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Aid for Trade: a New Issue in the WTO

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Related ILEAP papers

ILEAP (2005). “Aid for Trade: Why and How?” ILEAP Negotiating Advisory Brief No. 10. Prepared by Dominique Njinkeu and Hugo Cameron, ILEAP.

ILEAP and German Marshall Fund (2006). “Aid for Trade After the Hong Kong Ministerial – An Introductory Text”. ILEAP Background Brief No. 8. Prepared by Claire Healey, Dominique Njinkeu and Hugo Cameron.

ILEAP (2006) “The Financial Architecture of Aid for Trade”. ILEAP Background Brief No. 9. Prepared by Overseas Development Institute (ODI).

ILEAP (2006). “Aid for Trade: How We Got Here, Where We Might Go”. ILEAP Background Brief No. 10. Prepared by Michael J. Finger.

ILEAP (2006). “Operational Modalities for the Aid for Trade Initiative”. ILEAP Background Brief No. 11. Prepared by Ademola Oyejide.

ILEAP (2006). “Aid for Trade Facility: Lessons for the Tanzanian Experience on Trade Related Assistance”. ILEAP Background Brief No. 12. Prepared by Bede Lyimo and Edward Sungula.

ILEAP (2006). “An African Perspective on Aid for Trade. ILEAP Negotiating Advisory Brief No. 11. Prepared by a team of African experts led by Dominique Njinkeu.

ILEAP (2006). “Financing International Public Goods: A Framework to Address Aid for Trade”. ILEAP Negotiating Advisory Brief No.14. Prepared by Dirk Willem te Velde.

ILEAP (2006). “Scale and Types of Funds for Aid for Trade”. ILEAP Negotiating Advisory Brief No. 15. Prepared by Massimiliano Cali, ODI.

ILEAP (2007). “Regional Aid for Trade”. ILEAP Negotiating Advisory Brief No. 12. Prepared by Dirk Willem te Velde, ODI.

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The explicit recognition of a WTO interest in and responsibility for aid at its Sixth Ministerial Conference in Hong Kong¹ raised high expectations that it would now be possible to ensure that no country lost from the Doha negotiations and that developing countries would receive the assistance that they needed to take advantage of any improved access to markets. But there was also concern because of disappointment at both the limited results of the technical assistance mentioned so frequently in the Uruguay Round Agreement and the failure of the Integrated Framework² to guarantee that donors responded to identified needs. After considering the scope and mechanisms for Aid for Trade from March to July, and receiving submissions from both international organizations and WTO member countries, the WTO Aid for Trade Task Force³ submitted its recommendations to the WTO General Council of 27-28 July 2006 (perhaps the only Doha Round deadline which was met). The General Council took note of them, and considered them formally in October 2006.

Everyone could agree in principle that Aid for Trade is a good thing. The problem was to move to specific proposals that observe the principles of both aid and trade and that could obtain consensus from all WTO members and the support of a range of other institutions, including the international financial institutions, regional organizations, and non-trade elements of the governments of both donor and recipient countries. This paper will first review what types of aid would meet WTO-related needs, and the types needed more broadly to help countries use trade as part of their development strategies. Secondly, it will consider how to decide which needs and which countries or regions should receive Aid for Trade. It will then discuss how to apply some of the general principles for aid which any scheme should take into account. The final section will analyze what any Aid for Trade package should include, taking into account the different types of need identified, the different timing of needs (adjustment to specific changes in the trading system and long-term development), and the different principles which tend to guide the aid and trade discourses, and consider how the proposals made by the WTO Aid for Trade Task Force meet these requirements.

Coverage and principles for Aid for Trade⁴

Possible components of Aid for Trade

The Hong Kong mandate gives examples of Aid for Trade in terms of infrastructure and supply capacity, but also implies a strong link between it and the Doha Round. The Concept Paper which the WTO Secretariat prepared to guide the Task Force on Aid for Trade (WTO 2006) went further, and said that developing countries "expect

¹ See WTO Hong Kong Ministerial Declaration on Aid for Trade, paragraph 57 (WTO 2005), as quoted in the Introduction to this volume.

² Integrated Framework for Trade-Related Technical Assistance to Least Developed Countries. Outlined in the Introduction to this volume.

³ The members of the WTO Aid for Trade Task Force were Barbados, Brazil, Canada, Chile, Colombia, EU, India, Japan, Thailand, US, and the coordinators of the ACP, African, and LDC groups. The chair was Ambassador Mia Horn af Rantzien, the Ambassador of Sweden.

⁴ For all official papers on Aid for Trade, and a bibliography of reports and research on it, see www.odi.org.uk/iedg/aid4trade.html.

Aid-for-Trade to go well beyond the scope of the IF, and help them to cover the costs of implementing WTO Agreements, macroeconomic adjustment, training and institution-building, and supply-side capacity and infrastructure.” Capacity building and infrastructure are familiar terms, but the ‘costs’ of WTO agreements and contributing to ‘the development dimension of the Doha Development Agenda (DDA)’ are less clear. This section will suggest some possible definitions of them. It is not clear whether ‘macroeconomic adjustment’ is the best description of the type of adjustment which countries are expecting. Lower external income or higher import costs clearly can have macroeconomic costs, as could loss of fiscal revenue. The IMF’s scheme, the Trade Integration Mechanism focuses on such costs because of the nature of the IMF’s mandate. But in trade and normal trade assistance terms, what is required is switching to new types of production or new markets. This is production adjustment or even ‘structural’ adjustment.

Narrow definitions of Aid for Trade: WTO-related costs

A. *Implementation of existing commitments under the Doha Round. The July 2004 Decision (WTO, 2004) included in its appendix on Trade Facilitation an explicit provision for making fulfillment of commitments under trade facilitation subject to receiving adequate technical and other assistance:*

‘Support and assistance should also be provided to help developing and least-developed countries implement the commitments resulting from the negotiations, in accordance with their nature and scope. In this context, it is recognized that negotiations could lead to certain commitments whose implementation would require support for infrastructure development on the part of some Members. In these limited cases, developed-country Members will make every effort to ensure support and assistance directly related to the nature and scope of the commitments in order to allow implementation. It is understood, however, that in cases where required support and assistance for such infrastructure is not forthcoming, and where a developing or least-developed Member continues to lack the necessary capacity, implementation will not be required. While every effort will be made to ensure the necessary support and assistance, it is understood that the commitments by developed countries to provide such support are not open-ended.’

