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‘To change or not to change’

A research on the decision-making process in the European Union regarding the review of article 27.3 (b) of the TRIPs Agreement

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Abstract

This report gives an abstract of my research on the decision-making process of the European Union regarding the review of article 27.3 (b) of the TRIPs Agreement in 1999.

The position of the European Union Commission is very strong in the area of Common Commercial Policy. The influence of the Member States is reflected in a special committee that assists the Commission, namely „Article 113 Committee“. The European Parliament doesn't have an important formal role on WTO issues, and regarding the review it is negligible.

Greenpeace needs to act on an European level as on national level, in cooperation with other NGO's. Actions need to be directed towards the directly involved officials, but also towards officials that work on tangent planes.

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1 Introduction

Eight years passed, since the Uruguay Round had started in 1986, establishing in 1994 the WTO, including an Agreement on Trade Related Aspects of Intellectual Property.

Ten years it lasted until the EU, in 1999, adopted directive 98/44 on the legal protection of biotechnological inventions. Now in 1999 we are faced with the review of article 27.3 (b) of the TRIPs Agreement. Again the question will be: 'Can we patent plants and animals?' This report deals with the decision-making process of this review.

The Trade Related Intellectual Property Rights (TRIPs) Agreement is part of the World Trade Organisation (WTO) which was formed in 1994. Through this Agreement, the protection of intellectual property has become an integral part of the WTO. Together with trade in goods and trade in services it is one of the three pillars of the WTO.

The Agreement covers each of the main areas of intellectual property. One of these areas is patents, including plant variety protection. The article that is central in this research deals with 'patentable subject matter'. The subparagraph 27.3 (b) allows member States to exclude plants and animals from patent protection. However, this sub-paragraph is up for review in 1999.

The fear of Greenpeace and other NGO's, such as GAIA, Dierenbescherming and GRAIN, is for the effect patents on plants and animals could have on biodiversity and biological resources. They see the damage that is already been done to sustainable agriculture in the developing world, as more and more crops will become subject to monopolistic ownership by corporations. The review is therefore very important for them.

Up till now, no real lobby-work has been done by the Greenpeace EU Unit on this issue. This research will therefore be helpful in starting the lobby-campaign, either by giving background information on what has happened in the past on this issue, as explaining what will happen in the future, especially regarding the review.

2 The Common Commercial Policy of the EU

In this chapter the results of my research regarding the decision-making process of the European Union on WTO will be presented. This process differs from the ‘general’ EU legislation on directives or guidelines. Most important reason for this is the limited role of the European Parliament. It is important to understand this process, before going into the decision-making process on the review. In paragraph 4.1 the procedure based on article 113 of the EU Treaty is explained. Paragraph 4.2 deals with the decision-making process *in* the Commission. Article 113 Committee is discussed in paragraph 4.3. Finally, in paragraph 4.4 the decision-making at the Parliament is discussed.

2.1 Decision-making based on article 113 EU Treaty

The European decision making on external trade and WTO issues is called Common Commercial Policy. The *legal basis* of this policy is article 113 of the EU Treaty (see annex on EU legislation). The procedure of this article applies to multilateral agreements and to agreements with international organizations. It says that the function of the Commission is to negotiate agreements.

According to EU article 113 (3) ‘the commission shall make recommendations to the Council, which shall authorize the Commission to open the necessary negotiations’.

The Commission, with other words, needs to get a *mandate* from the Council. The Council can also give *guidelines* that have to be followed at the negotiations. The Commission is assisted by a special Committee, that is appointed by the Council. I will come back to this committee in paragraph 4.3. The Council concludes the agreement under Article 228 of the EU Treaty and acts by *Qualified Majority*. The European Parliament only has the right to assent.

Change of article 113 in the Amsterdam Treaty

With the entry into force of the Treaty of Amsterdam, a new paragraph will be added to Article 113 (which will become Article 133 following the renumbering provided for by the Amsterdam Treaty). Under this new paragraph, the Council, after consulting Parliament, may extend the scope of article 113 to international negotiations and agreements on services and intellectual property rights insofar as they are not already covered by common commercial policy.

A decision to extend the Community’s powers in trade matters will have to be taken unanimously by the members of the Council.

