

TOWARDS A MULTI-STAKEHOLDER FORUM ON BANANAS

Paper prepared by the organisers of the second International Banana Conference: the European Banana Action Network (EUROBAN), the Latin American Banana Workers' Union Coordination (COLSIBA), the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), the Association of Caribbean Farmers (WINFA) and the U.S. Labor Education in the Americas Project (US LEAP)

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Introduction

On April 28-30th 2005, a second International Banana Conference (IBC II) was organised in Brussels with representatives from all the major stakeholders in the sector: exporting and importing governments, producers from all the principle exporting countries, plantation trade unions, all major banana companies, retailers, international institutions (ILO, FAO, UNCTAD) and civil society organisations, including fair trade, human rights and consumer organisations.

In the declaration coming out of the conference, participants welcomed the initiative taken by the organisers to convene this second International Banana Conference and called on governments North and South to support the development of a permanent multi-stakeholder forum for the industry to find ways of tackling the current social, economic and environmental issues facing all players along the banana chain from field to fruit-bowl. Participants agreed that a proposal

should be presented to all producing and consuming governments at the next session of the FAO Inter-governmental Group (IGG) on Bananas and Tropical Fruit.

This paper is an attempt to provide government participants at the 2006 IGG conference with an overview of the negative trends in the industry - the consequences of the so-called 'race to the bottom' - and the reasons which have led all players in the industry to come together and call for such an initiative. The paper looks at the key issues for consideration in the development of such an international forum, but does not set out to define either the objectives or the decision-making and voting procedures, which are left for the members of the forum to be determined in future discussions between all stakeholders, including representatives of governments and international institutions, the private sector and civil. The structure, form and themes of this forum will also have to be defined collectively.

The analysis begins with a summary of the changes that have occurred in the industry since the beginning of the 90s, the causes of the 'race to the bottom' and an overview of its main economic, social and environmental impacts for operators in the international market. It continues with the considerations of the participants in IBC II about who should be part of such an initiative. The paper concludes with a proposal summarising the views of the civil society organisations which co-organised the International Banana Conferences in 1998 and 2005. This proposal should not pre-empt the outcome of any future discussions among the stakeholders represented in this forum. It is designed to stimulate a constructive debate at the FAO IGG 4th session.

The following analysis and conclusions are drawn from the organisers' and the participants' declarations of the second International Banana Conference. The proposals are based on discussions in the workshop sessions. The original "Organisers' Statement" and "Declaration of the Participants" are available online at www.ibc2.org

I. THE 'RACE TO THE BOTTOM' IN THE BANANA INDUSTRY: MAIN ISSUES AT STAKE AND CONSEQUENCES FOR KEY-STAKEHOLDERS

The decade of the 1990s began with an expansion of the international banana economy, especially in Ecuador and Costa Rica. These two Latin American countries have become the two biggest banana exporters, together accounting for well over half of the international trade. To a lesser degree, there was also a banana expansion in Colombia and West Africa, as well in Belize, the Philippines and in the Dominican Republic. But the decade has come to an end with a dramatic reduction in the area planted in the second and third (Colombia) biggest exporters, the direct result of a 'global' overproduction crisis.

Since 1999, a 'price war' among exporting countries has shifted the geopolitics of banana production and trade and affected the livelihood of all the people¹ involved directly in earning their living from it. The banana industry is witnessing a 'race to the bottom' in both prices and social and environmental conditions (i.e. a downward spiral in social and environmental conditions, linked to a fall in prices paid to producers). Within the industry, the balance of power has shifted: the concentration of power at the top of the chain means that it is the retailer who is, in effect, increasingly setting the economic terms of trade with producers as well as the 'quality', environmental and sometimes social standards to which they must work if they want to keep their outlets.

