

Green customs: The role of the WTO in implementing trade-related MEAs

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Key points for discussion



1. What is the role of the WTO in issues relating to trade and environment?

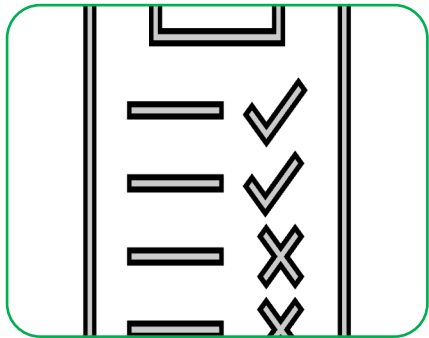


2. How does the WTO support implementation of trade-related MEAs?

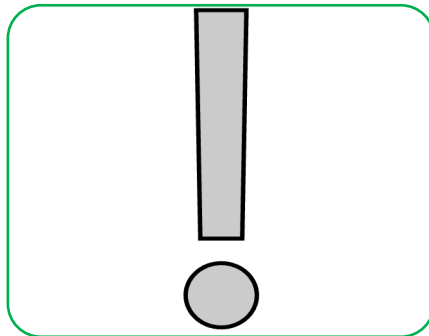


3. What current activities is the WTO undertaking?

1. What role does the WTO play on issues relating to trade and environment?



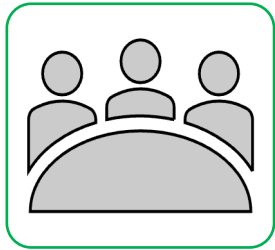
WTO Members are free to adopt environmental policies **at the level they choose** if the discrimination is not **unjustifiable** and **arbitrary**



WTO rules should not be an **excuse to protect** domestic producers

Trade rules are no excuse for inaction!

Role of the WTO in furthering Members' environmental policies



Providing a forum for debate



Recent MEA Secretariats that have presented at the CTE meetings...

UNFCCC

CBD

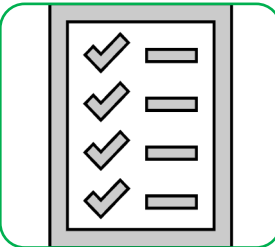
CITES

UNEP

WCO

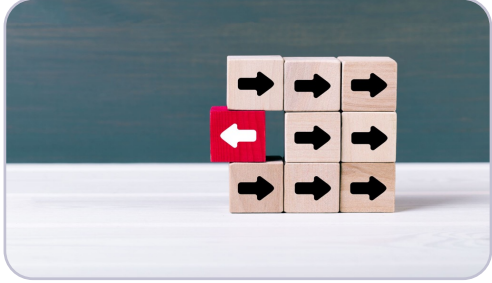


Collaborating with MEAs

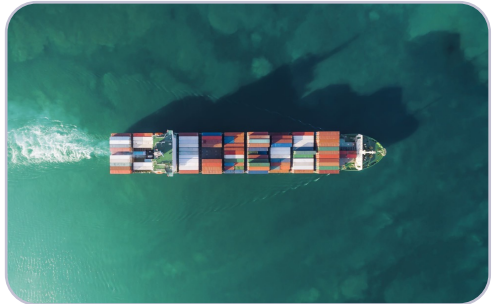


Ensuring rules-based trade to achieve
SDG

2. How does the WTO support implementation of trade-related MEAs?



Relationship between trade-measures in MEAs and the multilateral trading system has been discussed at the Committee on Trade and Environment (CTE) since 1995



Out of more than 250 MEAs in force, at least around 20 MEAs include provisions to control trade to protect the environment, for e.g. CITES, BRS, CBD

- and trade is a “means of implementation” to achieve their goals (SDG 17)



A Matrix of MEA trade measures has been prepared by the WTO Secretariat under its own responsibility