In the following paragraphs I will explain these procedures more specifically, institution by institution. The first one that is scrutinized is the European Commission

2.2 Decision-making in the European Commission on WTO

Decision making in general

Before I go into the decision-making process of the Commission regarding WTO specifically, I first try to explain how decisions normally are being taken in the Commission. This process has been the subject to a lot of earlier research. For this paragraph I used the results of Michelle Cini and David Spence.¹

The process normally starts with a *consultative* committee of experts, mostly 'technicians'. These people can be independent consultants from academia or interest groups, some are desk officers from national governments (Edwards and Spence, p. 104).

When this initiative or consultative phase is finished, the *drafting* stage begins. Usually an official in one of the middle 'A' grades is appointed as *rapporteur*. He can represent the Commission in discussions with Council Working Groups later in the decision making process (Michelle Cini, p. 147). However, the main political and technical parameters for the draft have been established earlier. The rapporteur has to come up with a report that covers all previous considerations.

Before this report appears on the desk of the Director General or Commissioner, it has to pass several levels in the hierarchy. On the way up, several *inter-service meetings* take place. This horizontal co-ordination mechanism is used when several DG's are involved. It can be used on several stages, f.e. on unit head level or on cabinet member level. It is normal that one DG takes the lead in such a group.

Chefs de cabinet have their meeting each Monday. They prepare the meetings of the Commissioners, that take place on Wednesday. The task of the cabinets is to reduce the agenda of the Commissioners.

Finally, the Commissioners debate the major issues, that still have been unsettled. They can agree on these issues in their meeting, but they can also send them back for 're-drafting'. 'A-points' are simply agreed as a formality.

¹ For more information on their research: Michelle Cini, *The European Commission- Leadership, organisation and culture in the EU administration*, Manchester, 1996 and Geoffrey Edwards & David Spence (red.), *The*

Decision-making on WTO

In the Commission DG I (External Economic Relations) has the 'lead responsibility for economic relations with non-EU countries (Edwards and Spence, p. 254). This DG is divided into several divisions, and sections have responsibility for specific areas.

The overview of the decision-making in general presented on the previous page is however not so clear on WTO issues. I will therefore give an outline of the most important people in DG I, that are relevant for TRIPs as well.

The *Commissioner* of DG I is Sir Leon Brittan. *Chef de cabinet* is Mr. Ivan Rogers, and the member in the cabinet that is dealing with WTO is Mr. Matthew Cocks.

The last high official that is important especially for TRIPs is Mr. Paul Vandoren, who is head of unit of DG I-M3, that deals with intellectual property. I will come back on the staff in his unit in paragraph 5.4.

2.3 Article 113 Committee

According to article 113 EU Treaty, 'a special committee assists the Commission during multilateral negotiations'. This committee is referred to as Article 113 Committee². It is one of the preparatory committees of the Council. It has several tasks:

- Examine and reach agreement on the mandate to be given to the Commission for negotiations
- Make recommendations to the Council
- Follow negotiations at WTO, assist Commission
- Clearing house for all aspects of external trade policy

The Committee meets at two levels. The *full* members meet once a month. They are normally Director-Generals of Trade Policy, and are responsible for overall policy. Normally they are accompanied by a team of experts, both from the ministry (mostly economic affairs) as from the permanent representation.

The Director General of DG I is also represented at these meetings, and he can be accompanied by experts from several DGs. The official secretary of the Committee, normally resident in Geneva, attends the meeting as well (for the date of their next meeting, see paragraph 5.5).

² The etymology of the modern word 'committee' goes back to the Latin verb *committere*. This verb has various meanings: bringing together, coming to blows, making a start, giving in charge. The common notion is

The second level is that of *deputies*. They meet every Friday and handle more day-to-day management of trade issues. The Commission is also represented at these meetings. Meetings are chaired by the Presidency of the Council.

Special characteristics of the 113 Committee

Because it is an advisory body, no formal voting takes place in the 113 Committee. Matters are discussed until *consensus* or *effective majority* has been reached. The Commission normally tends to follow its advice. The reason for this is that the members reflect the wishes of the ministers. They have the power to refuse to conclude the agreement negotiated by the Commission. So, the right to conclude the Agreement itself lies with the Council, acting by *qualified majority*. However, also here 'A-points' are simply agreed one.

The scope of its work is rather extensive and the agendas of deputy meetings are rather full. They normally have long meetings. They also prepare WTO-meetings, for which the Commission normally presents draft position papers.

