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Developments in Regional
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and the Environment: 2012
Update

Clive George

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Abstract

DEVELOPMENTS IN REGIONAL TRADE AGREEMENTS AND THE ENVIRONMENT: 2012 UPDATE

Clive George

This report provides an update on recent developments in the field of Regional Trade Agreements and the environment. Issues arising in the implementation of RTAs with environmental considerations are examined as well as experience in assessing their environmental impacts. It is the sixth update prepared under the aegis of the Joint Working Party on Trade and Environment (JWPTE). The document covers developments from late 2011 to October 2012. It is based on publicly available information.

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Table of contents

Background.....	4
Overview of recent developments in Regional Trade Agreements	4
Recent Regional Trade Agreements with substantive environmental content	6
Recent developments in implementing the environmental provisions of RTAs	10
Recent developments in assessing the impacts of RTAs.....	17

Tables

Table A1. Regional trade agreements notified since previous update:	
Overview of environmental provisions.....	20
Table A2. Regional trade agreements referenced in JWPTE updates	24
Table A3. Canadian Environmental Assessments of RTAs	26
Table A4. US Environmental Reviews of RTAs.....	26
Table A5. EU Sustainability Impact Assessments of RTAs.....	26

Figures

Figure 1. Regional trade agreements notified to the WTO by date of notification	5
Figure 2. Regional trade agreements coming in force by date of entry into force.....	5

Background

Since 2007 the OECD Joint Working Party on Trade and Environment (JWPTE) has been analysing the way in which the increasing number of regional and bilateral trade agreements deal with environmental issues (OECD 2007, 2008a, 2008b, 2009b). The JWPTE regularly provides updates on environmental provisions in RTAs (OECD 2008c, 2009a, 2010a, 2011a, 2012). This is the sixth of these updates, covering developments over the period from late 2011 to October 2012.

The JWPTE has organised several regional workshops where experts from both OECD and non-OECD countries have discussed their experience with the negotiation and implementation of environmental provisions in trade agreements. The most recent is the workshop on “Regional Trade Agreements and the Environment: Monitoring Implementation and Assessing Impacts” held 1-2 June 2010 at OECD headquarters in Paris (OECD, 2010b).

This document provides an update on recent developments in environmental provisions in RTAs complemented by an examination of issues arising in their implementation and a review of developments in assessing their environmental impacts. It is based on publicly available information.

Overview of recent developments in Regional Trade Agreements

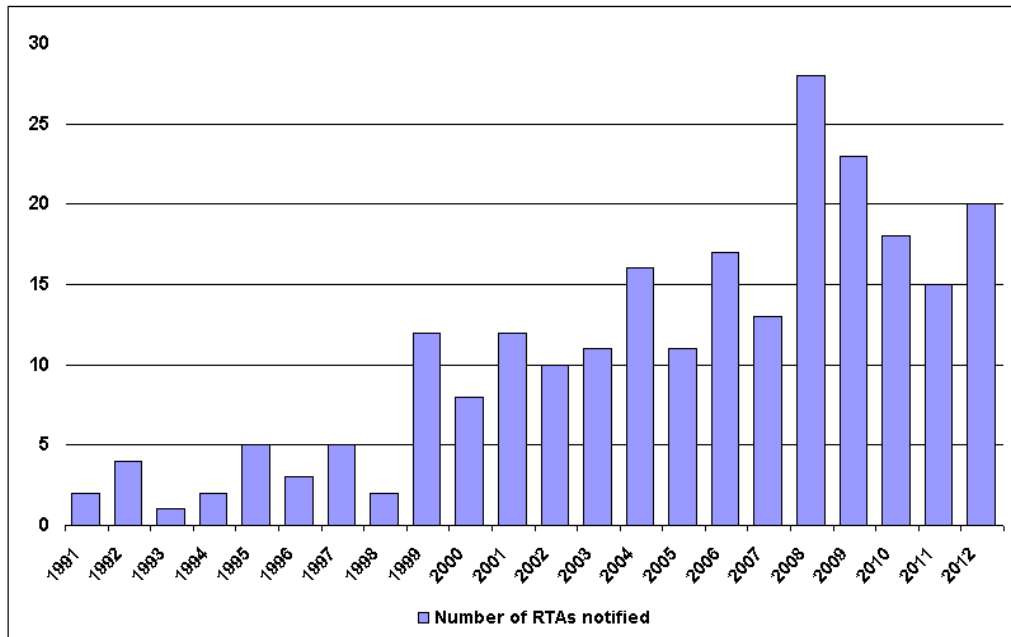
The rate of notification of RTAs to the World Trade Organisation (WTO) continues to be high compared with the pre-1999 rate (see Figure 1).¹ As of 18 October 2012, some 231 RTAs were in force (counting goods and services together). After declining somewhat in the past three years, the number of notifications in 2012 (20 up to September) has risen back towards the particularly high levels of 2008 and 2009.

