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From: Sali Jayne Bache [SMTP:sali@cres.anu.edu.au]
Sent: Friday, August 18, 2000 6:09 PM
To: jsct@aph.gov.au
Cc: M.G.Haward@utas.edu.au
Subject: Australia's relationship with the WTO - submission

15 August 2000
Joint Standing Committee on Treaties
Parliament House
Canberra, ACT

Dear Madam/Sir,

we appreciate this opportunity to comment on this important aspect of Australia's foreign policy in an area which affects a wide range of industries and individuals. Our common area of expertise and knowledge is in the field of fisheries policy and management and as such, our attached submission has a noticeably marine flavour.

The last five years have witnessed a significant increase in the use of trade, investment and market based instruments in the marketing of natural resources, and as a means for influencing policies and practices affecting the primary industries. There are several elements to this general trend. These include:

- ... The use of import prohibitions on products that do not meet certain domestic environmental production standards, sometimes giving rise to action under the WTO dispute resolution process;
- ... Concern over food safety and quarantine has led to greater interest in the use of sanitary and phytosanitary measures in the trade of fisheries products ranging from eco-labels and lifecycle analysis to those disclosing GMO content, and the issue of biosafety in general is receiving increasing attention and regulation in the trade arena
- ... Moves towards international regulation of investment which may include further limits upon a government's ability to financially assist a particular sector, perhaps affecting the ability of governments to support industry to meet higher environmental standards even where those standards are externally imposed; and
- ... Finally, strengthened and more uniform controls on intellectual property focussed at this stage towards the grain industry, though likely to have a significant impact upon natural resource industries as well as research and development in the future.

This submission will focus on three of the requested areas. Firstly, the effectiveness of the WTO's dispute settlement procedures and the ease of access to these procedures will be discussed. Where applicable the issue of transparency and accountability of the WTO's operations and decisions will also be contemplated. The third point that will be independently investigated is that of the relationship between WTO agreements and other

multilateral agreements, including those on trade and related matters, and on environmental, human rights and labour standards. The focus here in will be on the multilateral environmental agreements (MEAs) and trade arrangements within regional fisheries management organisations (RFMOs). We trust that this information will be of use to the Joint Standing Committee in its consideration of Australia's relationship with the WTO. Should it wish further information or elaboration we are happy to provide oral evidence to the Committee at a later date

Yours truly,


Dr Sali Jayne Bache
Dr Marcus Haward


Dr Sali Bache
Research Fellow
Centre for Maritime Policy
University of Wollongong

ph 02 4221 4883
fax 02 4221 5544
sali@cres.anu.edu.au
sali_bache@uow.edu.au

Dr Marcus Haward
Senior Lecturer, Institute of Antarctic and Southern Ocean Studies
Program Leader: Law, Policy & International Relations Program, Antarctic CRC
University of Tasmania

ph 03 6226 2333
fax 03 6226 2973
M.G.Haward@utas.edu.au


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