The level in the hierarchy of the Full Members is almost equivalent to COREPER. This body, according to Article 151 of the EU Treaty, prepares the meetings of the Council. This should certainly not be taken to mean that COREPER must repeat the work of the Committee. It must be made possible for the Permanent Representatives Committee to assess the work of the 113 Committee in conjunction with other external policy activities of the Community. This involves a supervision of COREPER over the work of 113 Committee.

Procedures

Documents and issues are generally given a first reading or debate by the Committee at the level of Deputies. More political and overall policy orientations are then defined by the full Members. If neither the Deputies nor the full Members can agree on the guidance to be given to the Commission, issues are then forwarded to COREPER or, as the Trade Ministers do not formally meet as a Council body, to the General Council.

Before the Commission begins with negotiations, it needs mandate from the Council. This will normally be based on a proposal from the Commission, where it says to the Council what the position of the Community should be in negotiations. This can be in the form of negotiation directives. It involves a formal authorization to open negotiations and objectives and parameters will be set. This procedure is used when it comes to conclude legally binding agreements. It requires a formal adoption by the Council.

In the case of discussion with WTO Committees and Working Groups, the Commission can suggest *informal* proposals on the broad objectives and mandate. These do not necessarily require a formal view from the Council.

Before each meeting there is a meeting between the Presidency, the Commission and the Council Secretariat to spot difficulties and to search solutions. What is very important to know, is that the Committee works in a businesslike manner and that the relations among the members are very close. This is especially among the deputies, because they meet so often, giving rise to a 'club-like-atmosphere' (Hayes-Renshaw & Wallace, p. 90).

2.4 Decision-making in the European Parliament on WTO

Whereas the position of the Commission in the Community's external economic relations is very strong, the Parliament's treaty-based powers in the field are weak and limited. Article 228 mentions, that international agreements are concluded by the Council, after consulting the European Parliament, where required by the Treaty. However, article 113 doesn't mention the Parliament. It unilaterally introduced however a form of conciliation which was not written into any Treaty (Cini, p. 168). The pressure it can put on the Commission is mainly 'moral'. The consultation right is also called the assent procedure, and can be found in the legislative procedures of the European Parliament under rule 80. Rule 90 is used for international agreements.

Rule 80: „Assent procedure“

Rule 80 states that the Parliament takes a decision on the document from a committee responsible by means of a single vote, and no amendments may be tabled. The relevant Treaty article shall indicate the needed majority. The responsible can also present an interim report with a motion for resolution containing recommendations.

If the Parliament approves at least one recommendation with the same majority as required for the final assent, the President shall request the opening of a conciliation procedure with the Council.

Rule 90: „International agreements“

Rule 90 mentions, that the committee responsible shall ensure that the Parliament is fully informed by the Commission about its recommendations for a mandate.

Parliament may request the Council not to authorize the opening of the negotiations until the Parliament has stated its position (on a proposal from the responsible, political group or at least 29 members).

At any stage of the negotiations Parliament may, on the basis of a report from the committee responsible, adopt recommendations and require that these be taken into account before the conclusion of the agreement. The draft agreement shall be submitted to the Parliament for opinion or for assent (where rule 80 applies).

The Parliament shall give its opinion by a majority of votes cast. If the opinion adopted by the Parliament is negative, the President shall request the Council not to conclude the Agreement.

If Parliament, by a majority of the votes cast, withholds its assent, the President shall refer the agreement in question back to the Council for consideration.

However, the Council may lay down a deadline and act in the absence of Parliament's opinion if not adopted within that deadline.

The Parliament's steady accrual of rights to information and consultation has led to an increasingly intimate relationship with the Commission's external relations Director General,

which are now constantly engaged in updating and informing Parliament and its committees on negotiating mandates, on the state of the negotiations and on the contents of the agreement.

Furthermore, article 140 of the EU Treaty provides that the Commission *may* be heard, and the Council *shall* be heard. This can happen in several forms: written questions, oral questions and question time. In practice, only questions tabled by political groups and committees are put on the agenda of the plenary sessions. Questions to the Commission must be referred to it at least one week before the plenary session concerned.

Informally, meetings are likely to be held between the Commission rapporteur and the rapporteur responsible for the proposals within the EP committee.

Most Commission DG's now have some sort of co-ordinator whose responsibility it is to oversee relations with the Parliament (p. 169 Cini.).

3 The review of article 27.3 (b) of the TRIPs Agreement

In this chapter I will give information on the review process, first by mentioning the relevant WTO/TRIPs articles. Following, in paragraph 5.3 I will discuss the competence of the EU on TRIPs. The next paragraph deals with the officials who work on the review. Finally in paragraph 5.5 I will come to the timetable.

