

**NORTH SOUTH
ROUNDTABLE
ON
TRADE
IN
SERVICES**

**A Summary of the 3rd Meeting of the
North South Roundtable on Trade
Prepared by Professor Gerald K. Helleiner**

Geneva, November 6-7, 1987

NORTH SOUTH ROUNDTABLE

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PREFACE

Over the next decade, no global economic issue is perhaps as important as the liberalization of world trade. A sustained world economic recovery depends on a progressive freeing of the world markets from the protectionism and trade constraints which became the unfortunate distinction of the 1970s. For the developing world, a more liberal trading environment is likely to confer better and more permanent benefits than progress on any other global issue -- say, for instance, an increase in foreign assistance. For indebted economies, an increase in trade is the only feasible way of repaying their mounting debts. There are some recent indications that national and international decision makers are finally catching up with the central importance of global trade issues. Progress made at the Punta del Este deliberations in September 1986 is indeed encouraging. There is a commitment to a Uruguay Round of global trade talks, to be completed within the next four years.

However, the difficult journey has just begun. It is going to be an enormously complicated task to harmonize the conflicting interests of over 150 nations of the world and to reach sensible compromises which advance global interests while at the same time protecting some of the entrenched bilateral interests. Global negotiations are generally successful when they set out to seek not the ideal, or even the optimum, solutions but the most feasible and accepted ones.

It is in this spirit that the North South Roundtable decided to organize a special roundtable so that elements of a global consensus can be identified through a process of progressive dialogue in this vital field, in much the same way as the NSRT succeeded earlier in forging an unofficial global consensus in the fields of energy, food, adjustment with growth and human development, and the African problem. Twenty-five leading personalities and prominent experts having knowledge and experience in trade issues and broadly representative of the countries of the North and the South were invited by the Chairman of the North South Roundtable to become members of the Trade Roundtable. A preparatory meeting was held in Geneva on July 4-5, 1986 to decide on the agenda and the work program of the Trade Roundtable over the following two years

The first substantive meeting of this roundtable was held in London in cooperation with the Commonwealth Secretariat on December 14-16, 1986. After reviewing the GATT Ministerial Meeting at Punta del Este, Uruguay, the North South Trade Roundtable held a candid discussion of "traditional" GATT issues which included reestablishment of GATT principles with special reference to the export trade of developing countries; differential and more favorable treatment for developing countries; and improving monitoring, surveillance and dispute settlement. The statement of that meeting, entitled **Seizing the Trade Chance** in '87: Proposals for Early Action in the Uruguay Round, was published by the NSRT and was disseminated widely.

The Trade Roundtable held its second substantive session in Geneva on November 6-7. This session was focused on the negotiations on trade in services. The participants addressed the following key issues:

- How do we define services for the purpose of multilateral trade negotiations? Do we narrowly define these to include only banking, insurance, transporter data flows etc., or do we use a broader definition to include temporary mobility of skilled and unskilled labor across international borders?
- What might be the developing-country specific gains and losses from trade in services? How are the overall gains and losses likely to be distributed between developed and developing countries? How can they be balanced?
- Should negotiations on trade in goods be linked to those on trade in services? What are the alternative approaches to advancing negotiations on both without linking them?
- What would be the most practical strategy and the optimum package for negotiations on services for the developing countries?

Thirty-eight national and international policy makers, academics and negotiators in the Uruguay Round attended the meeting in their personal capacities. Background papers prepared specifically for both substantive sessions of the Trade Roundtable are being edited by NSRT and will be published in a forthcoming volume.

The following summary of discussions was drafted by Professor Gerald K. Helleiner with assistance from rapporteurs Professors Winston Fritsch, Deepak Nayyar and Paul Streeter. It was presented at the last session, reviewed by the participants and revised by Professor Helleiner in the light of comments received. However, as the subject matter is extremely controversial, the participants agreed to present this report only as a summary of the discussion, not as a statement.