Such support is thus a recognized potential cost of a Doha settlement, so there is expected to be an obligation on developed countries to provide it or to accept that some developing countries will not be obliged to implement the agreement.

Implementing trade facilitation may be of benefit to a country in the medium term, and it may benefit its trading partners, some of which will also be developing countries, but it is not necessarily an immediate priority for a cash-constrained government; accepting the commitment is therefore a ‘cost’ of entering the WTO agreement. It can be argued (and World Bank officials have argued) that meeting WTO related costs is not an appropriate use of official aid money, as it is for the benefit of the WTO system or of more advanced traders, not for the benefit of the developing countries. There are two possible reasons for including WTO related costs in Aid for Trade funds, in spite of this. First, a predictable and enforced system of international rules is a benefit for developing countries. Second, developing countries (even if not necessarily the ones incurring the implementation costs) will get

benefits from a Doha settlement, so these are necessary costs for a development end (just as a road across a coastal country may have developmental benefits for a land-locked neighbor). But the indirect nature of the benefit may mean that even if it is financed as an obligation of the developed members of the WTO, it may not necessarily be as part of their aid budgets (such as in the precedents of a separate budget line for the EU Action Plan for Sugar or the cohesion objective in Swedish aid). Any Aid for Trade mechanism must therefore allow for non-traditional aid components.

B. Implementation of the explicit commitments in the Uruguay Round which were left without an implementing mechanism. This would cover commitments under the Marrakech Declaration for the costs imposed by agricultural liberalization on Net Food Importing Developing Countries (NFIDCs).

On these, there is a clear commitment.

The fact that countries have benefited from the previous, distorted, system of agricultural subsidies and other interventions is not in itself a welfare or development argument for helping them when the distortion is removed, but a shock from a major systemic change to a developing country is a potentially valid use for aid, and helping a country adjust to a long-term sustainable pattern of production and trade in food products is certainly a developmental aim.

Subject to the pattern of implementation (any agreements are likely to be phased in), the highest costs, of both higher imports and higher investment in adjustment, are likely to be early in the process, with the cost diminishing over time.

C. The costs to developing countries of implementation by other countries of WTO agreements that benefit others – i.e. the costs of preference erosion. (Higher food costs are also the result of reforms that benefit others, but they are treated separately because the status of the commitments is different.)

This has been recognized in the July 2004 and Hong Kong declarations as a legitimate concern of the WTO. The first proposal to mention it was the Harbinson proposal on agriculture in 2003 (WTO, 2003), which suggested dealing with it by maintaining preferences "to the maximum extent technically feasible". As many preferences offered zero tariffs, this would have meant no liberalization, and was therefore clearly contrary to normal WTO principles and was unacceptable to those seeking liberalization. Liberalizing preferred products by less by either including them in sensitive products or delaying liberalization would be less damaging to non-preference-receiving countries, but would still impose costs on some developing countries. These arguments contributed to efforts to identify non-trade solutions, such as Aid for Trade.

The welfare or developmental arguments for including or excluding the costs of preference erosion are the same as for food import costs, and the pattern of costs over time is likely to be similar.

Reforming agriculture or lowering tariffs removes distortions which have damaged other economies. That the food importing and preference-dependent countries have

been gaining from these distortions can be used as a reason not to give them more special assistance. But the parallel arguments are often rejected within countries, especially when those affected are poor or have the political power to prevent reform. Calling the Doha Round ‘development’ suggests that some solution should be found for losses to developing countries.

D. Other implementation costs.

The Uruguay Round is believed to have imposed important costs on developing countries, particularly the Trade Related Intellectual Property Rights (TRIPS), Sanitary and Phyto-Sanitary (SPS) and Technical Barriers to Trade (TBT) agreements. There was no formal WTO commitment to help countries meet these, as there is expected to be for trade facilitation in this round, but there is an implied commitment from the promise to tackle implementation and from the ‘best endeavors’ commitments on technical assistance that were frequent in the Uruguay Round. The arguments for helping countries to meet these are the same as for trade facilitation costs, and, like these, the costs are likely to be small. There have been large estimates for the costs of implementing Uruguay Round commitments, but these have included all costs related to the commitments, not just the legal commitments, and have been based on very limited country evidence.

A final direct cost of WTO agreements that is sometimes included is:

E. The fiscal costs of liberalizing a country’s own imports.

The economic justification for this is weaker because this is not a cost to the country, but a transfer from the government to those who buy the imports. If there is not then an adjustment of taxes by which the government recoups the revenue, some groups within the country receive the income that the government loses. These may be the importing companies, commercial users of the product, or consumers. In principle, each of these could be taxed to recoup government revenue. Another reason for questioning whether it should be included is that it is a normal part of adjustment to a WTO settlement, not an exceptional one from the introduction of either new rules (like A and D) or major reforms to the system (bringing agriculture into it and taking preferences out of it, like B and C).

Broad definitions of Aid for Trade: Aid to help countries use trade for development

For all the elements that fall under a Broad definition, the developmental case is clear and not at issue: countries need infrastructure, institutions, technical capacity, investment, etc., in order to trade, both in general and in the specific case of new liberalization under the WTO. What is new and controversial is the implication that the WTO should have a role in this type of aid. One role which it has already had is in shifting aid agencies’ attention back to trade after the emphasis on direct poverty reduction in the 1990s. Therefore there has been and will be more Broad Aid for Trade (at least until the current support for this form of aid wanes), with or without a direct role for the WTO.

F. Support for conventionally recognized trade policy capacity building.

This includes ‘mainstreaming’ trade into Poverty Reduction Strategy Papers (PRSPs) and development plans, assistance in and training for trade negotiations, and other capacity building relevant to trade-related policies. Within this, assistance to negotiate, which has been a very conspicuous part of trade-related aid, may be particularly difficult to incorporate into a WTO-related program. This type of assistance can be very damaging to developing country bargaining if it is too closely related to negotiations. Emphasizing the donor-recipient relationship can distort trade negotiations.