¹ 500,000+ banana plantation workers and 50,000 or so small- and medium-scale producers - spread from the Philippines via the Caribbean Basin and South America to West Africa and, increasingly, South East Asia

The main consequences of the increased competition, as assessed by the organisers of the IBC II², are:

1. Structural overproduction in the international market, coupled with the accelerated search for a cheap banana by big retailers and the consequent pressure on production and producers, is creating a situation of permanent crisis for the workers, producers and, increasingly, for the marketing companies.
2. The downward spiral in buying prices has been passed on to the men and women working on the plantations and to small producers. It has been directly responsible for migrant and/or contract workers displacing permanent local jobs and has led to increased poverty in most banana exporting communities. In many cases this has led to a deteriorating quality of life for workers and small farmers, and to severe health and environmental damage.
3. The shift of banana companies from 'higher cost' countries and the expansion of banana production for export in 'low cost', non-unionised areas of Latin America, Africa and Asia is putting further pressure on wages and working conditions worldwide.
4. As wages fail to keep up with the cost of living, there is increasing employment of under-age workers, forcing school-age children to seek work on plantations.
5. Women farmers and workers have been particularly affected. For many years women have played an important role in the industry and made a crucial contribution to banana communities, especially as in many cases they are heads of households; but often their specific problems are not taken into account by the industry, their voices not heard and their rights as women are not respected. Over the last decade, there has been a rapid decrease in the hiring of female labour in several countries and companies, a clearly discriminatory practice, given women's repeatedly demonstrated skills in all aspects of production.
6. The rights to organise freely in independent trade unions and to bargain collectively with employers have still not been applied effectively in most producing countries. Mechanisms should be established as a matter of urgency to ensure that the right of each and every working man and woman in the production chain - to enjoy trade union freedom and participate in finding social, environmental and commercial solutions for problems facing the industry - is respected and actively promoted. All agreements and contracts in the sector should therefore contain clauses concerning the respect of workers' rights and trade unions' right of access to plantations³.
7. The International Labour Organisation (ILO) conventions are often poorly enforced by governments. This results in failure to guarantee the freedom to organise and to ensure protection of the right of trade unions to operate. There is an urgent need to ensure the enforcement of all relevant ILO conventions and for all suppliers and sub-contractors of bananas to the international market to be obliged to comply with them. To assist with giving

² The coalition organising the conference consists of EUROBAN (the European Banana Action Network), a pan-European alliance of trade unions, environment and development NGOs and fair trade organisations; COLSIBA (the Coordinating Centre of Latin American banana workers' unions); WINFA (the Association of Caribbean Farmers, based in the Windward Islands); the IUF (International Union of Food, Agricultural, Restaurant, Catering, Tobacco and Allied Workers' Unions); and the US Labor Education in the Americas Project (US/LEAP).

³ For further information on the contribution of agricultural workers and their trade unions to sustainable development issues, see the report by FAO/ILO/IUF:

<http://www.ilo.org/public/english/dialogue/actrav/new/061005.pdf>

effect to the ILO Conventions, it is crucial that banana workers' trade unions be guaranteed access to plantations. This would also ensure that the union can participate in assessments of compliance with these Conventions.

8. Deregulated labour policies and sub-contracting are issues which need to be solved through collective bargaining. Negotiations between the parties should be the norm, rather than standards and/or rules being imposed to the detriment of the weakest party – the workers themselves and their organisations.
9. Voluntary social and environmental responsibility initiatives, including corporate codes of conduct and other corporate-led initiatives, have not managed to gain the credibility and build the trust needed to solve the social, employment and environmental issues surrounding banana production. These initiatives were never intended to replace governments and unions in securing the protection of labour rights in plantations. The ethical behaviour of companies should not be solely determined by voluntary compliance or by unilaterally declared policy statements, but should be negotiated bilaterally or multilaterally, with the participation of recognised trade unions⁴ at all levels. Trading companies and retailers should include clauses in their contracts that make it legally possible for them to break contracts when it is established that a violation has occurred.
10. All producers should receive a fair price for their product covering the costs of production - including living wages for their employees, decent working conditions and social welfare contributions, plus a reasonable profit margin. Every worker in the chain should receive a living wage, in accordance with the costs of living of the country in which s/he lives; at present, wages paid to plantation workers and the prices paid to small farmers are insufficient to maintain a decent standard of living.
11. Environmental and occupational health issues are far from being resolved, despite a few improvements; many areas still suffer the effects of production which respects neither the environment nor people; mono-crop dependency and genetic vulnerability, coupled with continuous pressure to increase productivity, require systems of production – including the application of highly toxic products - which continue to damage human health and lead to permanent damage to water-courses, the marine and coastal environment, fisheries, soils and biodiversity.
12. Thousands of small producers – both men and women – have entered the industry in different regions of the world over the last few decades to meet an increasing demand in the consumer countries, but unfair competition and pricing practices have led many to abandon production. Small farmers are facing greater uncertainty than ever about their future and face the threat of worsening living conditions for their families. Many more could be forced out of the industry and into a trap of poverty, drugs and social instability unless appropriate supportive policies for this kind of production are put in place.
13. The EU, the world biggest importer of bananas, remains today the only major managed market in the international banana trade. This has made it the centre of controversy, at the heart of several WTO cases, and preparations are under way for the transition to a single tariff regime in the European Union. Whilst recognising that some aspects of the current EU banana import regime have been declared incompatible with a strict interpretation of WTO rules, and acknowledging that it has been unable to halt a deterioration of conditions faced by workers and farmers, the policy pursued since 1993 has nevertheless meant higher and more