The North South Roundtable wishes to express its grateful thanks to the GATT Secretariat, especially Mr. M. G. Mathur, for providing the conference facilities, and to the GATT staff for organizing the meeting so efficiently. Special mention must be made of Mrs. Moira Redecker for her warm and friendly assistance. Our heartfelt thanks go to Professor Gerry Helleiner and his distinguished team of rapporteurs. We are most grateful to the participating ambassadors to the U.N. and to GATT in Geneva, who brought to the meeting their practical negotiating experience. The interaction between them and the academics led to a very rich and exciting debate. We thank Sidney Dell, M. G. Mathur and Kenneth K. Dadzie for chairing the various sessions. Finally, we thank all the participants and observers for attending the meeting and contributing to its success. The intellectual effort of all of them is our only permanent renewable resource.

Khadija Haq
Islamabad
November 26, 1987

MAJOR ISSUES

The third meeting of the North South Roundtable on Trade was devoted exclusively to a review of the general issues of international trade in services and of the specific progress to date of the Uruguay Round's Group Negotiation on Services (GNS). Following are the major issues addressed by the participants.

1. Definition and measurement: A common definition of trade in services does not yet exist. However, since such trade often involves the international exchange of labor and/or capital, these exchanges will need to be defined and regulated within a mutually adopted multilateral framework. In order to measure the volume of trade in services, much work needs to be done in developing statistical conventions and classification systems to collect and analyze data at an appropriate level of desegregation, since the present data bases (national income and balance-of-payments accounts) are insufficient.

2. Trade in services vs. trade in goods: International factor movement (labor movement, foreign direct investment, or both) has not previously been addressed in international trade negotiations, and it raises a host of new issues. While some transporter transactions take place at arms-length and can be addressed as such, others take place on an intra-firm basis, raising difficult issues regarding the international distribution of gains. Trade in services can also be influenced by certain types of national government regulations which leave goods trade relatively

untouched. Whether or not such differences in goods and services trade will require non-GATT policy approaches, it is clear that predictability of trading conditions is a desirable objective.

3. **GATT principles and services trade.** GATT rules and principles, derived in a context of trade in goods, may be an inappropriate conceptual basis for a multilateral framework for trade in services. Some industrialized countries propose to extend the concept of "national treatment" from products to producers. Other countries question whether GATT's traditional focus on market access will encompass the full range of their concerns. The solution may be in such alternatives to traditional GATT approaches as the U.N. code on liner shipping, which provides for equal opportunity to countries at different levels of development, or the Chicago convention on civil aviation, which provides a skeleton multilateral framework within which bilateral agreements are negotiated.

4. **Services, growth and development:** There is much debate about the role in development of services and trade in services. Issues are both political and economic and include, among others, debate on the efficacy of reliance on market forces, the effects of government intervention, and the extent of "liberalization," which has been proposed only selectively by its advocates. In the absence of agreement on such issues, once again, predictability of the conditions governing international trade seems to be a more attainable objective than either "liberalization" or a universal framework governing trade in services. However, there is widespread appreciation of the potential role in development of trade able producer services, particularly in the information and telecommunications sectors, and interest in assessing the potential for services exports from developing countries, including labor-intensive services.

5. **Country-specific approaches to trade in services:** While political, cultural and economic differences among countries preclude the development of prescribed, uniform policies for trade in services, general rules may be framed to guide policy and provide for change if appropriate in the directions of predictability, equity, efficiency and mutually beneficial development.

6. **Sector-specific approaches vs. a general framework:** While it is difficult to address the question of international agreement and discipline, preferential treatment, and other general proposals when there are so many sources of disagreement at the sectoral level (e.g., in banking, telecommunications or tourism), it may also be fruitless to address sectoral questions in the absence of an agreed general framework on services trade. The solution may be to proceed simultaneously on both fronts, although participants also expressed an interest in more detailed discussion of exclusively sectoral issues.

7. **Balance of advantage in negotiations:** The industrialized countries' position that the Uruguay Round cannot reach a successful conclusion unless there is a framework agreement on services is disputed by others who believe that the services issue has eclipsed the more crucial issue of goods trade. Any agreement on services will carry widespread support only if it is consistent with an acceptable overall balance of advantage among trading partners. The existence of separate negotiating "tracks" for goods and services need not preclude agreement on a "package" covering both goods and services. Although there are clear North-South dimensions to the issues and disputes in services trade, these issues are not exclusively North-South either at the sectoral level or at the level of general principles.