G. Support for infrastructure and other measures to build countries’ ability to trade.

Infrastructure may be needed at country or regional level. Improving public sector efficiency enables investment, by both public and private sectors, to respond to trading opportunities, whether from the Doha Round or more generally. There is a particular need for infrastructure based on regional needs because the country-based nature of most aid programs makes it difficult to identify and fund cross-country projects. This can include regional facilities such as ports or bilateral arrangements such as a road from a land-locked country to a port.

There are practical and conceptual difficulties in separating trade-related infrastructure from other infrastructure, suggesting that purpose-driven definitions will be required.

H. Support for institutions that improve capacity to trade.

- 1 At country level
- 2 At regional and/or other country group level (e.g. regional banks or Advisory Centre on WTO Law)

This is closely related to capacity building, under F. As in infrastructure, there have been problems in getting support for multi-country projects.

I. Support for the supply side in the sense of building up private sector enterprise in new export (or import replacing) areas.

This may be what the WTO Concept Paper means by supply side. Arguably this is normal adjustment to changes in trade opportunities (or to current opportunities), so it is not necessarily either exceptional in scale and type (as the Narrow categories are) or exceptionally concentrated on developing countries (as the Broad categories are). It is not clear how it would be possible to reconcile this with aid modalities: aid to the private sector might involve picking some companies to benefit and not others. But current fashions in aid and development theory tend to distrust ‘picking winners’. Such an approach might, however, be consistent with the support by some donors (notably the US) and some NGOs for involving the private sector in aid. Infrastructure (G) also, of course, assists the private sector.

The interaction of Narrow and Broad Aid for Trade

Aid for Trade could cover a combination of Narrow and Broad Aid, including any or all of the categories of each. But it is not necessarily appropriate to estimate the needs or the supply of funds by adding them together. Broad aid can be discussed and implemented without considering the Narrow. The criteria for two of the categories under Narrow, however, the adjustments costs from food price increases or preference erosion (B and C) (and fiscal losses, E, if it is included) can only be used to identify needs for support and, subject to the uncertainties in the estimates, the quantity of support needed. These do not define what the funds would be used for. The criteria under Broad, along with the specific WTO needs of implementation under A and D, could be used both independently and to define the purposes for which funds allocated under Narrow were used.

The way to solve the adjustment problems in the medium term is to increase capacity to trade. While a purely trade or reciprocity-based policy would imply offering countries cash payments to replace their lost gains from low food prices or preferences, the nature of aid relations suggests that the payments will be conditional on their use for an identified need. Grouping them in Aid for Trade suggests that this will be a trade need.

In the event that the pause in the Doha Round becomes a collapse, all the Broad needs would remain relevant. Some of the Narrow would cease to be relevant, and the legal or negotiating arguments for the others would also lapse.

Some donors do not view the needs identified under Narrow as directly related to development because, as was noted above for trade facilitation, there is no direct development effect or because they arise from a trade negotiation, not from a country-based assessment of priorities (as discussed below). Therefore, additional aid to cover them might need to come under a separate budget line. For this purpose, separate calculations of the amounts are needed (see ILEAP Negotiating Advisory Brief 15 - "Scale and Types of Funds for Aid for Trade"). Acceptance of a role for the WTO in ensuring that needs are met, both in terms of commitments in 2006 and in implementation in the medium term, may be stronger for the Narrow needs than the Broad, although the Hong Kong Declaration covers both. It might, however, be decided to use the Narrow criteria to identify countries in need of extra assistance, not to calculate exact needs, and this would require a coordinated approach. More important, any plan for assisting a country with building trade capacity would need to take account of funds from both types of assessment, and any country will be concerned to ensure that its total receipts are sufficient.

Alternative classifications

The classification suggested here is intended to divide Aid for Trade according to the relevance of each type to the WTO and the acceptability of each type by normal aid criteria. The classification in the WTO Concept Paper, as already noted, follows a similar, although less explicit, model. In a summary of the debate on Aid for Trade in a World Bank publication, Nielson (2005) suggests that it covers technical assistance and capacity building, both of which would come under F; institutional reform, which would fall under H; infrastructure, G; and adjustment costs. This last is defined as for preference erosion, C, NFIDC, B, and 'major processes of trade reform', and there is some emphasis (p. 331) on loss of revenue, E, and supply in the private sector,

I. It does not appear to cover implementation costs, whether for new or old commitments (A or D).

Eligibility criteria and allocation of funds

The question of which countries should be eligible for any special treatment is sensitive in both aid and trade. The only classification in current use that is the same for both areas is Least Developed Countries. This is the determinant of eligibility for the Integrated Framework and is used to offer more special treatment in the WTO both in WTO rules (compliance with TRIPS, lack of obligations to make offers on goods in the Doha Round, etc.) and in WTO-permitted derogations such as preferences. That these countries should be included in Aid for Trade is already determined in the Hong Kong statement, and they were all eligible to be included in NFIDCs.

Beyond this, the WTO gives special status in a few agreements to ‘developing countries’, and specifies this as a condition for allowing preferences. Although this is conventionally described as ‘self-selecting’, in practice the list is not open to all: the countries that have always been on it normally remain on it, but can be strongly encouraged to graduate themselves (for example, countries which have joined the EU), and countries joining the WTO have had to negotiate details of their rules, even if they have been allowed to call themselves developing.

While aid agencies can determine their own differentiations among recipients and define groups, the WTO can only differentiate by consensus of all members, and it is clear that there will be no new general categories adopted in this round. What has become the practice is to list, either positively or negatively, countries other than LDCs that may be eligible for particular treatment (e.g. the agreement on agricultural subsidies in the Uruguay Round) or excluded from it (e.g. the agreement on importing pharmaceutical products of 2003). In legal terms, any eligibility for Aid for Trade specified by the WTO would have to follow this model.⁵

For NFIDCs, there is already a list, although this could be revised once the Doha agricultural settlement is known. It is a simple list, not an assessment of the exact losses of each member, although it was based on such analysis. This could be one model for the other Narrow types of Aid for Trade. It might be particularly relevant for preference erosion, which shares the characteristics that the effect can be large, by any calculation, but where the numbers are not knowable with any certainty. The list model could also be used for countries likely to be in need of assistance for trade facilitation (A) or other implementation costs (D).⁶

⁵ The suggestion by the Appellate Body that preferences could discriminate among developing countries if the categories were clear and relevant supports the view that *ad hoc* differentiation is emerging in the WTO.

