDC and WTO Ministerial Conference, 23rd
- 25th June 2005, Wasawange Lodge and Tours, Livingstone, Zambia

Organised by: Consumer Unity and Trust Society-Africa Resource Centre (CUTS-ARC), Civil Society Trade Network (CSTNZ) and Organisation Development and Community Management Trust (ODCMT)

Michelle Pressend
Institute for Global Dialogue (IGD)
Program
12 Better Street Thornhill Office Park
Lusaka
Midlands South Africa
Tel: + 27-11-315-1299/
Fax: +27-11-315-2149
Email: michelle@igd.org.za

Chipokolo Clement
PELUM Zambia
Assembly
Mulungushi International Conference Centre
house
Email: pelum@zamnet.zm

Bumba Kalimina
Consumer Unity & Trust Society-Africa
Zambia
Resource Centre
P.O Box 37113 Lusaka
Tel: 224992
Cell: 096-926757
Email: buumbakal@yahoo.uk.co

Temwa Roosevelt Gondwe

Michael Muleba
Farmers Organisation Support
Program
120 Kudu Road, Kabulonga
Lusaka
P.O Box 37484 Lusaka
Zambia.
Email: fosup@zamnet.zm
mmuleba@yahoo.com

Owen Kaliba Mukando
National Youth Constitutional
Room 19, 15th Floor FINDECO
Cairo Road Lusaka.
Cell: 097-815691
Email: youthparty@yahoo.com
owenmukando@hotmail.com

Christabel Phiri
Civil Society Trade Network of
Zambia
Box 36524 Lusaka
Tel: 261119/261112
Fax: 261126
Email: trade@kepa.org.zm
cchimwemwe@yahoo.com

Muthoni Muriu

MEJN
Amina House
P.O Box 20135 Lilongwe
Malawi
Tel: 01750533
Email: tgondwe@mejn.mw
tgondwe@gmail.com

Namukolo Liywali
Catholic Commission for Justice and Peace
ARC
ZEC Kabulonga
Tel: 260980
Email: nliywali@zec.org.zm
Thomas Deve
MWENGO
Community
20 Mchlerly Avenue Harare
Zimbabwe
Tel: 263-4-700090
Email: Thomas@mwengo.org.zm

Bridget Yembe
Organisation Development and Community
Management Trust
ARC
59 Cha Cha Cha Road Lusaka
Building
Zambia
Tel: 01-231322/231583
Email: odcmt@microlink.zm

Tracey Tembo
Consumer Unity & Trust Society-ARC
4th Floor Main Post Office Building
P.O Box 37113 Lusaka
Tel: 224992
Email: cutsarc@zamnet.zm

Vladimir Chilinya
Consumer Unity & Trust Society-ARC
International Affairs
4th Floor Main Post Office Building

Oxfam International
13 Mermoz Pyrotechime
Dakar Senegal
Tel: +221-8651300
Email: mmuriu@oxfam.org.uk

Sajeev Nair.
Consumer Unity & Trust Society-

P.O Box 37113 Lusaka
Tel: 224992
Email: cutsarc@zamnet.zm

Irene Banda
Organisation Development and

Management Trust
59 Cha Cha Cha Road Lusaka
Zambia
Tel: 01-231322/231583/
Email: odcmt@microlink.zm

Stella Chapo
Consumer Unity & Trust Society -

4th Floor Main Post Office

Box 37113
Tel: 224992
Email: cutsarc@zamnet.zm

S. Simachembele
Jubille Zambia
P.O Box 60184 Livingstone
Zambia
Tel: 03 323379
Cell: 097-800836

Nkululeko Khumalo
South Africa Institute of

WITS University Johannesburg

P.O Box 37113 Lusaka
Tel: 224992
Email: cutsarc@zamnet.zm

South Africa
Tel+27-0-113392021
Email: khumalon@saiia.wits.ac.za

Gregory Chikwanka
Civil Society for Poverty Reduction
ARC
Postnet 302
P/B E891Lusaka
Email: cspr@zamnet.zm

Chales Katongola
Consumer Unity & Trust Society-
4th Floor Main Post Office Building
P.O Box 37113 Lusaka
Tel: 224992
Email: cutsarc@zamnet.zm

Bubala Malundu
Zambia Competition Commission
Main Post Office Building
P.O Box 34919 Lusaka
Tel: 222787
bublemalundu@yahoo.co

Paul Kwengwere
Action Aid International Malawi
7 Eleven Building Upper Floor
Box 30735 Lilongwe
Malawi
Tel: +2651757500
Fax:+2651757330
Email:

paul.kwengwele@actionaid.org

paulkwengele@gmail.com

Grace Bwalya
Zambia Association of Research
And Development
NRDC Box 310099 Lusaka.
Tel: 097-801269
hilaryminch2004@yahoo.com
gracebwalya@yahoo.com
gracebwalya@lycos.com

Hilary Minch
University College Dublin
Ireland
Cell: 097-708256
Email:

Lusaka,

Henry Machina
Zambia Land Alliance
Godfrey House Longo Longo Road
Tel: 222432
Fax: 236232
Email: land@coppernet.zm

Stephen Muyakwa
Civil Society Trade Network Zambia
Plot 120 Kabulonga Lusaka
Lusaka.
Tel: 293416
Email: smuyakwa@coppernet.zm

Kirsi Salonen
KEPA Zambia
165-171 Roan Road Kabulonga
Tel: 261119
Email: kirsi.salonen@kepa.fi