SUMMARY OF DISCUSSIONS

Negotiating objectives in this area shall aim to establish a multilateral framework of principles and rules for trade in services, including elaboration of possible disciplines for individual sectors, with a view to expansion of such trade under conditions of transparency and progressive liberalization and as a means of promoting economic growth of all trading partners and the development of developing countries. Such framework shall respect the policy objectives of national laws and regulations applying to services and shall take into account the work of relevant international organizations.

(Ministerial Declaration on the Uruguay Round, GATT, September 20, 1986)

The third meeting of the Roundtable on Trade was devoted exclusively to a review of, the issues in international trade in services, the Uruguay Round's negotiations in this sphere, and, more specifically, progress in its Group of Negotiations on Services (GNS).

Negotiations on trade in services in the Uruguay Round have succeeded in developing an agreed program. Progress has nevertheless so far been clouded by conceptual complexities and limited by serious disagreements among the negotiating parties. The presentation of a detailed U.S.

proposal to the GNS in the week preceding the Roundtable's meeting made it possible for discussions both in the GNS and the Roundtable to focus upon specific points of agreement and disagreement. Many important disagreements remain. The Roundtable on Trade, in a frank, mutually educative and useful meeting, encountered difficulties in its discussions on trade in services that paralleled those in the GNS. It did not, therefore, attempt to agree on a statement. The following is a summary of some of the main elements of the Roundtable's discussion.

Definition and Measurement

I. A common understanding of what is meant by trade in services does not yet exist. In the narrowest definition, trade in services relates only to services that are disembodied from producers and transported to consumers in much the same way as goods. Most services, however, have to be executed and delivered on the spot, and "trade" may thus necessitate international flows of labor and/or capital (see point 3). Services trade may therefore have to be defined in a wider sense. If so defined, a multilateral framework or series of agreements would have to relate not only to restrictions on trade of the type which GATT has previously addressed, but also to regulations concerning the movement of capital and labor across national boundaries.

2. The principal data bases for the services sector are at present national income accounts, which incorporate data on the production and consumption of services, and balance-of-payments accounts, which incorporate information on international transactions in services. Both provide information only at a high level of aggregation. Data relating to services transactions within or among transnational corporations are particularly scarce. Attempts to measure international trade in services, particularly at an appropriate level of desegregation, confront serious methodological and statistical difficulties. Much still needs to be done in terms of statistical conventions and classification systems. It will be essential to develop an improved information system on services, both at the national and international levels, for both the developing and the industrialized countries.

Trade in Services vs. Trade in Goods

3. Unlike goods, services are used as they are produced, and they are thus not storable and do not involve a transfer of ownership when sold. In the majority of services transactions these features necessitate proximity between the producer and the user. This in turn implies that many international services transactions require international factor mobility -- either labor movement or foreign direct investment, or both. International flows of capital and labor are substitutes for trade in goods but are frequently complementary to trade in services. International factor movement has not previously been addressed in international trade negotiations, and it raises a host of new issues. (Foreign direct investment issues have also been discussed at great length in the UNCTC.)

4. Transporter transactions in certain producer services associated with modern telecommunications and information technologies, which have grown very rapidly, do not, however, require proximity between user and provider. Some of these transactions take place at arms-length and can be addressed in the same terms as arms-length goods trade. A high proportion of this new services trade appears to take place on an infra-firm basis. The international distribution of the gains from infra-firm trade (and its liberalization) raises difficult issues that have not been addressed in GATT or as yet successfully resolved in other U.N. bodies where they have been addressed, e.g., UNCTAD and the UNCTC.

5. Services trade is also frequently influenced by types of governmental policy -- notably national regulations of various kinds -- that are not of great relative significance in goods trade. On the other hand, tariffs on services imports are infrequent.

6. Roundtable members did not agree on the degree to which the differences between goods trade and services trade might require new theories or non-GATT policy approaches. Some argued that the peculiar features of services trade do not necessitate any abandonment of the basic precepts of comparative advantage theory, or any alteration of the traditional case for liberalization of trade. There was agreement, however, that predictability of trading conditions is an important objective for services as well as goods trade.