⁴ IUF/UITA and COLSIBA can provide details of unions to be contacted in each banana country/region.

stable prices inside the EU, and has prevented a total collapse of the industry in many exporting communities. It is feared that an EU tariff-only regime proposed for 2006 will generate more instability in the industry, lead to the bankruptcy of thousands of small producers, the displacement of tens of thousands of workers and an increase in poverty in many of the producer countries and regions.

II. MAIN PROPOSALS AND RECOMMENDATIONS COMING OUT OF THE SECOND INTERNATIONAL BANANA CONFERENCE

Acknowledging the negative impact of this ‘race to the bottom’ for almost all actors in the banana industry, participants in the Second International Banana Conference:

Permanent banana forum

14. **CALL** for increased co-operation and co-ordination amongst stakeholders in the banana chain.
15. **CALL** on all parties to promote bilateral and multilateral dialogue between the different actors leading to joint agreements between banana companies, trade unions, farmers’ organisations, supermarkets, development co-operation agencies, NGOs and fair trade bodies and companies; these dialogues and possible agreements should reflect the common interests of men and women workers, farmers and consumers.
16. **CALL** on governments and international institutions to support and facilitate this process.
17. **PROPOSE** that: a multi-stakeholder forum should be created to find ways of tackling the social, economic and environmental issues in the industry. A permanent forum for the industry would: improve communication and information exchange between all operators in the industry; encourage trust-building along the food chain; and offer a structure in which to continue discussions started at the two International Banana Conferences by working towards solutions. The idea for this forum should be presented to the governments at the next session of the Inter-Governmental Group (IGG) on Bananas and Tropical Fruit. The forum should also explore the feasibility of an International Banana Agreement with a social and environmental chapter in order to address structural overproduction and endemic low prices, and to promote sustainability.
18. **INSIST** that this process be about participation by - rather than just consultation of - stakeholders, and be owned by all.

Trade union rights

19. **AGREE** that the rights to organise and bargain collectively, as set out in ILO Conventions 87 (Freedom of Association and Protection of the Right to Organise, 1948) and 98 (Right to organise and bargain collectively, 1949), are key tools to ensure decent wages and safe working conditions. These rights should be implemented and enforced by governments and respected by national and transnational companies including through framework agreements.
20. **PROPOSE** that governments of both producer and consumer countries support public programmes to enforce international labour standards; such programmes should develop structures at national and local levels to undertake the periodic monitoring of compliance

with conventions and ensure that complaint procedures are accessible to all workers and handled efficiently; these should be supported by grassroots organisations, thereby ensuring greater understanding of how to implement, manage and enforce international standards and local legislation. In order for this to happen, the business sector needs to convey to governments that such programmes are welcome and will not lead to relocation.