⁶ One category implied by the presence of Barbados in the WTO Task Force could be ‘small and vulnerable’ economies (SVEs), but if the SVEs really are exceptionally vulnerable, one of the numerical tests of eligibility would presumably ensure that they received support, and this would be more consistent with the trend towards defining particular needs (as in the rules on importing pharmaceuticals).

For any adjustment-cost-based criterion for eligibility, it would be necessary to ask if it was the costs of a particular problem, total costs, or total net costs that made a country eligible. (A country might suffer a little preference erosion, have some food imports, but have sufficient gains on other products that its net result from a settlement was positive.) The discussion has normally been in terms of total costs, and this is consistent with treating the problem as an exceptional shock, not just a disappointing negotiating outcome, and also consistent with giving the Doha Round a development bias. If any scheme adopted for Aid for Trade uses adjustment costs as indicative, rather than as formulae, to determine the quantum of aid, it might not be necessary to agree on the way they were measured. But if it is decided that there must be certainty, then it would be necessary to choose which measure, and whether it was net or total. In either case, some minimum level of loss would need to be set, and some might argue for a maximum level of income per capita or other measure of development.

Alternatively, there has always been the possibility for any country to ask for the application of a particular rule to be postponed (often used, for example, of the rules for customs valuation). The July 2004 agreement suggests a similar model for trade facilitation, by which countries present evidence to an appropriate Committee that they have not had the necessary aid. This would be a more discretionary approach, and might therefore not meet the increased determination by developing countries to have clear and enforceable commitments for special and differential treatment. It has been supported by some commentators as a way of introducing a more flexible approach to determining development needs in the rules-based WTO system.

Identifying countries which need aid to build their general trade capacity and ability to respond to new trade opportunities is likely to need a broader development measure, and could include all developing countries or perhaps all except those who chose to exclude themselves, as in the TRIPS agreement on imports. As some of this assistance is likely to be for international institutions, such as the Advisory Centre on WTO Law, or to meet regional needs, introducing strictly differentiated eligibility requirements could restrict its usefulness (most regions, whether legal or geographical, include countries at different levels of income).

If the implementation of Aid for Trade is through existing programs, then the rules of each donor and program will constrain what is offered to whom. As there is a strong argument for accepting that existing systems will work best if they work in their normal mode, and with their normal recipients, this may be effective for those needs and those countries which are covered. But this suggests that there will be a need to identify gaps, and find ways of filling them. It is particularly important that the mechanism agreed for implementing Aid for Trade find a credible way of doing this, as failure to meet identified needs is one of the major perceived weaknesses of both the WTO's previous relationship to aid (the identification of the NFIDCs in the Uruguay Round) and of the Integrated Framework.

Reconciling Aid for Trade and programs and principles for Aid

There are three basic problems in the relationship between the need- and purpose-based assessment of Aid for Trade that is presented here (and which underlies the inclusion of aid in the Hong Kong Declaration) and the normal discourse on aid: (i)

mobilizing sufficient funds; (ii) coordinating multiple funds from multiple donors with multiple purposes; and (iii) reconciling aid criteria, including local participation in decisions, with ensuring that there is aid directed at specific trade purposes. The first is addressed in ILEAP Negotiating Advisory Brief 15. The others are summarized here.

Reconciling multiple funds from multiple donors, each covering some countries and/or some types of spending in order to secure adequate funding for all relevant countries and purposes.

The different purposes and the large scale of what donors are now calling Aid for Trade, as well as the unwillingness of both donors and recipients to rely on a single existing institution, suggest that the way in which Aid for Trade will work will be mainly through existing funds, multilateral and bilateral. These will be augmented by the new commitments by donors to support Aid for Trade, and in some cases the changes in scale will require new administration and new types of spending. It is possible that some of the needs identified here will be so far from what donors and their rules of operation recognize as official development assistance that new funds or new sections of funds will be needed. The World Bank, for example, has stated that supporting a Doha outcome is not its responsibility. This suggests a complex and multi-player mechanism.

Ensuring that some mechanisms are available for all the needs will be the first problem to address. Securing the funds, i.e., ensuring that the commitments are not only made, but credible, will need to be done through the mechanisms that each agency or fund uses to set its program. It is unlikely that aid agencies will agree to have their funds bound in a WTO agreement, or that the WTO will agree to include such binding, but some agency -- whether the WTO or a new overriding agency or committee -- will need to ensure that such commitments are made.

The WTO or some other agency will then need to monitor implementation over a medium term period. There are various reporting mechanisms in place, such as the WTO/OECD Database (WTO/OECD 2005), country reports on donors by the OECD, reports on countries which are both donors and recipients through the WTO Trade Policy Reviews and the IMF country reports, and reports on recipient countries through the World Bank. These currently cover some of the information which would be required, and could be extended to include the rest. The commitment by the WTO and the international financial agencies to 'coherence' suggests that reports on both overall results and individual countries could go from all these agencies to the WTO, perhaps through both the Committee on Trade and Development (to monitor total implementation), and the Trade Policy Review Mechanism (to cover individual countries). In some cases, most obviously for trade facilitation, the reports might have a legal WTO function in determining whether countries needed to comply with the rules.

Reconciling efficient and effective aid administration with ensuring that trade criteria are applied (ensuring that trade is raised from its frequent position as a low priority for conventional aid).