GATT Principles and Services Trade

7. The creation of an international regime for trade in services requires a consistent conceptual framework. Some Roundtable members argued that GATT rules and principles, developed in the context of trade in goods, may be inappropriate as the conceptual basis of a multilateral framework for trade in services.

8. In particular, the concept of "national treatment," as developed in GATT in the context of trade in goods, has previously related only to product." National treatment" is now proposed by some industrialized countries, in the context of trade in services, for producers. _Wherever physical proximity between the producer and the consumer is essential, national treatment for the supplier of services requires the right of establishment. This seems to many to break new, and perhaps inappropriate, ground for GATT.

9. It was also noted that issues of access to supplies -- particularly of producer services -- frequently arise in discussion of trade in services. In this respect, GATT's traditional focus upon market access (for goods) will not encompass the full range of many countries' concerns.

10. Those expressing such concerns suggested that it may be necessary to explore alternatives to traditional GATT approaches. This may be particularly appropriate in the light of the Ministerial Declaration's emphasis upon the expansion of services trade as a means of promoting growth and development. Existing sectoral arrangements may be suggestive. For example, the U.N. code on liner shipping provides for equal opportunity to countries at different levels of development. The Chicago convention on civil aviation provides a skeleton multilateral framework of rules within which a web of bilateral agreements are negotiated.

Services, Growth and Development

11. The Ministerial Declaration launching the Uruguay Round called for a framework for services trade that promotes the "economic growth of all trading partners and the development of developing countries." The role of services and trade in services in development is not a matter for easy generalization. Economists and politicians are not uniform in their assessment of the developmental efficacy of primary reliance upon market forces. All economists recognize the theoretical and empirical possibility of various market imperfections. Most would agree that the competitive circumstances upon which static efficiency is believed to depend are therefore not always attained via laissez-faire policies. Moreover, they also all recognize the theoretical inadequacies of static efficiency criteria in the analysis of growth and development possibilities. Differences, if any, usually arise primarily in their pragmatic analyses of the true rationale and the effects -- actual or potential -- of governmental interventions in particular countries, in particular periods, or in general.

12. Where there are often fundamental differences as to the developmental efficacy of markets as against that of governments, one cannot expect agreement on the gains from trade, or the appropriate role of government policies on trade in either goods or services, for the promotion of development. The enormous variety of services, to which there is constant reference, further complicates this question. The industrialized countries advocating "liberalization" of international trade in services have not suggested that this is appropriate in all service sectors in all countries, nor did any members of the Roundtable. There seemed to be agreement that predictability of the conditions governing international services trade was a more attainable objective than their liberalization, but there was no agreement on the appropriate nature -- or even the desirability -- of any universal framework governing trade in services.

13. Such disagreements notwithstanding, there was widespread appreciation of the major potential role of trade able producer services -- particularly in the information and telecommunications sectors -- in the development of trade in goods, and indeed, in the overall future development of developing countries. The best means for developing countries of different sizes and at different stages of development to acquire reliable information and telecommunications services at low cost will undoubtedly merit continuing study. There was also considerable interest in more detailed assessments of the potential for international trade in labor-intensive services, particularly those exportable from developing countries to industrialized countries or to one another, and in other potential services exports from developing countries.

Country-specific Approaches to Trade in Services

14. Each country's growth and developmental circumstances are in many respects a unique product of its own history, politics, economic structure and culture. The current and potential roles of services and international services transactions in the growth and development process, therefore, vary from country to country, among and between both industrialized and developing countries. Nor do these roles remain unchanged within an individual country as development progresses and/or exogenous influences intrude upon normal domestic processes of change. It follows that neither domestic policies nor international rights and obligations can be prescribed in a uniform way for all countries and time

periods. In any case, it was generally agreed that each country has the sovereign right to regulate its own services industries.

15. The variety of national circumstances and the inappropriateness of uniform policy approaches does not preclude, however, the development of universal international approaches. General rules may be formed which, in their specific application to particular countries of differing characteristics, are reflected in different policy requirements. An effective multilateral framework for international trade in services would have to indicate not only general principles and rules for this trade but also the conditions governing the means for their application in specific countries and sectors, and provisions for their change if appropriate. Predictability, equity, efficiency and developmental objectives might all be furthered by such a universal, but not uniform, application of agreed rules.