Rabecca Katowa
Zambia Sugar PIC
P76/2 C5 Kafue
Lusaka
Tel:03 231105
Rkatowa@zamsugar.zm

Kasote Singogo
Zambia Consumers Association
Choice Corporate Makish Road

Tel: 01-222191 Cell: 095-752721
Email: kasotesingogo@yahoo.co.uk

Sanusha Naidu
SARPN/HSRC
Intuthuko Junction 750 Francois Rd
Catumanor
Durban 4001 South Africa.
Tel: +27-31-2425614
+27-31-2425401
Email: snaidu@hsrc.ac.za

Alfred Hamadziripi
SARPN
1250 Pretorius ST
Pro Equity Court
Pretoria South Africa
Email: ahamadziripi@sarpn.org.za

Barbara Kalima Phiri
Email: bkalima@yahoo.com

Gichinga Ndirangu
Oxfam
195 Allcock Street Colbyn Pretoria
South Africa
Email: gndirangu@oxfam.org.uk

Annel Sakala
Monitor Newspaper
Church House
Rd
Cell: 095-762215
Email: annelsakala@yahoo.co.uk

Mutuna Chanda
QFM
15th Floor INDECO House Cairo

Lusaka
Tel: 224389
Email: jtuna2002@yahoo.com

Nkweto Mfula
Zambia Daily Mail
Head Office Longo Longo Road
Tel: 221364 Cell: 095-817570
Fax: 225881/221364
Email: nkweto_2@yahoo.com

Micheal O' Brien
Trocaire Maynooth
Ireland
Email: mobrien@trocaire.ie

Professor V. Seshamani
University of Zambia
Box 32379
Nairobi
Lusaka
Tel: 227193 Fax: 290475
Email: sesh@zamnet.zm

John Ochola
CUTS Nairobi
CO-OQ Trust Plaza Upper Hill

Tel: 254202734926
cuts-nairobi@cuts-international.org

Charity Musamba
Jubilee Zambia
P.O Box 37774 Lusaka
Tel: 290410/ Fax: 290759
Cell: 097-804874
Email: debtjctr@zamnet.zm

Assitri Ndinga
Oxfam
P.O Box 45217 Dakar
Senegal
Tel: 00221538069

Helen Bank
SEATINI
and Peace
20 Victoria Drive Newlands
Harare Zimbabwe
Tel: +4292667518
Email: bank@norignis.org
seatini@undp.org

Emmanuel Mali
Catholic Commission for Justice

ZEC Kabulonga Lusaka
Tel: 260980
Email: email@zec.org.zm

Bibiane Mbaye Gahamanye
EHDA
Development
Tel: 021-3217037

Jessy Zulu
Zambia Council for Social

Lusaka West Mumbward

Wallen Simwaka
Zambia Daily Mail
Community
Mosi-O-Tunya Building
Tel: 321680
simwakawallen@yahoo.co.uk

Mary Banda
Organisation Development and

Management Trust (ODCMT)
Cha Cha Cha Road Lusaka
Tel: 01 231322
Email: maryella.700@yahoo.co.uk

Shaban Sserunkuma
CONSENT
Parliament Avenue
Kampala Uganda
jenniferbrant@oxfaminternational.org
Tel: +256-77473170
Shabanmail@yahoo.com
consent@yahoo.com

Jennifer Brant
Oxfam Geneva
Tel: 0223213551

Email:

Wole Olaleye
Action Aid ,South Africa
(ZACA)

Micheal Musenga
Zambia Consumers Association

Tel: 27-11-880-0008/27-11-880-8082
Wole.ralere@actionaid.org

Jose Chilenge
APAMO
Samora Machel 285 2nd Floor
Apartment 13 Maputo
Tel: 258-1-322883/ 258-1-320382
jchilengue@trcabo.co.mz

Elijah Wachira
Action Aid
45 Commissioner St. 26th Floor
Johannesburg
Tel: 27-11-8380449
Email: wachira@sn.apc.org
elijahwachira@yahoo.com

Joan Chirwa
The Post Newspaper
Cell: 097-586846
Cell: 095 766346
Email: joanct2002@yahoo.com
stanslousngosa@yahoo.co.uk

Luckson Nthani
ZNBC Livingstone
Zambia
Cell: 097-615596/095-321740
Tel: 03-321740
lucksonthani@yahoo.co.uk

Gregory Chikwanka
Civil Society for Poverty Reduction
Plot 9169 wanshila Road Kalundu
Lusaka.
Tel: 290154/293489
cspr@zamnet.zm

George Lipimile
Zambia Competition Commission
Main Post Office Building

Tel: 097-97436314
Email: mmusenga@yahoo.com

Edward Mulenga
Times Of Zambia
First Floor Permanet House
Tel: 322229
Cell: 097 407384
Email: echmulenga@yahoo.com

Alex Worth
CUTS-International
59b Kira Rd Kampala
Uganda
Tel: 256-78-5192265
Email: alexanderwerth@guix.org

Stanislaus Ngosa
Times of Zambia
Box 60613
097-850936

E mail:

Henry Malumo
Civil Society Trade Network
18 1B Bishop Road Kabulonga
Tel: 266234
Email: hsmcstnz@coppernet.zm

James Chansa
CUTS-ARC
P.O Box 37113 Lusaka
Tel: 224992
Email: cutsarc@zamnet.zm

Elizabeth Eilor
AWEPON

P.O Box 34919 Lusaka
Tel: 222787
Email: zcomp@zamtel.zm