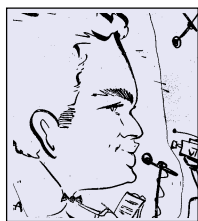


# CUTS IN ACTION

कट्स ✕ CUTS

January-March 2002

## COME AND JOIN OUR 20<sup>TH</sup> ANNIVERSARY CELEBRATIONS THEME: GOVERNANCE AND POVERTY REDUCTION



As we begin this New Year, it is a huge cause for celebration. We enter into our 20<sup>th</sup> year and have planned to celebrate it exactly one year from now in New

Delhi on 13-15 March, 2003. Not only that, we will also celebrate the 20<sup>th</sup> anniversary of *Gram Gadar*, on 13<sup>th</sup> April, 2002 at Jaipur. To remind our friends, CUTS began out of this eminent wall newspaper, which has been doing its bit in the rural areas of Rajasthan. I will write more about the celebrations of *Gram Gadar* in the next issue of this newsletter.

Other than the New Delhi event in mid-March, 2003, local one-day events will also be organised by all our Centres on 11<sup>th</sup> March at Jaipur, Chittorgarh, Calcutta in India; Nairobi, Kenya; Lusaka, Zambia and London, UK.

However, the main celebrations planned for the next year will be done through a 3-day Partnership Conclave with our affiliated institutions on the four areas of our work with the theme of Governance and Poverty Reduction. It is a huge sense of satisfaction that the rights-based approach, which we have been working upon ever since our foundation, is being increasingly recognised as the approach to solve some of our major development problems.

On 15<sup>th</sup> March, the Steering Committee, set up to guide the preparations, met under the Chairmanship of Muchkund Dubey, former Foreign Secretary of India, and Vice-Chairman of the CUTS advisory board. Both NCAER and TERI have agreed to be a partner in the Conclave, and have suggested that a proposal be made with partners as consortium members. Most importantly, it was suggested that we should do some ground breaking and startling research and bring the results to this forum. The research should look at the whole issue of governance at the global, national and local level on two hot issues, such as pharmaceuticals and water, and how it affects the poor, and whether they are being heard, or continue to serve as guinea pigs or slaughtering lambs.

### Capacity Building on Global Trade Issues

The above thinking guides our work in the area of global trade policy on which we have been working actively for quite some time. Four events organised in the period under reporting are worth talking about. Firstly, our Africa Resource Centre organised the very first seminar in Lusaka on 25/26 March as a follow-up to the Doha Ministerial Conference of the WTO. This was done under a project: Fostering Equity and Accountability in the Trading System (FEATS) being supported by HIVOS, Harare. Over 35 people from the COMESA region participated. Said, Mr M. Lewanika, the Permanent Secretary of the Zambian

UK and participants also paid some fees.

During this quarter, our Calcutta Resource Centre also organised the first interactive workshop at Dehradun under a project, which aims at promoting farmers' rights in the mountainous region of the sub-continent in the context of globalisation.

### The Johannesburg Process

Reverting to global issues, the Earth Summit held in June 1992 had thrown up many promises of curing the world's ills. This year its decade anniversary will be celebrated at Johannesburg. Several preparatory meetings are being held, where my colleagues are actively participating. We are planning several events at the Johannesburg Summit, including doing things in the run up. For example, the Calcutta Centre celebrated the World Water Day on 22<sup>nd</sup> March with the release of a briefing paper on Sustainable Management of Water Resources. The paper was well covered in the local press. Its inputs will also feed into the Jo'burg process. I was invited by the IGES at Tokyo on 1<sup>st</sup> April to offer expert advice on the trade component of a Message that the Asia Pacific Forum for Environment & Development were going to send to Jo'burg.



L to R: P.S. Mehta, V.S. Prasad and T.N. Chaturvedi

Ministry of Trade, Industry and Commerce: "...the CUTS has won the admiration and support of my Ministry". It is such messages, which help us and all my hardworking colleagues to endeavour to reach greater heights.

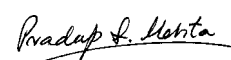
On similar lines, an event on WTO and South Asia was organised by us on March 9/10 at New Delhi under our project titled 'South Asian Civil Society Network on International Trade Issues' supported by IDRC, Canada.

The world trade in textile is passing through a transition phase. After 2004, the quotas will be completely abolished. The Indian textile and clothing sector has become very apprehensive to face the post-quota regime of trade in textile. With the aim to help this sector tackle various issues and problems and educate them, we organised a training seminar in collaboration with the Administrative Staff College of India from 17-19<sup>th</sup> January at Hyderabad. This event was supported in part by DFID,

### Work at Grassroots

Under the Rural Girl-child Empowerment Programme, our Chittorgarh Centre organised several meetings in the villages around Chittorgarh, Rajasthan. One meeting provoked a block chief to announce the formation of village level committees for prevention of violence against girl-children.