Sector-specific Approaches vs. a General Framework

16. This Roundtable spent most of its time in discussion of general approaches to production and trade in services. Very little attention was devoted to the specific problem areas and sources of international disagreement at the level of particular sectors such as banking, telecommunications or tourism. Until one addresses the issues relating to international transactions in specific sectors, it is difficult to come to grips with such matters as the availability of relevant existing international arrangements and disciplines; the meaning and relevance of national treatment, rights of establishment, most-favored-nation treatment and other suggested principles; or the need for differential requirements for differential circumstances.

17. On the other hand, to attempt to develop agreed international approaches to particular services sectors in the absence of any agreed general framework into which they can fit could also be fruitless. There is undoubtedly advantage, if this is possible, in trying to develop general approaches simultaneously with specific sectoral ones, thereby iterating the way toward pragmatic resolution of highly varied sectoral issues. Only if there appeared to be fundamental disagreement over general principles should an exclusively sector-by-sector approach be considered. Even then, the prospects of achieving agreement on rules for more than a few sectors would probably be slim. Participants nevertheless expressed an interest in further, more detailed discussions of sectoral issues.

Balance of Advantage in Negotiations

18. It was pointed out that some industrialized countries have stated that the Uruguay Round cannot reach a successful conclusion unless there is a framework agreement on services. Neither all the negotiating parties in the Round nor all the Roundtable members agree that this condition should be necessary, or that such an agreement is inherently desirable. Many argue that the services issues have received more attention than they merit, and that the goods trade issues are the more crucial to resolve.

19. If there is to be such an agreement on services, it can carry widespread support only if it generates or is consistent with an acceptable overall balance of advantage. Such a balance can be sought within the realm of services trade in the GNS via provisions for the liberalization of labor-intensive services trade; exemptions or special provisions for "sensitive" or "infant" services; differential and more favorable treatment for developing countries, and the like. Alternatively, although the Uruguay Round was launched on the explicit understanding that services trade was to be negotiated on a separate "track" from goods trade, and many developing countries insist on adherence to this approach, it can be sought at a more "global" level, in a package agreed for both goods and services in the Round as a whole.

20. Although there are clear North-South dimensions to the search for an appropriately balanced package for services in the Uruguay Round, the issues and disputes in services trade are not exclusively North-South in character either at the sectoral level or at the level of general principles.

APPENDIX I

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OBSERVERS

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APPENDIX 11

Papers Distributed at the Session

[Papers marked with an asterisk (*) will be published by NSRT in a forthcoming volume.]

Jagdish N. Bhagwati, "Trade in Services and the MTN," paper presented at the World Bank/Thailand Developmental Research Institute Conference on the Role and Interests of the Developing Countries in the Multilateral Trade Negotiations, Bangkok, 1986.

Commonwealth Secretariat, "Services in the Uruguay Round."

* Sidney Dell, "Policy Issues in Services."

* Winston Fritsch, "Problems in Assessing Country-specific Gains from Liberalization of International Services Transactions: A Note to the NSRT."

* GATT, "The Uruguay Round and Trade in Services."

* G. K. Helleiner, "Trade in Services and the Developing Countries Negotiating Approaches."

* Jamaica Position Paper, "The Uruguay Round and Trade in Services".

* Deepak Nayyar, "The Uruguay Round and Trade in Services".

* Ole David Koht Norbye, "Trade in Services versus Goods in Some Developing Countries."

Sylvia Ostry, "Interdependence: Vulnerability and Opportunity," The Per Jacobsson Lecture, Washington D.C., 1987.

* Horst Schulmann, "International Trade in Banking Services."

Joan Edelman Spero, "The Information Revolution and Financial Services: A New North-South Issue?", paper presented at the TIDE 2000 Conference on Telecommunications, Information and Inter-Dependent Economies, Tokyo, 1985.

• Paul Streeten, "Gains and Losses to Countries from Trade in Services."

* Kenneth K. Dadzie, "Statement to the North South Roundtable on Trade."

U.S. Position Paper on Trade in Services.

APPENDIX III

North South Roundtable Publications

Books(paperback)

Human Development, Adjustment and Growth, ed. Khadija Haq and Uner Kirdar, 1987, 326 pp.