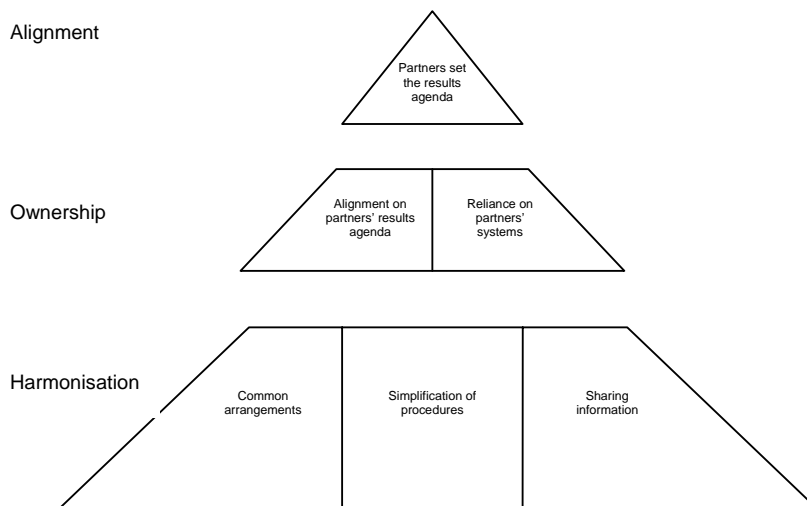
In policy discussions and the literature on aid, there have been conflicts between targeting specific areas for help and taking a broad view of a country's development process, and between donor or internationally determined priorities and country priorities. For example, the recent initiatives to deal with particular illnesses have been criticized for causing major distortions to health and total budgets. A discussion of the positive and negative effects of global health initiatives reveals a concern that global initiatives do not sit easily with existing national programs. Lele et al. (2005) observe a shift in the focus of global health interventions away from general preventative measures towards the prevention and treatment of specific diseases, leading to augmented financial resources to combat specific diseases. For these, there are clear advantages: coordination of aid, development of disease-specific strategies, mobilization of cutting-edge technical knowledge from diverse sources, increased efforts to address issues of global drugs, promoting global networking among professionals, development of technical guidelines and performance indicators, improved surveillance, support for epidemiological and operational research, and the development of incentive systems. But possible negative impacts include competition among different programs for the same resources, a lack of effort to develop a single-purpose staff among multipurpose health workers, the failure to integrate the single-disease campaigns into sustainable programs in developing countries, the fragmentation of multipurpose health services, distorted allocation of scarce human and financial resources, and the lack of evidence of cost effectiveness. It would be easy to envisage a similar conflict between expertise and coordination for trade-related activities.

In 2005, through the Paris Declaration on Aid Effectiveness, aid donors signed up to principles on harmonization, alignment and ownership that were subsequently cited in the Aid for Trade Task Force recommendations (section F.2). Rogerson (2005) summarizes the main elements in the aid effectiveness debate that donors are currently discussing (as part of the agenda set out in Paris and Rome before) as:

- *Ownership*, to respect the right – and responsibility – of the partner country itself to establish its development agenda, setting out its own strategies for poverty reduction and growth.
- *Alignment*, align development assistance with the development priorities and results-oriented strategies set out by the partner country and to progressively depend on partner countries' own systems.
- *Harmonization*, to streamline and harmonize donor policies.

These are set out in Chart 1 (see below). But the conflict between country-determined agendas and international priorities may be more apparent than real. In practice, the degree of intervention by donors to assist countries to prepare their national assessments, to guide recipients in their choice of projects, and to limit recipients by specifying their own priorities and what they are willing to fund means that there is still *de facto* intervention to influence the allocation of aid among sectors.

Chart 1 Aid effectiveness pyramid



Source: Rogerson (2005)

Each of these aid points has led to the adoption of a set of objectives and suggested measurable targets and indicators in aid programs. It has also led to discussions by the major financing and donor agencies. Such discussions do not sit easily with the debates on aid for vertical funds. In fact the two debates appear separate and often ignore each other. The premise behind any special funds, including the proposals on Aid for Trade, is that there is also a need for mechanisms to ensure that international obligations or national objectives which are identified outside the narrow focus of poverty-related aid are funded.

Indeed, Rogerson (2005) finds that there are systemic flaws in the aid architecture that cannot be remedied by the country-based coordination envisaged in Paris. These include:

- Lack of agreement on whether and how donors should balance aid allocations across countries.
- Lack of a road-map from a top-level commitment to increase aid to more specific commitments, and how this gets allocated to different countries, purposes and agencies.
- The conundrum between on the one hand achieving long-term predictable aid partnerships and on the other having multiple lock-in devices to rescind contracts.

It was then suggested by Rogerson that donors should reserve a portion of all aid to be given in the form of large-scale, long-term recurrent-cost support, linked only to specific sectoral outcomes such as primary education provision.

This has relevance for the debate on aid for vertical funds or for specific purposes, and for Aid for Trade in particular. On the one hand, current country-based programs are unlikely to balance aid for vertical funds across countries, but on the other hand the debate on Aid for Trade cannot ignore all the developments in the areas of alignment, ownership and harmonization. At one extreme, vertical funds including

Aid for Trade do not allow country ownership, so questions related to use might be raised. At the other extreme, there may be inappropriate levels of aid allocated to Aid for Trade if all is country-based.

There are several voices for and against the use of vertical funds. Those arguing in favor include reasons such as:

- Vertical funds may build up a level of expertise and specialization and thus create a comparative advantage in an area
- Vertical funds (for instance for research) may benefit from economies of scale
- Vertical funds may be better at co-coordinating at a global level solutions for global problems (co-ordination and harmonization)
- Vertical funds can ensure that money is effectively distributed to a cause

Arguments against include:

- Possible lack of ownership by receiving country
- Prone to sudden shocks in donor tastes.
- Challenges in aligning vertical funds with country program (see problems of health funds),

A complicating element in the discussion of a possible vertical fund for trade is the significant level of distrust, occasionally even contempt, between aid and trade agencies and between their practitioners. Aid agencies fear that the ability of countries to exert pressure in the WTO could lead to these countries receiving more than an 'objectively determined' share, and by trade people that aid programs are too focused on immediate poverty reduction, and not enough on long-term production and trade (Page 2006)⁷. Although allowing countries to participate effectively in decisions is clearly an element of any definition of development, including the MDGs (and there now seems to be a turning point in aid priorities), there is an inevitable conflict between a needs-driven and a negotiation-driven approach.