3.1 What the WTO and TRIPS Agreements say

- *Article 27.3 (b) TRIPs*

The basis for the review is the last sentence of article 27.3 (b) which states:

„The provisions of this subparagraph shall be reviewed four years after the date of entry into force of the WTO Agreement“, i.e. 1999.

- *Article 71 TRIPs*

According to article 71 of the TRIPs Agreement the Council for TRIPs shall conduct reviews. The Council may undertake reviews in the light of any relevant new developments which might warrant modification or amendment of this Agreement.

Amendments merely serving the purpose of adjusting to higher levels of protection of intellectual property rights achieved may be referred to the Ministerial Conference for action in accordance with paragraph 6 of Article X of the WTO Agreement on the basis of a consensus proposal from the Council for TRIPs.

- *Article X, WTO*

Article X of the WTO Agreement deals with Amendments. Members and Councils may submit proposals to amend the provisions by submitting such proposals to the Ministerial Conference.

Paragraph 6 states:

„Notwithstanding the other provisions of this Article, amendments to the Agreement on TRIPs meeting the requirements of paragraph 2 of Article 71 thereof may be adopted by the Ministerial Conference without formal acceptance process.“

- *Article 63.2 TRIPs*

Article 63.2 of the TRIPs Agreement requires Members to notify the laws and regulations made effective by that Member State. These notifications are the basis for reviews of

implementing legislation carried out by the Council. The procedures for these reviews provide for written questions and replies prior to the review meeting, with follow-up questions and replies during the course of the meeting. At subsequent meetings of the Council, an opportunity is given to follow up points emerging from the review session which delegations consider have not been adequately addressed. The statements, questions and responses given in these reviews will be circulated on a restricted basis, and generally considered for derestriction six months after the date of their circulation.³

- *Amendment-procedure*

Amendment is by consensus in the TRIPs Council. Should an amendment pass, it goes to the General Council and then to the Ministerial Conference. If consensus cannot be reached in the TRIPs council, a two-thirds majority vote will result in affirmation of the amendment.

3.2 The competence of the European Union on TRIPs

Opinion 1/94 Court of Justice

The Commission, under Article 228 (6) has applied to the European Court of Justice to deliver an opinion on the competence of the European Community to conclude the Agreement establishing the WTO and in particular: (a) whether the TRIPs Agreement should be concluded on the basis of that provision in conjunction with Articles 100A and/or 235 of the EC Treaty; (b) on the consequence which that would have on the capacity of the Member States to conclude the WTO Agreement.

The Court shed more light on the interpretation of the concept of commercial policy (which falls within the exclusive competence of the Community) in Opinion 1/94 concerning the competence of the Community to conclude the Agreement resulting from the Uruguay Round of GATT⁴. This Agreement includes the TRIPs Agreement.

a) Article 113 or 100A?

As far as the TRIPs was concerned, the Court ruled that intellectual property rights did not fall within the scope of Article 113.

The Court observed that even though there was a connection between intellectual property rights and trade in goods, those rights enabled those holding them to prevent third parties from carrying out certain acts. This was not enough to bring them within the scope of Article 113 since IPR's did not relate specifically to international trade; they affected internal trade just as

³ According to the annual report (1998) of the Council for TRIPs, 34 Members have made such notifications with respect to all or most of their implementing legislation relating to all provisions of the Agreement. Notifications concerning article 70.8 and sometimes 70.9 have been received from 23 members; some of them indicate that product patent protection for pharmaceutical and/or agricultural chemical products is already available in their territories (IP/C/15, p. 1).

much, if not more, than international trade. Therefore the conclusion of TRIPs should be based on article 100A.

b) *Exclusive or mixed competence?*

However, the Court pointed out that the Community did have external powers to harmonise national rules which could have a direct effect on the establishment and functioning of the common market; in that respect, there was no reserved domain for Member-States. Thus, while Treaty-making powers expressly conferred on the Community by the Treaty are exclusive irrespective of whether they have been exercised or not, this is not the case where Community treaty-making power exists by implication. As long as an implied treaty-making power has not been used, Member States retain residual authority to enter into international agreements necessary to achieve a Community aim subject to certain conditions (O'Keefe, p. 40).