Occupational health, safety and environmental issues

21. **WELCOME** co-operation between workers defending their rights to a safe and healthy work environment and a number of scientific institutions and individuals who are carrying out important research; this collaborative research has already produced positive results, as in the case of the company which stopped using the insecticide *chloropyrifos* in its plantations in Honduras and Guatemala. Ending the use of high-risk products is an important step forward.
22. **CALL** on government, research institutes, companies and other appropriate organisations to design and implement research & development programmes to improve occupational health and safety and environmental impacts in banana production. Health and safety committees, trade union safety representatives and worker and farmer training and empowerment are essential for implementing improvements.
23. **PROPOSE** that governments and research institutes design and implement research & development programmes to find effective measures for the prevention of occupational and environmental risk in banana production; and to implement education and empowerment programmes with workers in health, safety and environmental issues.

Small producers

24. **WELCOME** the efforts of fair trade bodies which have for a number of years been making a considerable contribution to the improvement of market access and conditions through a significant differentiation in the product and higher producer prices, taking into account the social and environmental factors involved in the production and marketing of the fruit; this is a significant advance in the way that trade is carried out and understood.
25. **REGRET** the insufficient attention being paid to the specific problems of small producers in general, and Caribbean banana producers in particular, and the fact that banana exports and incomes are declining rapidly in the whole Caribbean (apart from the Dominican Republic); and regret the lack of proper solutions to enable them to retain market access and avoid the trap of poverty, drugs and social instability.
26. **PROPOSE** that governments and international institutions promote programmes which benefit small producers through stable or increased markets for their produce, including through fair trade. Fair contracts and access to credit should also be ensured. Training should be provided to help small farmers increase their productivity, cut their costs and engage in environmentally friendly production.

Supermarkets

27. **REGRET** that the pressure which some supermarkets have put on banana prices in their efforts to compete with their rivals in national markets like the UK or Germany is translating

directly into cuts in wages and benefits for the men and women working in plantations and into the abandonment of plantations; similarly, thousands of small producers in different countries have been forced into bankruptcy.

28. **WELCOME** the interest on the part of some retailers to support collaborative studies and research projects tackling social and environmental problems in producing countries and regions; what has been achieved to date is certainly not enough, but is an example for others to follow.
29. **PROPOSE** that supermarkets should guarantee fair prices that ensure a dignified life for small farmers and workers and reflect the real social and environmental costs of banana production. Long-term sourcing commitments are useful in this respect. They should also ensure that accurate information is given to consumers on the way products are produced.
30. **PROPOSE** that supermarkets multiply examples of good practice in supplier relations by collaborating with trade unions and other civil society organisations over action-research on achieving full compliance with the highest international and national social and environmental standards in banana production and trade.
31. **PROPOSE** that the EU and USA investigate ways of developing their competition laws so that these can be used to limit the negative impact of the growth of supermarket buyer power and prevent the manipulation of retail prices in ways unrelated to real market conditions.

Consumers

32. **WELCOME** the support of some consumer country governments in raising consumer awareness and in facilitating closer contact among those involved in the banana production and marketing chain; this helps open spaces for dialogue, create markets for bananas produced under fairer conditions and promote greater participation in the industry by trade unions, small farmers, NGOs and civil society in general.
33. **ACKNOWLEDGE** that a growing number of consumers consider other factors other than just price: they do not want the fruit they buy to be associated with child labour, exploitation of adult workers, increasing poverty in the producing communities and irreversible environmental degradation; in some countries, this sector of ethical consumers is fast becoming the majority.
34. **CALL** for consumer education campaigns to be initiated in order to increase understanding that prices should promote sustainability, i.e. cover the social and environmental costs of banana production, including living wages and decent livelihoods for workers and small producers.

Voluntary Initiatives

35. **WELCOME** the bilateral framework agreements signed in recent years between some producer companies and trade unions and the efforts made by some companies to carry out research into reducing risks associated with the use of agrochemical products to human health and the environment and into generally producing a more environmentally- and people- friendly banana. These have brought positive results, creating space for building a

fruitful dialogue based on mutual respect and are of undoubted benefit to both workers and businesses.

36. **INSIST** however that voluntary codes and certification schemes should not be a substitute for labour legislation and enforcement. They should ensure rigorous compliance with established international labour rights through independent expert assessment and verification. Trade unions should participate in the monitoring of such initiatives.