The Informatics Revolution and the Developing Countries, ed. Khadija Haq, 1986, 127 pp.

Human Development: The Neglected Dimension, ed. Khadija Haq and Uner Kirdar, 1986, 446 pp.

The Lingering Debt Crisis, ed. Khadija Haq, 1985, 271 pp.

Adjustment With Growth: A Search for an Equitable Solution, ed. Khadija Haq and Carlos Massad, 1984, 336 pp.

Crisis of the '80s, ed. Khadija Haq, 1984, 317 pp.

Global Development: Issues and Choices, ed. Khadija Haq, 1983, 231 pp.

Energy for Development: An International Challenge, by John Foster, Efrain Friedmann, James W. Howe, Francisco R. Parra and David H. Pollock, 1981, 257 pp.

Roundtable Papers

Dialogue on Energy in Latin America (Roundtable Paper 9), ed. Khadija Haq, 1985, 120 pp.

Cancun: A Candid Evaluation (Roundtable Paper 8), by Roundtable Members, 1982, 88 pp.

Dialogue on Energy: Report of NSRT Missions to Kenya, Sudan, Tanzania, Bangladesh, Pakistan and Sri Lanka (Roundtable Paper 7), 1984, 110 pp.

Food Security for People and Nations (Roundtable Paper 6), by Hossein Ghassemi, Khadija Haq, Dale Hill and Martin McLaughlin, 1982, 76 pp.

A Global Agenda for the Eighties (Roundtable Paper 5), ed. Khadija Haq, 1981, 128 pp.

Energy and Development: Policy Issues and Options (Roundtable Paper 4), by John Foster, Mahbub ul Haq and Francisco Parra, 1981, 98 pp.

Energy and Development: An Agenda for Dialogue (Roundtable Paper 2), by Salah Al-Shaikhly and Mahbub ul Haq, 1980, 25 pp.

Beyond the Brandt Commission (Roundtable Paper I), ed. Khadija Haq, 1980, 95 pp.

Reports

North South Roundtable on Trade in Services, Summary of the 3rd Meeting of the Roundtable on Trade, 1987, 25 pp.

Budapest Statement on Human Development in a Changing World, Report of the 3rd session of the Roundtable on the Human Dimension of Development, 1987, 31 pp.

Tokyo Statement on the Informatics Revolution, Report of the 2nd session of the Roundtable on the Informatics Revolution, 1987, 19 pp.

Seizing the Trade Chance in '87: Proposals for Early Action in the Uruguay Round, Report of the 1st Session of the Roundtable on Trade, 1987, 29 pp.

On the Progress of African Recovery, Report of the NSRT Consultation in Bommersvik, Sweden, 1987, 37 pp.

Salzburg Statement on Adjustment and Growth with Human Development, Report of the 2nd Session of the Roundtable on the Human Dimension of Development, 1986, 23 pp.

Beyond the Famine: New Directions in Development, Report of the Africa Regional Roundtable in Nairobi, 1986, 16 pp.

Beyond the Famine. New Directions in Development, Report of the Sudan National Roundtable in Khartoum, 1986, 25 pp.

Statement of the Roundtable on Money and Finance, Report of the 4th Session of the Roundtable on Money and Finance, 1986, 45 pp.

The Informatics Revolution and the Developing Countries, Report of a Consultative Meeting, 1985, 22 pp.

Istanbul Roundtable Statement on Development: The Human Dimension, Report of the 1st Session of the Roundtable on the Human Dimension of Development, 1985, 24 pp.

Report of the North South Food Roundtable on the Crisis in Africa, 1985, 37 pp.

Vienna Statement on World Monetary, Financial and Human Resource Development Issues, Report of the 3rd Session of the Roundtable on Money and Finance, 1984, 20 pp.

Statement from Santiago, Report of the 2nd Session of the Roundtable on Money and Finance, 1984.

Statement from Istanbul, Report of the 1st Session of the Roundtable on Money and Finance, 1983, 40 pp.

The Oiso Declaration, Summary Report of the 4th Annual NSRT Session, 1982, 17 pp.

Castelgandolfo Report on Renewable Energy: Policies and Options, Report of an Expert Group Meeting, 1981, 25 pp.