Central question therefore is to find out which internal measures (directives, regulations) did the EU take in the area of TRIPs (and especially patents). In 1994 the Court decided: „ In some TRIPs areas a partial community harmonisation has been reached, although in others no harmonisation has been reached“ (consideration 103). Therefore the EU was not exclusive in 1994 on TRIPs. How the decision is at the moment, depends on the harmonisation-measures that have been taken.

3.3 Directly involved officials in the European Commission

The two most important DG's in the Commission that deal with intellectual property are DG I and DG XV. One can say that in DG XV the 'experts' on patents and intellectual property are working, and in DG I more 'politicians'.

DG I

Central in the review process will be DG I-D3, the unit of Mr Vandoren. He is attending TRIPs Council meetings on behalf of the European Union, together with several experts off course (from DG I & XV). These meetings are prepared by Mr Berz and Mrs Waldmann. Furthermore, Mrs Hvid is working on the review, because she is a detached national expert on patents.

DG XV

The experts on IP can be found in DG XV-E3, where Mr Schwab is Head of unit and where Mr Leardini is working on TRIPs. DG XV deals with Community legislation on IPR and collaborates with colleagues from DG I, who lead in the actual negotiations. Mr Leardini has several responsibilities, of which the relevant ones are:

- Implementation of TRIPs
- Green Paper Community Patent
- Relations with EPO
- Relations between IP, innovation and competition

DG XV tries to find out where improvements to the TRIPs Agreement can be made (in cooperation with UNICE). These improvements can be made through the BIA.

Their position towards review is: 'try to improve, if there are no positive changes, go on with the old text'.

3.4 Directly involved officials in the Council

In the Council, DG E-IV is dealing with WTO and 113 Committee. Mr Milton works on these issues. DG C-I deals with Intellectual Property. Mr Milton is the link between the Council Secretariat and Article 113 Committee.

Off course, Article 113 Committee is involved in the process as well, both in assisting the Commission by giving the views of the Member Countries as in following the review process (the names of the *deputies* can be found in the annexes).

Finally, the Trade Ministers have to give their agreement to the decision made by the Commission, although this role for a large part will be fulfilled by the Article 113 Committee (for Trade Ministers, see annex).

3.5 Timetable of the review of article 27.3 (b)

To influence the review-process it is important not only to know *who* are taking decisions, but also *when* the decisions are being taken. The timetable for the review was established on the TRIPs Council meeting of 1-2 December. There was an exchange of views on how to review article 27.3 (b). The following program was agreed on:

1. Those members that are already under an obligation to apply article 27.3 (b) are invited to provide information on how the matters addressed in this provision were presently treated in their national law. Others are invited to provide such information on a best endeavours basis (**Target date: 1 february 1999**).
2. The Secretariat provides an illustrative list of questions relevant to assist members to prepare their contributions.
3. The Secretariat contacts FAO, CBD and UPOV to request factual information on their activities of relevance. This information-gathering will be without prejudice to the nature of the review. The Council will revert to the question if any further information might be requested from the Secretariat (Annual report 1998 TRIPs Council, p. 7).

According to BRIDGES, the meeting was the first time that there was an exchange of views amongst WTO Members as how the review should be carried out. It was provisionally agreed that the procedure set out in the annual report would be followed, pending the agreement of India, which still needed to get the necessary go-ahead from its capital. Although WTO officials say that the discussions on the review process went well, there were strong disagreements, in an informal session the week before, about the scope of the review. Most

developed countries favoured reviewing implementation, while most developing countries said that the review should cover the provision itself.

If India accepts the proposed schedule, the Secretariat will have prepared a paper in time for the next meeting of the TRIPs Council, on February 16-17 1999. Although the review is due to be completed in 1999, if a new Round of multilateral trade negotiations is mandated to begin after the Third Ministerial Meeting, a lot of heat might be taken off the review itself, as the subject could become an issue in a future round of multilateral trade talks (BRIDGES, Vol. 2, Number 47 December 07, 1998).

Previous General Council meetings

During the meeting on 26 October discussions took place on implementation issues. According to BRIDGES the TRIPs Agreement elicited much comment. Interventions made it clear, that besides the review, countries will bring other issues to the table as well.

Echoing many others, Cuba said that any revision of the TRIPs Agreement that would result in greater obligations for developing countries would be contrary to the 'special and differential treatment' principle.