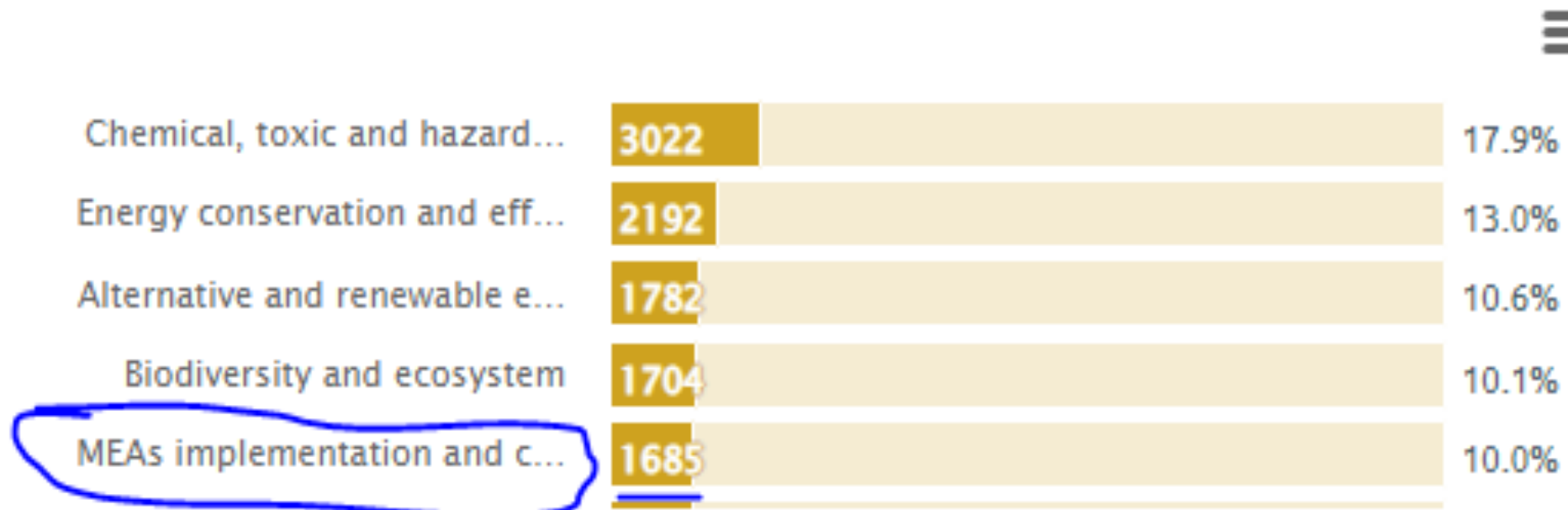
Also work together with InforMEA

At the 2001 Doha Ministerial, members agreed to negotiate relationship between WTO+MEA that have specific trade obligations

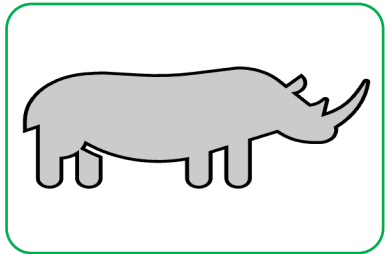
Transparency and the WTO Environmental Database – MEAs and notifications



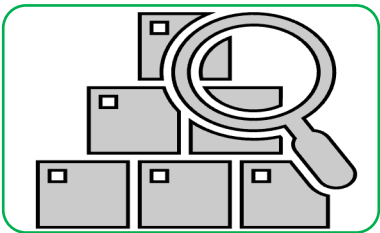
Types of Environment-related Objectives



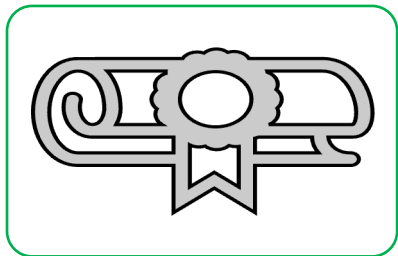
Overview of trade-related measures in CITES



Regulates international trade in endangered wildlife (animals, plants, their parts and derivatives) for conservation and sustainable use purposes



Provides for trade measures at different levels of decision-making: text of convention, CoP, Standing Committee on behalf of CoP, etc.