What Aid for Trade needs, and what the Task Force proposes

Scope

The needs identified here vary from low-cost technical assistance to major infrastructure investment. All discussion of Aid for Trade now assumes that there will be significant additional funding, and thus that it is reasonable to discuss new aid mechanisms for developing projects, disbursing funds, and monitoring what is achieved. (ILEAP Negotiating Advisory Brief 15 discusses in detail estimates of past funding, funding needs, and funding commitments on Aid for Trade.) The recommendations of the Task Force state that they are dependent on the provision of 'substantial additional targeted resources' (section C), but they do not set up a mechanism to secure this either in the immediate future or in the long run. They note

⁷ Hoebink (2005) shows that the share of 'trade' in the distribution of programmed resources by the EC under the 9th EDF (in 58 country strategy papers) was a mere 0.1%, with structural adjustment, water supply, rural development and health being major sectors (though infrastructure and regional integration are also important components). This share might be higher in the 10th EDF which is currently being discussed.

that the Hong Kong Declaration gives the responsibility for consulting on these to the Director General. There is no discussion of how to secure continuing replenishment of the funds after 2006, although the amounts will be monitored (see below). There is no recommendation that donors should bind the funds that they have announced, even in terms of each agency rather than under WTO rules. Countries will need sufficient confidence in the pledges made in 2006 to sign up to any Doha agreement with the assurance that their costs and adjustment needs will be met.

The identification here of possible needs for funding suggests that there are very different types of need. These are likely to require different types of organizations and programs to meet them. Some needs are small and easily defined (for example: assessments of new circumstances or institutional reform to meet particular implementation needs, often to a deadline). These require an organization able to offer quick disbursement, probably with a minimum of conditionality or planning. Others require longer term and more considered programs to ensure that building the supply capacity to trade is well integrated into a country's (and perhaps a region's) development program. This contrast is not an inconsistency, and there are examples of successful programs of both types. A third type, the costs of adjustment, requires a macroeconomic analysis of a country's overall eligibility, not assessment of specific needs. The possible relationship of aid under this heading to countries' willingness to allow other countries to make concessions in the Doha Round that will raise agricultural prices or reduce preferences means that this type may also require an approach to allocating money among countries that is not based on normal criteria of poverty or ability to use aid funds.

The Task Force recommendations could be interpreted as covering all the needs identified here. The Task Force report categorizes them, drawing on the WTO/OECD Database classification (see ILEAP Negotiating Advisory Brief 15), but explicitly extending them, as (section D):

- Trade policy and regulations
- Trade development
- Trade-related infrastructure
- Building productive capacity
- Trade-related adjustment
- Other trade-related needs.

The 'adjustment' category could include adjustment to preference erosion, higher food prices, and loss of tariff revenue as the objectives include helping countries to 'adjust to trade reform and liberalization' (section F.1). There has been so far no formal coordination between the work of the Task Force and negotiations on Agriculture or non-agricultural market access to allocate some or all responsibility for dealing with preference erosion or food costs to Aid for Trade.

The Task Force recommendations follow the Hong Kong Declaration in specifying that Aid for Trade is for "developing countries, particularly LDCs" (section F.1). They do not suggest any categories other than this. They do not suggest any *a priori* allocation by country.

The Task Force places particular emphasis on the need to consider regional needs, and thus meets one identified gap in current aid (sections F.3, F.5.2). It does not explicitly deal with the problem that some of the needs closely related to WTO agreements (for example the costs of implementing trade facilitation requirements) or some adjustment costs might not fit the mandates of aid donors, because their immediate purpose is to meet international obligations, not to promote a country's development in accordance with a nationally adopted plan. It deals with this issue by implication by providing for 'clearing house functions' to meet unfunded needs (see below). The recommendations further emphasize the need for donors to reform their mechanisms to meet the demand for trade-related assistance more effectively.

The Task Force recommendations show a preference for defining trade needs through a general country or country/donor planning process (section F.5.1). Of the needs defined here, this seems more appropriate to the longer term than to those requiring immediate disbursement of small sums. Although the recommendations note the need to minimize administrative costs, they seem to assume that a program approach will normally be appropriate. This contrasts with the emphasis on targeted, quick-disbursing funds in some other vertical funds (see ILEAP Negotiating Advisory Brief 14, "Financing International Public Goods: A Framework to Address Aid for Trade") or in successful precedents for trade-related aid by the regional development banks.

Aid or trade principles?

As discussed above, there is a potential conflict between country-led and problem-led criteria for aid. The first sees aid as a means of providing general support for all of a country's needs, with choices made within this by the country (or donor) in response to its own identification of priorities, suitable for that country at a particular time. But the premise behind both the donor commitments of increased trade related aid and the inclusion of paragraph 57 in the Hong Kong Declaration was that there has been insufficient Aid for Trade, not just because of general constraints, but because it has had too low a priority in donor and country programs. The existing vertical funds for environment, health, and other needs show that trade is not the only area where those outside the aid process have identified a need for more aid, and show both the advantages and the disadvantages of solving the problem by providing finance 'tied' to a particular subject. There is increased knowledge; clear identification of needs; concentration of resources; but also distortion and negative effects on other programs. There is now an additional problem: once some vertical funds exist, there is an argument that other general needs need their own vertical fund in order to avoid being 'crowded out' by the subjects which have their own facilities.

The Task Force report reflects the irreconcilable trade and aid approaches. The Task Force recommendations formally look only at aid principles, and emphasize the need for a 'country-driven' approach based on the Paris Principles. But its emphasis on ensuring that there are clear definitions of what is to be included under Aid for Trade (as described above), and its provision for agencies to identify cross-border needs, could provide some assurance that there will be pressure to spend on trade needs. Its compromise is two apparently inconsistent recommendations (section F.4), that donors and agencies should:

- move towards a program/sector/budget approach, if country owned, if mainstreamed in national development strategies and if a robust system of financial accountability is in place; and
- make targeted funds available for building infrastructure and removing supply-side constraints – over and above capacity building and technical assistance – perhaps as co-financing with multilateral development banks.