After a great effort, we finally succeeded in bringing out the Hindi translation of the book: 'How to Survive as a Consumer'. The Hindi version is aptly titled: "*Adhikar Upphokta Ka, Raab Kanooon Ki?*". Both the books were released by the Union Minister of State for Consumer Affairs, Shri V. Sreenivasa Prasad on 15<sup>th</sup> March, the World Consumer Rights Day, at the Press Club of India, New Delhi. Distinguished lawmaker: T N Chaturvedi presided over the function. Both also exhorted us to bring out such publications in other Indian languages too.

  
Pradeep S. Mehta, Editor

## EVENTS

### Competitiveness of Indian Industries

CUTS-CITEE organised a training seminar on WTO (World Trade Organisation) issues entitled “Competitiveness of Indian Industries in the WTO Era: Textile and Clothing” in collaboration with the Administrative Staff College of India in Hyderabad on 17-19<sup>th</sup> January. Its aim was to educate practising managers and people related to the textile sector to help them tackle issues and problems pertaining to the textiles and clothing sector, particularly the impact of the provisions of the WTO on its markets.

Anil Kumar, Former Secretary, Ministry of Textiles, Government of India, and Atul Kaushik, Deputy Secretary, Cabinet Secretariat, Government of India, were some of the important dignitaries present in the seminar. ([www.cuts.org/training\\_seminar.htm](http://www.cuts.org/training_seminar.htm))

### Competition, Regulation & Investment

CUTS-CITEE organised a seminar on “Competition, Regulation & Investment: Role in Economic Growth” on 11-12<sup>th</sup> January in Jaipur. Pradeep S. Mehta, Secretary General, CUTS, said CUTS had suggested a radical idea to the Government to ‘institutionalise the National Development Council’ to ensure better policy-coherence between the State and the Central Governments.

CUTS highlighted some salient features of the New Competition Bill and also pointed out some of the gaps that still need to be filled. ([www.cuts.org/citee-event-cominvtjan02.htm](http://www.cuts.org/citee-event-cominvtjan02.htm))

### Road Safety Week

In view of the frequency of fatal accidents in the country, the Ministry of Surface Transport, Government of India, observes Road Safety Week from 7-13<sup>th</sup> January every year. CUTS-CART also organised various awareness generation programmes during this week, including ‘Nukead Nataks’, street/road-side plays, with general traffic rules as the main theme and a symposium entitled ‘Road Accident Victims – What should be done’, to sensitise private medical practitioners towards road accident victims. Participation included private medical doctors, traffic police, NGO’s and the media. ([www.cuts.org/comp-consum-road-safety.htm](http://www.cuts.org/comp-consum-road-safety.htm))

### WTO and South Asian Co-operation

CUTS-CITEE organised a seminar in collaboration with International Development Research Centre (IDRC), Canada, entitled “WTO and South Asia: Lessons and Strategies” on 9-10<sup>th</sup> March in New Delhi, India.

Muchkund Dubey, former Foreign Secretary, Government of India, said if developing countries make a concerted effort, they could achieve their objectives at the WTO. Delegates at the seminar agreed

## Regional Seminar at Lusaka

CUTS-ARC in collaboration with Hivos, Harare organised a regional seminar entitled “WTO Doha Ministerial and the New Trade Round: An African Perspective” on 25-26<sup>th</sup> March at Lusaka, Zambia. The event was officiated by Sindiso Ngwenya, Assistant Secretary General, Common Market for Southern and East Africa (COMESA) and Dr. Mbikusita Lewanika, Permanent Secretary, Ministry of Commerce and Industry, Republic of Zambia. P. S. Mehta of CUTS and George Lipimile of Zambian Competition Commission also spoke on the occasion.

