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INTRODUCTION TO WTO AND MEAS DEBATE

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WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
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TRADE RULES AND MULTILATERAL ENVIRONMENTAL AGREEMENTS (MEAs)

ENSURING CONSISTENCY, EXPLORING SYNERGIES

Hundreds of MEAs

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graph LR; A([Hundreds of MEAs]) --> B([Dozens include Specific trade obligations]); B --- C[Main Types of Trade Measures within MEAs]; C --- D[Trade bans]; C --- E[Export/import licences]; C --- F[Notification requirements]; C --- G[Packaging, Labelling requirements];
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***Dozens include
Specific trade obligations***

Trade bans

Export/import licences

Notification requirements

Packaging, Labelling requirements

Main Types of Trade Measures within MEAs

MAIN MEAS WITH TRADE MEASURES

Montreal Protocol



WTO MEA Matrix - https://www.wto.org/english/tratop_e/envir_e/envir_matrix_e.htm

MATRIX ON TRADE-RELATED MEASURES PURSUANT TO SELECTED MULTILATERAL ENVIRONMENTAL AGREEMENTS

NOTE BY THE SECRETARIAT¹

Revision

1. This Matrix provides background information on trade-related measures pursuant to selected Multilateral Environmental Agreements (MEAs). This revision, prepared in consultation with the MEA Secretariats, presents updated information (e.g. membership, decisions and other major developments) on MEAs.²

2. The WTO Secretariat periodically updates this document in light of developments. In this revision, the Agreement on Port State Measures, the Paris Agreement on Climate Change, and the Kigali Amendment to the Montreal Protocol have been added to the Matrix. The Matrix now includes information on the following MEAs, including Agreements, Conventions and Protocols:

- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR);
- International Convention for the Conservation of Atlantic Tunas (ICCAT);
- United Nations Fish Stocks Agreement (UNFSA);
- Agreement on Port State Measures (PSMA);
- International Tropical Timber Agreement (ITTA);
- International Plant Protection Convention (IPPC);
- Convention on Biological Diversity (CBD);
- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity;
- Cartagena Protocol on Biosafety to the Convention on Biological Diversity;
- Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety;
- Montreal Protocol and the Vienna Convention on Substances that Deplete the Ozone Layer;
- United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol and the Paris Agreement;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;
- Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
- Stockholm Convention on Persistent Organic Pollutants; and
- Minamata Convention on Mercury.

WTO AS A SET OF TRADE RULES

WTO Basic Principles

Non discrimination
(among partners and between imported
and domestic products)