These recommendations do not resolve the problem of whether Aid for Trade should be offered to countries which are identified as needing particular types of spending by some external process in addition to that identified as needed by the countries themselves. For regional or multi-country programs, where action by one country is needed to help another to trade (transit infrastructure or trade facilitation, for example), there is a potential conflict between externally and nationally identified needs.

The importance given to regional needs, and in particular to the regional development banks, may mean an implicit shift towards a more sectoral rather than a country-program based approach. Both the Inter-American Development Bank and the Asian Development Bank have experience in such lending, and have been less committed to the PRSP/country strategy approach. They and the International Trade Centre emphasized this type of assistance in their presentations to the Task Force.

Securing implementation

The fact that trade-related aid has increased in recent years, without a ‘Global Trade Fund’ could suggest that normal, horizontal, donors agree that there is a need to spend more on trade, and perhaps therefore that a specific ‘trade’ fund is not needed. But the history of aid flows shifting from one priority to another suggests that those who support more Aid for Trade may justifiably feel a need to ensure that the increased shares to trade are sustained. The commitment in the WTO Hong Kong Declaration and the identification of increased costs that countries will face because of new WTO obligations also suggest that some formal way of guaranteeing a continued priority for trade needs to be found.

WTO member countries will not forget that the World Bank, although now showing interest in Aid for Trade, retreated from its pre-Cancún commitment to support trade-related adjustment needs (statement with IMF, 2003), and rejected the support among countries in Geneva for a new initiative in its paper of September 2005.⁸ At Hong Kong, the World Bank stated that the ‘Bank and Fund also plan to further assess the nature and magnitude of adjustment needs of countries facing external shocks associated with multilateral liberalization. We stand ready to coordinate with other donors to bring complementary packages of assistance, in the form of grants or loans as appropriate in these cases’ (Leipziger in WTO 2005). This implies that the Bank and the IMF want a coordinating role, but won’t deal with adjustment themselves.

There are two elements in the needs for Aid for Trade identified here that could require some form of guarantee, or legal commitment, plus continuing monitoring, in

⁸ The Bank published the Geneva analysis on Aid for Trade as an appendix to its report, but did not accept it, IMF, World Bank, 2005.

addition to the informal donor-by-donor commitments already recorded. The first is that some countries will face exceptionally high costs (in relation to their economies) from the implementation of any reasonably ambitious agreement. These are what we have called the 'narrow' needs. The experience since the Uruguay Round shows that while small costs, particularly those easily tied to a need for specific spending (customs rules, for example) did attract additional aid, those which require a macroeconomic approach both to calculate them and to find a way of meeting them (adjustment needs following on the terms of trade change in agriculture) were left to one side. It is not possible to argue that this is simply because they were too small: they may have been small, but no calculations of need were done, in either the WTO or aid contexts. As discussed above, some donors even question whether either type of implementation cost should receive aid money if it is imposed by external commitments, not derived from a country's own development program.⁹

The second is the growth in 'broad' Aid for Trade: how to ensure that the increase which has occurred in the last five years will in fact be repeated, as the pledges made in 2005 promised? The increase in the past has been the result of changes in individual programs, although responding to a general increase in interest in trade. Will this continue, or, if other interests emerge, will trade fall back into neglect? A case in point is the large increase in infrastructure expenditure between 2003 and 2004 (see ILEAP Negotiating Advisory Brief 15), which has been entirely driven by US foreign policy interests in rebuilding Iraq and Afghanistan.

The first problem suggests that there may be a need for new funds, with new criteria, either as designated parts of individual donors' programs (the EU Action Plan for Sugar, for example) or in a new multilateral form (e.g. the Highly Indebted Poor Countries Initiative (HIPC) or the vertical funds in health). In addition, there may be a need for a new assessment process (such as the IF for trade in PRSPs, TIM for balance of payments costs, or the EU-ACP assessment of the costs of EPAs, as discussed in ILEAP Negotiating Advisory Brief 14) to provide an agreed definition and calculation of macroeconomic adjustment needs. The IF precedent suggests that an assessment process divorced from any commitment to provide finance can be inadequate and disappointing. TIM provides both assessment and funding, although it then offers loans not grants. The EPA assessments are coming before binding trade commitments, not after as is suggested for Aid for Trade, so countries retain a choice not to make the trade commitment if the costs are too high.

There is an additional reason for believing that a special fund or special terms within normal funds may be needed. Although any financing provided on the basis of B and C, the adjustment costs of trade liberalization, could be used for purposes and in countries that might normally expect loan, not grant terms, the fact that countries need this additional finance for reasons of benefit to others and as a replacement for previous transfers suggests that there is a need for at least some of this to be on concessional terms. Paragraph 57 suggests that Aid for Trade should be 'where appropriate through grants or concessional loans'. The 'narrow needs' are all additional costs imposed on countries by changes in the international trading system, not investments which can be expected to have a long-term return, permitting the

⁹ This suggests a limited view of what a country's program should include, as accepting an external obligation in implicit or explicit return for other benefits from the international trading system could be considered a proper decision for a country to make, not one to be questioned by a donor.

servicing of a debt. In the case of B and C (NFIDCs and preference erosion), the 'cost' is the loss of a *de facto* transfer payment. For these, both equity (the countries themselves do not gain from the cost) and financial considerations (there is no identifiable return) suggest that the financing should be on grant terms for any developing country incurring significant costs.

The 'broad needs' are for funding to enable a country to trade (or produce) more or more efficiently. For some, for example assistance to private sector production or infrastructure of a type which can recover its costs, there may be a clear source of returns to repay a loan. For others, for example assistance to government capacity to negotiate or to build new institutions, there can be expected to be a return to the country as a whole, but not an identified income stream. For these, whether loans or grants are appropriate should be decided in the context of normal aid criteria. It will depend on the income level of the country and on the use of the funds.