The objective of the seminar was to build capacities of the civil society organisations in Southern and Eastern African countries in understanding the global trade issues so that they could get involved in the debate on trade policy making process at the national and the international level. ([www.cuts.org/news-cuts.htm#regional\\_seminar\\_cut\\_are](http://www.cuts.org/news-cuts.htm#regional_seminar_cut_are))



▲  
L to R:  
Sindiso  
Ngwenya,  
P.S. Mehta,  
Mbikusita  
Lewanika  
and George  
Lipimile  
▼

that coalition building of the South Asian nations is the need of the hour. ([www.cuts.org/news-cuts.htm#hour\\_at\\_the\\_WTO](http://www.cuts.org/news-cuts.htm#hour_at_the_WTO))

### Empowering Women & Girls

Under the Rural Girl-child Empowerment Programme, CUTS-CHD organised a school discussion on 6<sup>th</sup> March in Aasaawra village of Bhaddesar Panchayat Samiti of Chittorgarh, Rajasthan. Balkishan Ahir, the Block Head of Bhaddesar, said for reducing violence against girls, the girl-children themselves must get educated and they should be awakened so that they can fight for their rights. He said village-level *samitis* would be constituted to try to prevent violence against women.

Likewise, on the International Women’s Day, 8<sup>th</sup> March, the Chittorgarh Centre organised a discussion on “Decreasing Energy Resources and Challenges before Women” amidst a modest gathering of 50 women and 10 men, mostly from rural areas. Bhagwati Devi Jhala, leading social activist and Dr. K.N. Bansal, Chief Scientist of Krishi Vigyan Kendra were among the keynote speakers. ([www.cuts.org/invd.htm](http://www.cuts.org/invd.htm))

### Right to Quality Goods

On the occasion of the State-level Mewar Trade Festival, CUTS-CHD, in collaboration with the District Trade Centre, Chittorgarh, organised a one-day seminar on 2<sup>nd</sup> February on “The Quality of Consumer Goods and their Standards”.

Ashok Paliwal, the Superintendent of Police, Chittorgarh and P.S. Yadav, Director of Indian Bureau of Standards, Rajasthan, were among the prominent speakers.

### Checking Health Fraud

On the eve of the World Consumer Rights Day, 15<sup>th</sup> March, CUTS-CSPAC organised a panel discussion on “Medical Negligence

and Its Remedy in the Light of Consumer Protection Act” at Calcutta.

The main message of the discussion was that a responsible national or state commission must be formed urgently to look into the ‘criminal acts’ being committed in the name of healthcare, as most of the doctors could be held guilty of negligence. Dipankar Dey of CUTS defined medical negligence in the context of legal implications. ([http://cuts.org/cutsinmedia.htm#health\\_20fraud](http://cuts.org/cutsinmedia.htm#health_20fraud))

### Management of Water Resources

CUTS organised a panel discussion on the occasion of World Water Day, 22<sup>nd</sup> March, at Calcutta. The participants discussed “Management of Surface Water in West Bengal”, focussing on the success and failures of management of surface water and the problems with underground water in West Bengal. Representatives from different consumer groups and media participated in the discussion.

### Workshop on Farmers Rights

On 23-24<sup>th</sup> March, CUTS Calcutta Centre organised the first interactive workshop in Dehradun under the project entitled “Study the Impact of WTO Agreements on Farmers Rights to Livelihood in the Himalayan Region”.

### CUTS Role in Book Fair

CUTS hosted a stall in Calcutta Book Fair during 29 Jan.-10<sup>th</sup> Feb. to reach out to book lovers of this region with a wide range of CUTS’ publications.

Brochures on CUTS’ activities and attractive Bookmarks were distributed to the people who visited CUTS’ stall. A collage depicting various working areas of CUTS attracted many visitors.

**Capacity Building Seminar**



Sandeep Singh of CUTS visited Geneva to attend a workshop on 'Capacity Building on

Trade, Environment and Development' during 19-22<sup>nd</sup> March. The workshop was jointly organised by the United Nations Environment Programme (UNEP) and the WTO.

It provided an open forum for over 200 participants to assess emerging needs, and reassess current approaches to capacity building on environment, trade and development.

**Energy for Sustainable Development**

Vinayak Pandey represented CUTS at a Round-Table of 'Multi-Stakeholders on Energy for Sustainable Development: New Partnerships for Concrete Actions' jointly organised by the Tata Energy Research Institute (TERI) and Economic and Social Commission for Asia and the Pacific (ESCAP) at New Delhi from 21-23<sup>rd</sup> January.

The objective of the meet was to push forward from the stage of CSD-9 (Conference on Sustainable Development) held in April last year.

Pandey also took part in a conference on "International Experiences in Performance Based Regulation (PBR)" jointly organised by the United States Aid for International Development (USAID), NEXENT Inc. and the Institute of International Education (IIE), USA, on 10-11<sup>th</sup> January in New Delhi.