Trade policies

1. **CALL** on all government members of the WTO to insist that the policies governing the banana trade be consistent with the concept of sustainable production of bananas, taking into account differences in the costs of production and productivity occasioned by small farm production as opposed to plantation production. A managed market is therefore seen as the most practical option and should be strengthened by competition policies governing the behaviour of transnational corporations and retail chains, in order to ensure that a more reasonable share of value accrues to banana producers.
2. **PROPOSE** that government of consuming countries which have maintained managed markets (e.g. EU, Japan and China) explore the feasibility of 'recycling' banana tariff income into an international investment fund for sustainable production.
3. **PROPOSE** that national governments North and South, the World Trade Organisation and UNCTAD consider further developing the proposal for differentiated tariffs put forward by the conference organisers; this proposal represents an effort to take into account the human and environmental dimensions of production and trade, rather than seeing trade as just the exchange of products.
4. **PROPOSE**, as the civil society participants insisted, that the nine governments (i.e. the Most Favoured Nation suppliers) which have requested arbitration, together with the ACP suppliers, give priority to the process of negotiation, both amongst themselves and with the EU, in order to find consensus over reform of the EU banana regime; this should include the participation of civil society actors represented in this conference.
5. **RECOMMEND** that *before* any import policy change is implemented, the European Commission undertakes a comprehensive evaluation of the existing banana import regime and its impact on poverty, income, wages, the environment, levels of development in all exporting countries, incorporating a gender analysis to these.

III. KEY CONSIDERATIONS

The organisers of second International Banana Conference (IBC II) are currently initiating consultations to explore the form such a forum could take, as well as the framework of principles on which it would be founded and would function. Summarised below are some key considerations, which representatives from the private sector and civil society have highlighted in discussions at IBC II.

1. The forum will need to focus on one commodity only (fresh bananas in international trade) and to be more than a simple electronic forum, enabling stakeholders to meet physically at

regular intervals (ideally every two years; ‘back-to-back’ with FAO IGG sessions so that decisions from the forum can feed into the meeting of FAO governments).

2. Stakeholders represented in this forum should include governments of main exporting and importing countries, producer organisations, trade unions, transnational companies, exporter associations, retailers, distributors, fair trade organisations, non-governmental development agencies, environmental organisations, scientific institutions, reefer companies, representatives of local communities in producing areas, and representative consumer organisations.
3. The forum would need to co-operate closely with various commodity bodies and ensure the proactive international institutional support from at least three or four key inter-governmental institutions such as FAO, ILO, UNCTAD, WHO, UNEP, UNDP and/or the IFC/World Bank.
4. Participation should be on a voluntary basis. An analysis of the power relations between supply chain actors would help identify which players are the drivers behind the supply chain, and therefore whose ‘buy-in’ is absolutely essential. Such an analysis could also be critical in identifying those supply chain players who typically do not have any substantive influence or “voice” in commercial relations. This will be a critical factor in building a system, which seeks to promote trade equity as a key component of sustainable development. Relevant information in the assessment of power relations between stakeholders includes market concentration, value distribution and barriers to entry.
5. The first step could be to establish an ‘advisory group’ including all the important stakeholders. If possible, such a group should involve ILO, UNCTAD and FAO representatives from the outset. The establishment of an ‘advisory group’ could possibly be achieved by using, for example, the existing FAO electronic forum on bananas.
6. Although the objective(s) of a banana multi-stakeholder forum will have to be determined during a phase of consultations with all the stakeholders along the chain (since these consultations will be key to determine the appropriate governance structure and the breadth and nature of the stakeholder base appropriate to the initiative), representatives of the industry at the IBC II agreed that this forum should at least:
 - a) provide a platform for regular information exchange and the exchange of best practices among all stakeholders in the banana sector;
 - b) help improve the management of the supply chain through an evaluation of specific standards for compliance by all stakeholders;
 - c) work towards more socially and environmentally sustainable practices in the industry;
 - d) enhance government cooperation in the area of market stability, equity, democratic governance, environment protection and the implementation of workers’ basic rights;
 - e) address structural overproduction, endemic low prices and promote more sustainable production by exploring, for instance, the feasibility of an International Banana Agreement with a social and environmental chapter.
7. Tasks and objectives should complement, not substitute the work of the international institutions. Immediate benefits for the industry would be four folds:

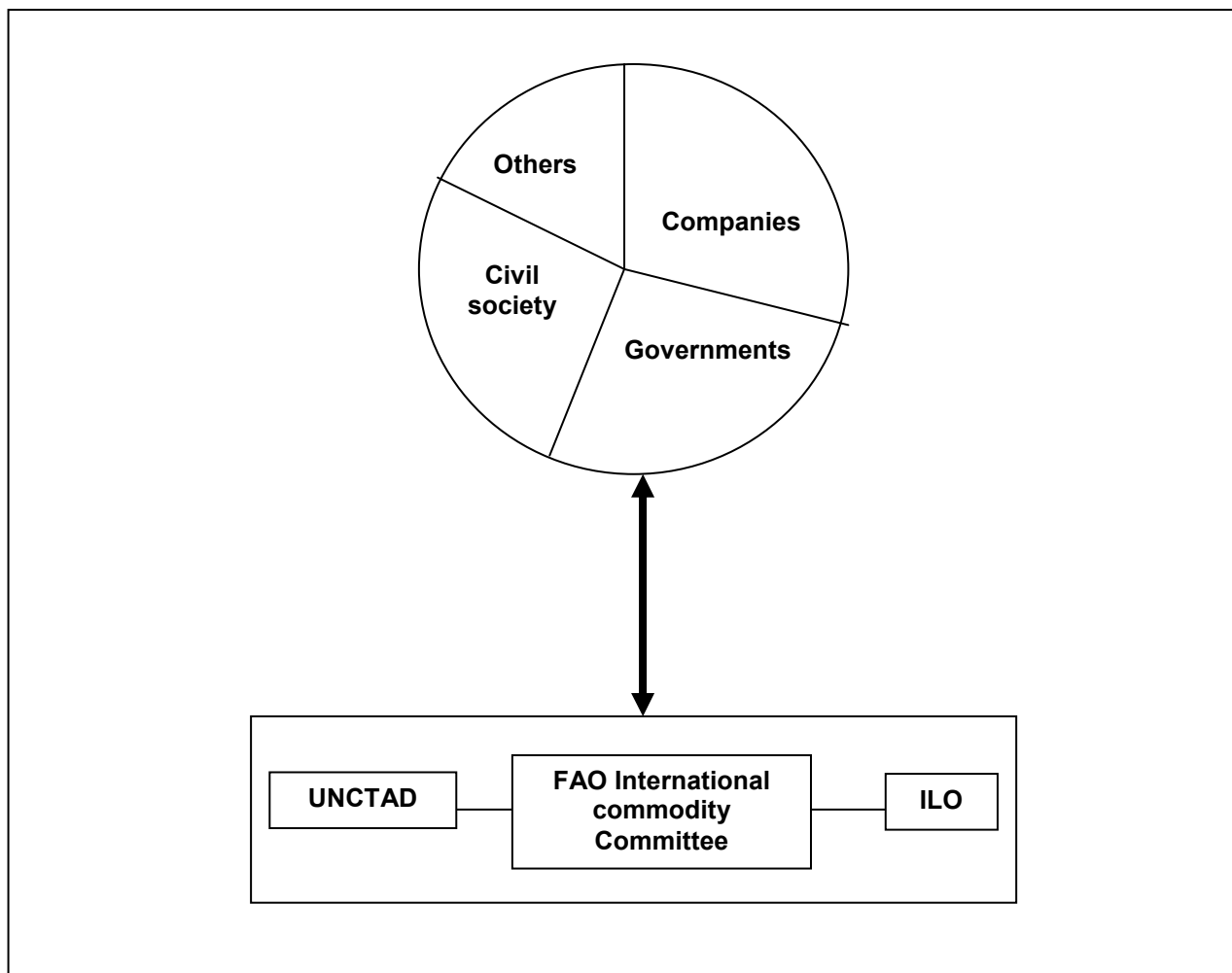
- it would involve all the operators along the chain at all stages of production and trade and offer them a space and regular meetings where they could discuss the social, environmental and economic issues specific to the banana sector;;
 - it would lead to a better circulation of the information and among all the operators in the industry, and enhance cooperation among the private, public and third sector (civil society) actors involved in production and trade at national and international level;
 - it would help solving the current problems of overproduction and low prices by encouraging the industry to meet regularly with representatives of civil society and governments to discuss sustainable solutions;
8. The activities and outcomes of such an initiative can evolve over time and will depend to a great extent on the participation in the forum of the most significant private and public actors in the international banana economy. Determination of the initial scope during this stage of consultations however, will help to determine who should participate in order to ensure effectiveness, as well as who is willing to participate in light of their respective interests. One of the central issues in determining the appropriate scope of activity will be the relationship between the public, private and civil society representation (*see section IV*).
9. The design of any governance structure will need to take into account the market context, the degree of volatility and long-term price trends in the banana economy. Besides having an influence on the objectives of the proposed initiative, attention to such market trends will help the initiative survive drastic changes in the market situation, as price-shocks could severely restrict the ability of many stakeholders to participate in any given initiative. The forum therefore will need to consider the establishment of the requisite infrastructural systems to enable continuous participation of all stakeholders in the context of changing market conditions.

IV. PROPOSAL FOR COORDINATION BETWEEN PUBLIC AND PRIVATE ACTORS WITH A VIEW TO PROMOTING A SUSTAINABLE INTERNATIONAL BANANA ECONOMY

The organisers of IBC II believe that the ability of such a multi-stakeholder initiative to address the multiple challenges facing the sector in general - and the most vulnerable actors in particular - will go hand-in-hand with increased co-operation between public, private and civil society sectors. This will need to be a process which allows different interests to maintain their identity whilst permitting full participation and/or identification with an international governance system.

Governments have traditionally played a fundamental role in establishing common ‘base-lines’ - or rules - for social and economic interaction. Although government institutions are better equipped to take on this task at the national level, the growth in the importance and presence of the WTO and parallel regional trade and investment agreements demonstrates the important role of traditional governance institutions which maintain ‘base-line’ rules for economic interaction at the international level. Whilst individual stakeholders can improve the efficiency and sustainability of supply chains through the identification and implementation of common purposes, ultimately, the preservation or provision of social, economic and environmental (public) goods associated with sustainable development needs to be integrated within the pricing mechanism. This can only be done through the establishment of base-line rules applicable to markets as a whole (either globally or nationally). Moreover, governments, through their various systems of “representative governance” are the only institutions equipped to make rules which apply to all within their respective constituencies.

In the model of collaboration proposed below, the development of combined multi-lateral/multi-stakeholder efforts would enable the forces of the regulatory authorities to be designed in concert with the forces of the market and specific stakeholder needs.



In this model governmental authorities would sit on an equal footing with other stakeholders in an appropriately designed ‘representative’ structure. It would enable public policymakers and ‘stakeholders’ in the industry to embark upon a shared discussion to identify the most effective catalysts of change with respect to either social, environmental, market and/or economic issues. Accredited interest groups would participate and intervene in the name of the interests they represent, whilst governments and other public institutions would participate with a view to enabling the implementation of supportive policies at the national and inter-governmental levels.

Importance of a multistakeholder forum

The continuing crisis in the international banana trade is perhaps most widely manifested by the struggle over the terms and conditions of the EU banana import regime. Yet the crisis is far deeper and more all-encompassing than that. There are fundamental structural problems which need to be resolved.

Currently, there are several initiatives taking place aimed at addressing these problems, arising from different perspectives. Thus, there is the FAO’s Intergovernmental Group (IGG) on bananas, UNCTAD, the ILO, the International Institute for Sustainable Development (IISD) and the EUROBAN / COLSIBA / WINFA coalition. Fortunately, though arising from different

perspectives, all these initiatives are intrinsically complementary. What is missing is how these can be pooled together, each enhancing the validity of the other and contributing towards a genuine multi-sectoral dialogue on an unprecedented global scale, which can play an invaluable role in providing mechanisms and solutions. Indeed, success in this regard may very well serve as a model and catalyst in inspiring similar efforts at global dialogue level. Each of the interested parties will bring their own strengths to the table and there be reinforced by the contributions of the others, to give a more holistic approach which can only emerge from such a diverse body.

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EUROBAN Secretariat on behalf of IBC II participants