It should be noted that these numbers are somewhat distorted by the accession of the Russian Federation to the WTO in August 2012, leading to the notification of five agreements that had been in force for several years. Similarly, the particularly large number of notifications in 2008 (28) included nine for Ukraine, which became a WTO member in May 2008. As a result of these and similar factors, the number of notifications (Figure 1) shows a rising trend up to 2008/2009 that is somewhat exaggerated compared with the number of agreements actually entering into force (Figure 2)². In Figure 2 it can be seen that the number of agreements entering into force has declined significantly since its peak in 2009.

1 A total of 22 RTAs were notified to the WTO between 1957 and 1990. See WTO RTA Database (<http://rtais.wto.org>)

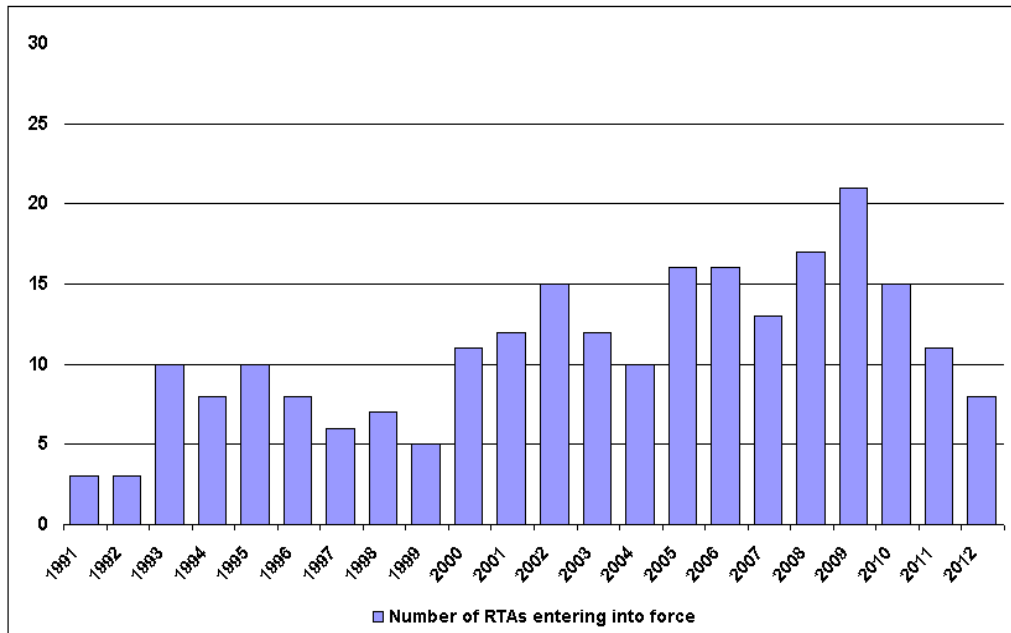
2 When goods and services were notified separately they appear separately in Figures 1 and 2, as in previous updates.

Figure 1. Regional trade agreements notified to the WTO by date of notification



Source: WTO RTA Database (<http://rtais.wto.org>).

Figure 2. Regional trade agreements coming in force by date of entry into force



Source: WTO RTA Database (<http://rtais.wto.org>).

Three of the twenty RTAs notified to date in 2012 (between New-Zealand and Malaysia, between Japan and Peru, and between the EFTA states and Hong Kong, China) were released prior to notification and have been discussed in previous updates. The remainder are listed in Table A1 in the Annex, along with three others that were notified in 2011 since the previous update. The table summarises the environmental provisions of these agreements.

In 13 of the 20 notifications listed in Table A1 environmental provisions are limited to confirming the general exceptions of GATT Article XX, similar exceptions for particular chapters, and/or a general reference in the Preamble (Chile-Guatemala, Chile-Honduras, Colombia-Northern Triangle, Dominican Republic-Central America, EFTA-Ukraine, Panama-Peru, Peru-Chile, Peru-Mexico, and the five agreements of the Russian Federation). The other seven notifications are for RTAs with more substantive environmental provisions, particularly for environmental cooperation. These are summarised in the following section.