**Sustainable Livelihood**

Sandeep Singh and Arjun Dutta represented CUTS in the 'Sustainable Development Summit' held in Delhi during 8-11<sup>th</sup> February. Participants from all over the world attended the Summit, which was inaugurated by Hon'ble Prime Minister Shri Atal Behari Vajpayee. Organised by TERI the Summit focused on "Sustainable Livelihood" approach and debated the issues which are important for India for the World Summit on Sustainable Development to be held in Johannesburg later this year.

**WTO and Regional Integration**

K.S. Sajeew and Sandeep Singh of CUTS attended the National Seminar on "WTO and Regional Integration: Post Doha Scenario" organised by the India International Institute of Management on 19<sup>th</sup> January in Jaipur. There were about 100 participants who shared their views on various subjects such as Doha outcomes, non-trade issues and competition.

During the seminar, Dr. Chandra Bhan, Energy and Industry Minister, Government of Rajasthan spoke on power sector reforms, existing anomalies, etc.

**Ban on Jeeps**

State Human Rights Commission has proposed that the Transport Department should incorporate representatives of NGOs, including a member of CUTS, in the committee constituted for periodical checks on overloaded jeeps on national highways. The Human Rights Commission has invited the Transport Commissioner and the Assistant Inspector General of Police, Traffic, on 6<sup>th</sup> May to the Commission to discuss the proposal.



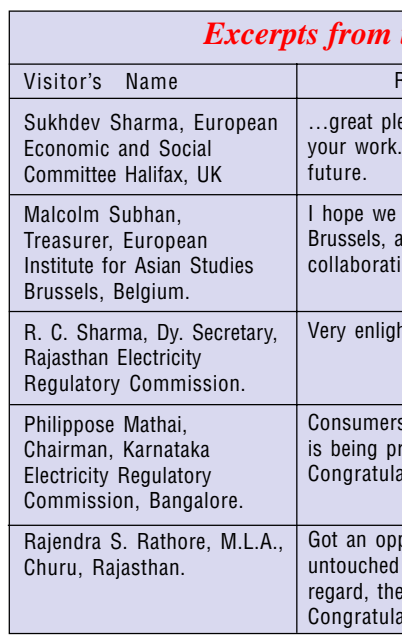
This proposal was moved in the second hearing of the petition filed by CUTS demanding the ban of jeeps as public transport vehicles, as many accidents were occurring due to overloading of jeeps. ([www.cuts.org/cutsmedia.htm#overloaded\\_jeeps](http://www.cuts.org/cutsmedia.htm#overloaded_jeeps))

**TRIPs and Access to Medicines**

Nitya Nanda represented CUTS in a conference on "Access to Medicines for the Developing World: International Facilitation or Hindrance?" held on 9-10<sup>th</sup> March, organised by the Wisconsin International Law Journal, US.

Among the specific issues that were analysed were different ways by which access could be facilitated; technology transfer; research and development; and litigation strategies that have been employed in attempts to gain access to particular medicines or to restrict the adoption of particular strategies.

Nanda also participated in a one-day workshop on "Intellectual Property (IP) in India: Protecting Knowledge and Promoting Innovation" held on 30<sup>th</sup> March at Delhi. The workshop was organised by Liberty Institute, Delhi, in collaboration with International Policy Network, London.



**Farmers Rights Bill and Asia Pacific**

Mita Dutta of CUTS participated in a meeting on 'Farmers Rights Bill and Asia Pacific' held at Bangkok on 24-25<sup>th</sup> January. It was jointly organised by the Consumers International and Gene Campaign, with support from Action Aid.

Out of the eleven participating countries, two countries, India and Thailand, have already enacted the Plant Variety Protection Act. All the proposed legislations were analysed in the light of the Indian Act, as it ensured protection of farmers' traditional rights to use, sow, save and exchange seeds of a protected variety.

**Food Safety and Labelling Issues**

Mita Dutta and Soumi Ghosh of CUTS participated in a training workshop on "Food Safety and Its Effective Implementation" on 21<sup>st</sup> February held at Calcutta. This workshop was jointly organised by VOICE (an NGO) and CIFTI (Confederation of Indian Food, Trade and Industry) in collaboration with the Ministry of Health and Family Welfare, Government of India.

Its object was to sensitise retailers and consumers on the existing laws on food safety. Officials of the Ministry of Health, CIFTI, Confederation of Indian Industry (CII) and representatives from consumer groups made presentations in the workshop.

**Ecofrig Workshop**

Arjun Dutta of CUTS participated in an event entitled "Conference on Meeting Challenges in Change-over to Ecological Refrigeration" on 5-6<sup>th</sup> March at New Delhi.