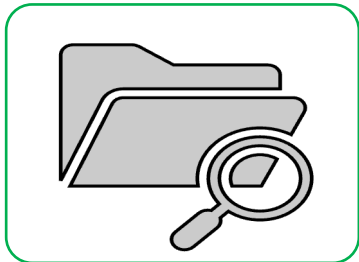


Article 2 of CITES puts controls on international trade of specified species (in Appendix I, II, III of CITES) by requiring import, export, re-export, through permit and certificate system

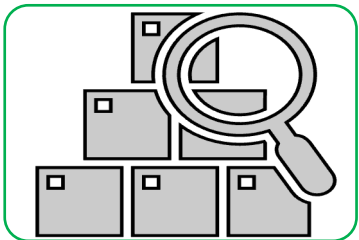
Overview of trade-related measures in CITES (contd.)



3.5 millions CITES shipments covering approx. **12,000** species, including threatened species (2011-2020, CITES)

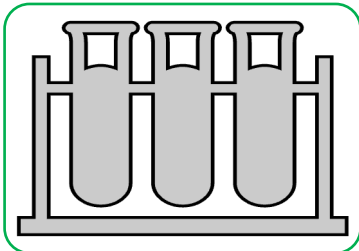


Practical challenges in identifying traded specimens as their conservation status might vary depending on specific origins (e.g. use of blood and gene signatures to differentiate – how to do it at the customs point?)

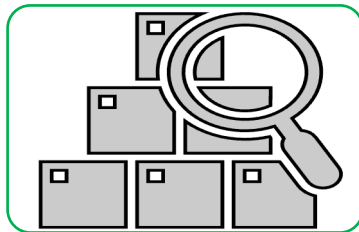


WTO Trade Facilitation Agreement can modernize and simplify trade procedures and help CITES achieve its conservation outcome + obtain better quality data

Overview of trade-related measures in BRS Convention



Basel Convention protects human health and the environment from adverse effects due to generation and management of hazardous wastes. **Basel Protocol** provides strict liability mechanisms.

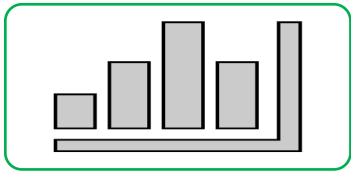


Positive list of “hazardous waste” is contained under Annex I, and “other waste” is contained in Annex II. Recently addition of “plastics”

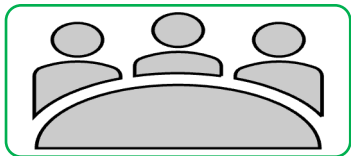


Trade-related measures are contained in the text of the convention (e.g., Article 4 on general obligations) and decision by BRS CoP.

Trade-related measures and BRS Convention



COVID-19 and waste generation: Infectious person generated **3.4 kgs** of infectious waster material (ADB, 2020). More clinical waste generated in 15 days (at peak of outbreak) than in whole of 2019 (Pellegrino, 2020). **300%** rise in illegal waste during lockdown in the UK (WEF, 2020).



Trade-discussions at the 2022 CoP: Significant decision on electronic waste (e-waste) under the Basel Convention is the most trade-relevant highlight of 2022 CoP. On plastics pollution, BRS has provided express support of and contribution to the Dialogue on Plastics Pollution at the WTO.



WTO Environmental Database has captured **207** notification related to the Basel Convention (TBT, Import Licensing, QR, Trade Facilitation); **153** notifications relating to the Rotterdam Convention (TBT, Import Licensing, QR)

3. What current activities is the WTO undertaking?



New initiatives on trade and environment at the WTO



Trade and Environmental Sustainability Structured Discussions (TESSD)



Dialogue on Plastics Pollution and Environmentally Sustainable Plastics Trade



(Environmental Goods Agreement (EGA))



TESSD	IDP	(EGA)
Negotiations on-going	Negotiations on-going	<i>Negotiations suspended in 2016 (elements picked up in TESSD)</i>
Launched on November 2020	Launched on November 2020	<i>Launched on July 2020</i>
74 WTO Members representing > 84% of global trade	75 WTO Members representing > 75% of global plastics trade	<i>46 WTO Members</i>
Currently discussing trade-related climate measures, environmental goods and services, circular economy – circularity, and subsidies	Currently mapping of the full plastics value chain life cycle — including “hidden flows” of trade in “embedded plastics”	<i>Promoting trade in a number of key environmental products, such as wind turbines and solar panels</i>
BRS,WCO, UNEP actively participates	BRS,WCO, UNEP actively participates	

Thank you for your attention!



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WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO