

GATT), and the *Beef Hormone*, *Periodicals* and *Shrimp-Turtle* cases (under the WTO) have considered issues of environment and culture as they relate to trade and investment. Significant change took place at the WTO Ministerial Conference in Seattle in 1999. According to Ms. Elwell, the NGOs helped in the failure of the Conference. Various groups were able to bond together to bring forth issues of social concerns on the trade agenda. These recent developments have ushered in a new era where NGOs should be consulted in matters effecting social policy. The government, especially DFAIT, should take into account the views of the NGOs so that an inclusive trade policy could be developed.

Mel Annand discussed the role of governments at the WTO, by analyzing trade disputes that in effect have resulted in the prohibition of export subsidies. In the past year, the WTO dispute settlement panels have considered (in the *Aircraft*, *Dairy Milk* and *FSC* cases) various export subsidy schemes that potentially distort trade. The WTO panels have given a broad interpretation to the *Subsidies and Countervailing Measures Agreement*, whereby measures are evaluated based on the country's domestic practice. These cases have resulted in a "domestic benchmark", *i.e.*, export subsidies are not measured against an international standard, but against the domestic measures that regulate the domestic market. Essentially, one should treat a business involved in exports in a similar manner as one that is only conducting business within the domestic market. According to Mr. Annand, the message is that countries should not provide any special advantage for the export market. All countries should compete, in the international sphere, on an equal footing without any special benefits targeted towards the exports.

4. Conclusions/Policy Options

The discussion in the panel revolved around transparency and increased participation of non-government actors (*i.e.*, corporations, trade associations and the NGOs). The growing complexities of trade disputes, with their wide impact on social and public issues, necessitate consultation among all sectors of the society. The binding nature of trade disputes have required governments to amend their laws in order to conform to their international trade obligations. An increased participation of NGOs and other groups would facilitate better understanding and proliferation of trade policy amongst ordinary Canadians. The Canadian government, in particular DFAIT, should encourage participation from these groups.