The Conference, divided into seven sessions and an inaugural function, discussed Montreal Protocol, Challenges and Responses, CFC (Chloro-Fluro Carbon) phase out from RAC (Refrigerator and Air-conditioning) sector and Technology transfer under the Montreal Protocol policy.

*Excerpts from the Visitor's Book*

| Visitor's Name   | Remarks   |
|--|---|
| Sukhdev Sharma, European Economic and Social Committee Halifax, UK                   | ...great pleasure in visiting CUTS and learning about your work. Look forward to working with you in the future.  |
| Malcolm Subhan, Treasurer, European Institute for Asian Studies Brussels, Belgium.   | I hope we can help you with your scoping meeting in Brussels, and that it will mark the beginning for our collaboration.  |
| R. C. Sharma, Dy. Secretary, Rajasthan Electricity Regulatory Commission.            | Very enlightening experience to be with CUTS.   |
| Philippose Mathai, Chairman, Karnataka Electricity Regulatory Commission, Bangalore. | Consumers need support and organisation. This is what is being provided by CUTS in plenty. Go ahead... Congratulations.   |
| Rajendra S. Rathore, M.L.A., Churu, Rajasthan.                                       | Got an opportunity to visit CUTS and discussed some untouched points related to common people. In this regard, the work done by CUTS is appreciable. Heartiest Congratulations. |

**Newsletters**

**Investment for Development** (No. 2, Feb. 2002): This quarterly newsletter covers developments in investment policy and practices and aims to build awareness on national and international investment issues. The current issue, i.e., Feb. 2002, highlights the civil society perceptions of FDI. Moreover, views of stakeholders in different countries on the benefits and harms of FDI and behaviour of transnational corporations have been discussed in this issue.

Wouldn't you like to know about the changes in investment policies, current global investment performance and trends and other investment related news? If yes, then subscribe now! (Rs.50/\$15 p.a.)



**Economiquity** (No. 21, Jan.-March 2002): The US decision to impose a hefty tariff of up to 30 percent on steel imports has triggered a chain reaction from major steel trading nations like the European Union, Japan and South Korea. The EU has already adopted temporary safeguard measures. This move of the US has also blighted the atmosphere of negotiations on the new global trade round which was launched at the Doha Ministerial Conference.

How about knowing more about how this decision of the US could threaten the whole post-Doha process of trade liberalisation, and much more. Subscribe now to the latest issue of our quarterly newsletter. (Rs. 50/\$15 p.a.)

**Reguletter** (No. 6, March 2002): This quarterly newsletter aims to provide a forum, in particular to the civil society, to understand competition-related issues clearly and promote a healthy competition culture in the world. The various sections in the current issue of this newsletter cover developments relating to competition policy and economic regulations all over the world.

If you want to know more, then subscribe to Reguletter No. 6, March 2002. (Rs.50/\$15 p.a.)



**Panchwa Stumbh** (No.4, 2001): Corruption is growing at an exponential rate in various government departments. The current issue of this quarterly newsletter, in Hindi, highlights the various problems faced by common people due to corruption. This issue also carries the results of the survey conducted by CUTS in various public-contact areas in Jaipur, Rajasthan, on people's perceptions on corruption and how it could be addressed.

If you are interested to know more about this and the plight of various development schemes started by the Government, read the latest issue of this newsletter.

**Briefing Papers**

***Amicus Curiae* Brief**

Should the WTO Remain Friendless?

No.1/2002

The issue of the *amicus* brief has become contentious in the context of the WTO dispute settlement process ever since the Shrimp-Turtle case, when the WTO Appellate Body (AB) of dispute settlement considered such briefs from non-governmental organisations for the first time in its history. The issue gave rise to a cluster of questions – both legal and political.

The paper provides an objective analysis of the issue and the controversies surrounding it. It observes that the admittance of *amicus* briefs is likely to bring greater transparency to the system that would ensure equity and fairness and would be good for the global community as a whole in the long run. However, the fact that there is no set procedure for the same has created much controversy. The WTO should, therefore, evolve a procedure for such submission, which should be equally applicable in all future cases.

**Market Access: The Major Roadblocks**

No.2/2002

The Uruguay Round of trade negotiations has resulted in some degree of advancement of the integration of the developing countries into the multilateral trading system. No doubt, it has contributed to the liberalisation of developing countries' own trade regimes and some improvement in the conditions affecting access to the major markets for their export products.

But, so far, the integration process has been impressive only for a group of 15-20 middle and higher income countries in Latin America and Asia. For many others, especially LDCs, progress has been much slower. It is in this backdrop that the briefing paper identifies and analyses the major hurdles being faced by developing and poor countries in the accessing the markets of developed countries.