In contrast, the following things on TRIPs were mentioned by the United States: 'US is concerned that a lot of LDC's have yet to inform the Council of future actions regarding implementation (deadline 2000). US is concerned that not many countries have taken advantage of the technical cooperation possibilities, and they will not be sympathetic to claims that implementation cannot be met because of a lack of assistance' (BRIDGES Weekly Trade News Digest, Vol. 2, Number 42-November 02, 1998).

The discussion of the General Council meeting on 23 November was dedicated to the mandated negotiations and the BIA. Regarding the review of article 27.3 (b) the US mentioned: 'The TRIPs Council will initiate work on this item in 1999, to consider whether it is desirable to modify the TRIPs Agreement by eliminating the exclusion from patentability of plants and animals and incorporating key provisions of the UPOV agreement regarding plant variety protection.

The United States believes that the moratorium on non-violation cases should be allowed to expire on schedule, on January 1, 2000 (Article 64.3 TRIPs Agreement).

The EU stressed „the common interest of members in ensuring that the TRIPs Agreement keeps up with new technological developments,...“

Cuba, El Salvador, Honduras, Nicaragua and Dominican Republic called for an extension of the exemption clauses in 27.3 (b). They also emphasized the need for the provisions in TRIPs to be compatible with the Convention of Biological Diversity and in particular with the concept of national sovereignty of resource-rich countries over access and control of their biological resources. They also called for compensation for the country, region, or ethnic group providing the genetic material. Egypt called for status quo on 27.3 (b), which it said should not be altered at this stage“ (BRIDGES Weekly Trade News digest, Vol. 2, Number 46-November, 1998).

Previous review

This review starting in 1999 is not the first review. The developed countries already had a review, that started in 1996. The review of the 33 Members taken up in the period between 1996 and the first part of 1998 generated responses to some 5000 questions recorded in some 3000 pages of documentation (annual report p. 3). The results of this review regarding article 27.3 (b) and European countries can be found in the annexes.

Further important meetings (short term)

While I am writing this report the General Council of the WTO will have their meeting on 10-11 December. On Friday 18 December Article 113 Committee will have its meeting of full members in Brussels. January 15 1999 the REX committee meets. February 10 the General Council of WTO meets, followed by the Council for TRIPs on 16-17 February.

A very important meeting will take place on 25-26 February. This is the special session for the General Council for the Third Ministerial Conference. The meeting is a 'wrap up' session and an evaluation will be made of the last meetings. Decisions can be made, to decide if the new Round will be based on the BIA or more comprehensive.

Furthermore, it is expected that the Commission will come with a communication on the WTO and the new Round somewhere this month or the next.

List of abbreviations

BIA	Built-in-Agenda
CBD	Conventionon Biological Diversity
COREPER	Committee of Permananet Representatives
DG	Directorate General
EPO	European Patent Office
EU	European union
FAO	UN Food and Agriculture Organisation
GATT	General Agreement on Trade and Tariffs
GE	Genetic Engineering
GRAIN	Genetic Ressources Action International
IP	Intellectual Property
LDC	Least Developed Country
NGO	Non Governmental Organisation
OECD	Organisation for Economic Cooperation and Development
REX	Relations economiques exterieures
TRIPs	Trade Related Intellectual Property Rights
UNICE	Union of Industrial and Employer's Confederations of Europe
UPOV	International Convention for the Protection of New Varieties of Plants
VUB	Vrije Universiteit Brussels
WTO	World Trade Organisation

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Timetable

1999

January

18-19 REX

18-19 REX

February

10 General Council (WTO)

16-17 Council for TRIPs

17-18 REX

18 Committee on Trade and Environment

25-26 Special session for the General Council for the Third Ministerial Conference (important, wrap up, evaluation of last meetings, comprehensive round for BIA)

Communication from Commission on WTO/Round

March

17-18 REX

24-25 Committee on Trade and Environment

April

14 General Council (WTO)

21-22 REX

22-23 Committee on Trade and Environment

May

... Informal trade Ministers Council

... General Affairs EU Council (General mandate 3rd Ministerial)

June

29-30

Committee on Trade and Environment

July

7-8 Council for TRIPs

14 General Council (WTO)

September

15-16 Council for TRIPs

October

6 General Council (WTO)

12-13 Committee on Trade and Environment

November

4-5 General Council (WTO)

23-24 Council for TRIPs

29 113 in Geneva, report of Commission

30 General Affairs EU Council in Geneva

31 Third Ministerial Conference

December

1 Third Ministerial Conference

2000

January

Parliament resolution, adoption mandate