Both these problems suggest that there is a need for a new way to monitor both the overall supply of funds and their allocation to countries' needs to ensure that the new types of need are appropriately met and that the overall allocation to trade remains high and growing. Paragraph 57 has a role for the Task Force, in making recommendations, and for the Director General, in consulting other organizations and reporting on appropriate mechanisms. These roles for the Director General and the Task Force seem to go beyond the suggestion in the Concept Paper that the 'main role the WTO can play this year is one of advocacy'. Now that the WTO has accepted that meeting the costs of adjustment and providing for what countries 'need to assist them to implement and benefit from WTO Agreements' are legitimate concerns for it, it will need to take responsibility for identifying the procedures that will be needed and 'ensuring' that all of them take place. Some are required in 2006 to set out the programs; some in subsequent years to implement them. There is a need to check that donors have committed ('bound' in trade terms) the funds which they have announced, in terms of the rules of each agency. This needs to be sufficiently credible that countries can take on WTO-bound commitments with confidence that their needs for aid will be met. In subsequent years, the WTO will need to monitor that the commitments are kept.

The Task Force proposal follows the aid model of not imposing any reciprocal obligations on donors to fund identified needs. Insofar as peer-pressure can be a substitute, its proposed set of monitoring mechanisms will provide information and opportunities to assess their compliance. The Task Force argues (section F.6) that, "Monitoring and evaluating progress is essential in building confidence that increased Aid for Trade will be delivered and effectively used. It will also provide strong incentives to both donors and recipients to advance the Aid-for-Trade agenda."

Under the Task Force proposals, there will be 'clearing house functions', to identify needs that do not fit conventional categories or donor objectives, and perhaps with some role in ensuring that the needs are met. These could develop a central role in coordinating aid, and solve the problem of needs which are not met by current aid programs. But the fact that proposals on this were weakened in the course of the Task Force's deliberations suggests that they will face resistance from the established donors.

At regional level, the Task Force suggests (section F.5.2), “a Regional Aid-for-Trade Committee, comprising sub-regional and regional organizations and financial institutions, to oversee the implementation of the sub-regional and regional dimensions of Aid for Trade, to report on needs, responses and impacts, and to oversee monitoring and evaluation.”

At the global level, it suggests (section F.5.3) that, “While a clearing-house function should in most cases be performed at the country and the regional level, sessions dedicated to specific themes and groups of countries could be periodically organized to provide a platform for donors and developing countries to discuss specific gaps which may occur in the implementation of Aid for Trade. One important function could be to connect outstanding Trade-Related Assistance (TRA) needs to donors willing to contribute to their fulfillment.” Its recommendations are to:

- Strengthen the following functions in relation to global issues:
 - the collection and analysis of data on trade policies and their impact, the facilitation of knowledge sharing, and the development of guidelines. Funding for such activities needs to be secured;
 - provision of information on existing Aid-for-Trade instruments and expertise; and
 - matching and brokering unfunded TRA-needs and available donor funding for such projects and programs.
- Assign responsibility for these functions. In doing so, priority should be given to improving and strengthening existing mechanisms before considering the establishment of a new clearing house at the global level.

But the Task Force does not assign responsibility for these clearly to a specific organization. Its only specific recommendation (section G) was, “after the completion of the DDA, that the Secretariat conduct an assessment of associated Aid-for-Trade needs in developing countries, particularly those most affected, including LDCs, and of how Aid for Trade can contribute to the development dimension of the DDA.”

Finally, there is to be monitoring of aggregate Aid for Trade at country, regional, and global level, by the various institutions involved, by donors, and by countries (and also by the private sector, although the mechanism for this is not explained). The OECD Development Assistance Committee (DAC) will supply data using definitions revised to be consistent with those proposed here for Aid for Trade). These will report to a ‘monitoring body in the WTO’, with the possibility of requiring notification from member countries, all leading to an annual debate in the WTO General Council. The General Council is to ‘give political guidance on Aid for Trade’. At the country level, there would be reviews in-country and by the WTO Trade Policy Reviews (section F.6).

Although the Trade Policy Reviews would assess donor and recipient performance, it is never, of course, the function of the TPR to determine compliance with WTO commitments (much less, non-WTO commitments). But it is its function to provide the information on which such judgments can be made. A country being reviewed could use its response to the Secretariat TPR report to draw attention to any gaps in funding relative to what it had anticipated, and, if appropriate, relative to what had

been identified as necessary for it to comply with WTO requirements on Trade Facilitation. This would then be discussed by the Trade Policy Review Body (equivalent to the General Council, but meeting to discuss a TPR). It could also be raised in the General Council meeting to discuss aggregate Aid for Trade.

The General Council discussion does not, on these suggestions, have an explicit function of approving or censuring performance. It might ask the Director General and the Secretariat to include in the annual report on trade a chapter on the level, direction, and types of trade-related aid. This would, like the Trade Policy Reviews, allow users to reach their own conclusions on whether the aid was sufficient and appropriate to meet the commitments made.

The Task Force argued (section G) that “Aid for Trade is important in its own right.” But the General Council view of Aid for Trade as “an important element in the Doha Development Agenda” (WTO General Council 2006) probably helps to explain why the recommendations were not approved in July. The report of the Director General to the December 2006 General Council, however, took it for granted that Aid for Trade will go ahead.

Assessment

The set of recommendations from the Task Force does not fully cover all the problems and needs identified in this paper, and it does not provide the legally enforceable reciprocal commitments that would make Aid for Trade a full part of the WTO system. But the establishment of a mechanism to identify and find funding for unmet aid needs and the strong role of a non-Aid agency, the WTO, in monitoring aid performance go far beyond any previous aid programs. If countries and the international agencies are all committed to a coherent international system, including a contribution of aid to promote greater trade, and where trade in turn is regarded as an important contribution to development, the proposals by the Task Force may be sufficient to ensure that the World Trade Organization can monitor the establishment and functioning of an effective system of Aid for Trade.

The Task Force justifies the role of the WTO in Aid for Trade in terms of the ‘coherence mandate’ (section H). It will be important that the international financial agencies, in particular the World Bank, also take coherence seriously. The IMF has done this with its Trade Integration Mechanism, but the World Bank has not yet altered its position that it has no responsibility for WTO-related needs.

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