Prohibition of quantitative restrictions

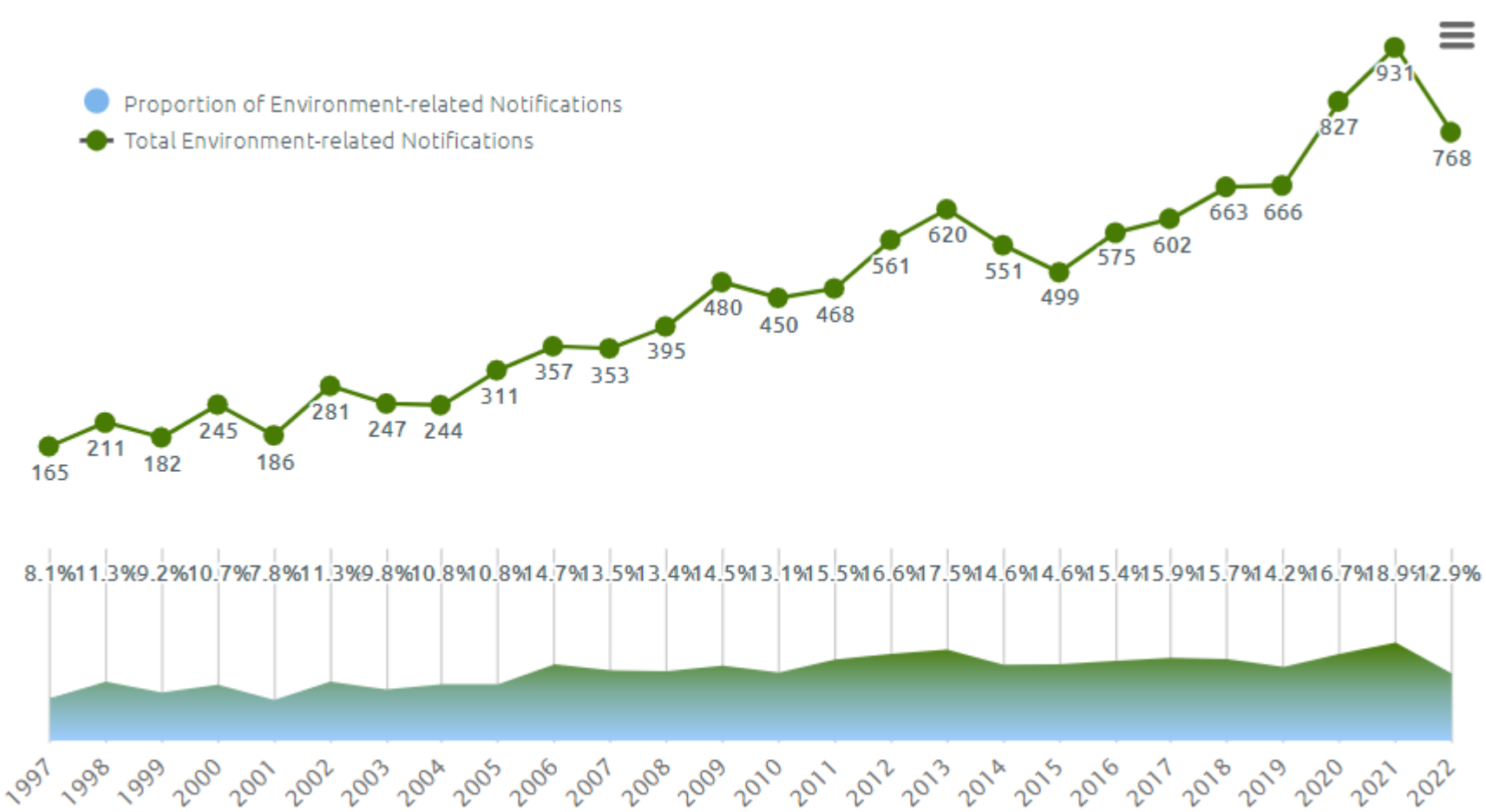
No unnecessary barriers to trade

Transparency



WTO AS A SET OF RULES

Key policy instrument	Key objective	Key WTO Agreements
<i>Environmental requirements</i> , e.g. Product/production specifications, voluntary/mandatory, characteristics/performance, labelling	Improve resource use & reduce pollutants, e.g. for energy efficiency	TBT Agreement (SPS, GATT, GATS, TRIPS...)
<i>Price & market mechanisms</i> , e.g. Environmental taxes, Emission Trading Schemes (ETS)	Internalize env'tal costs, e.g. for environmental pollution or degradation	GATT (TRIMs, GATS...)
<i>Support programs</i> , e.g. R&D, fiscal, price and investment measures	Promote development & deployment of green technologies	SCM Agreement (AG, TRIMs, GATT...)



Environment-related notifications (1997-2022)

8661

Environment-related notifications

18197

Environment-related measures

Almost 2000 measures for “MEA Implementation and compliance”

No measure taken under an MEA has ever been found to be contrary to WTO rules...

WTO members can differentiate between polluting and greener products but must avoid unjustifiable or arbitrary discrimination or unnecessary or disguised barriers to trade
[GATT Art. XX, other provisions]

Discrimination is not the same as differentiation!

What to keep in mind when developing a trade-restrictive environmental measure

Even when negatively affecting trade, measures can be justifiable if they pursue a legitimate objective and if certain conditions are fulfilled, including



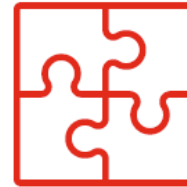
Coherence

The trade restriction or difference in treatment between domestic and imported products provided by the measure is justified by the legitimate objective and not to protect domestic sectors.



Mindful and holistic

The measure is part of a holistic environmental policy and considers the impact on other countries, as well as on other national, regional and international efforts on the same topic.



Fit-for-purpose

The measure can efficiently contribute to the legitimate objective in a balanced way or is part of a national conservation policy also restricting domestic production or consumption.



Flexible

The measure is result-oriented and takes into account alternative measures to address the same challenge as effectively, albeit through different methods, including due to national and regional environmental conditions.

**THANK YOU FOR
YOUR ATTENTION !**



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