Recent Regional Trade Agreements with substantive environmental content

Free Trade Agreement between the People's Republic of China and the Republic of Costa Rica

Environmental provisions in the FTA between China and Costa Rica follow a similar pattern to those in the China-Peru agreement covered in the 2009 update (OECD 2010a). Whereas environmental provisions in the China-Pakistan FTA (covered in the 2010 update, OECD 2011a) are limited to a general mention in the Preamble, these two south-south agreements involving China include specific provisions for environmental cooperation in particular economic sectors (mining in the case of Peru and agriculture for Costa Rica).

The Preamble to the FTA between the China and Costa Rica recognises that implementation should be with a view to raising standards of living, creating new job opportunities and promoting sustainable development. The objectives confirm the Parties' aspiration to achieve an appropriate balance between the economic, social and environmental components of sustainable development. The general exceptions of GATT Article XX and GATS Article XIV are incorporated into and made part of the Agreement, with clarifications confirming that the relevant sub-paragraphs cover the necessary environmental measures for protecting human, animal or plant life or health, and the conservation of living and non-living exhaustible natural resources. A similar exception is included in the chapter on Technical Barriers to Trade, while the Intellectual Property chapter makes particular reference to the Parties' commitments under the Convention on Biological Diversity.

A chapter on cooperation includes a detailed article on agricultural cooperation, which aims to strengthen institutional capabilities, develop new technologies and transfer knowledge. This covers several specific environmental issues, including reducing the environmental impact of livestock production, adaptation and mitigation of climate change, sustainable land management, cleaner agricultural processes, biodiversity, biotechnology and bio-safety, and sustainable management of fisheries and aquaculture.

The cooperation chapter is administered by a joint Committee on Cooperation which aims to meet at least once every 3 years. The Committee is responsible for overseeing implementation of the chapter and for reviewing its operation and the fulfilment of its objectives.

Protocols on the Establishment of the East African Community Customs Union and Common Market

There have been two notifications on the East African Community RTA since the last update, one covering the accession of Burundi and Rwanda to the customs union, and the other for the creation of a common market among the five countries (including trade in services).³

The East African Community was created in 1967 by a Treaty between Kenya, Uganda and Tanzania. After being disbanded in 1977 it was revived in 1999, and a customs union was formed through a protocol under the Treaty in 2004. Burundi and Rwanda joined the Community in 2009, when a new common market protocol that includes services was signed. This has now entered into force.

The Customs Union Protocol provides for a general exception permitting restrictions or prohibitions affecting the protection of human life, the environment and natural resources. It also requires that application of the protocol take cognisance of parallel protocols for co-operation, including co-operation on environment and natural resources management.

The scope of the Common Market Protocol includes an agreement to integrate environmental and natural resources management principles in activities relating to the Common Market. The Parties agree to respect the principles of international environmental law, honour their commitments, and develop common policies in responding to emerging issues on the environment. They retain the right to introduce more stringent protective measures where these are compatible with the Protocol. Co-operation in industrial development includes the adoption of common principles to promote sustainable industrial development ensuring environmental protection, management and efficient resource utilisation. Co-operation in agriculture and food security includes activities to develop, promote, manage and conserve fisheries resources on a sustainable basis, and to promote and support the development of sustainable water use and irrigation. The Common Market Protocol also requires the Parties to manage the environment in accordance with two parallel protocols, the Protocol on Environment and Natural Resources Management, and Protocol for Sustainable Development of Lake Victoria Basin.

The Protocol on Environment and Natural Resources Management commits the parties to co-operation in a wide range of areas, including developing a common policy on environmental management, co-ordination of actions for the protection and conservation of the environment and natural resources, the common policies on management of toxic chemicals and hazardous wastes, protecting critical ecosystems, research, development and information exchange on cleaner production technologies, capacity building, and environmental impact assessments and audits. Other areas of environmental cooperation include management of trans-boundary resources, biodiversity, forests, wildlife, water resources, wetlands, coastal and marine resources, fisheries, genetic resources, minerals, energy, mountain ecosystems, soil and land use management, rangelands, combating desertification, climate change, protection of the ozone layer, biosafety, biotechnology, wastes and hazardous wastes, pollution control, environmental standards and environmental disaster management. The Treaty establishes a Sectoral Committee on Environment and Natural Resources to oversee implementation.

3 Although the accession of Burundi and Rwanda to the customs union has been notified to the WTO, the version of the customs union protocol available on the EAC website does not yet include these two countries.

The Protocol for Sustainable Development of Lake Victoria Basin includes similar provisions to those of the environmental management protocol, with particular emphasis on utilisation of water resources, protection and conservation of the basin and its ecosystems, and sustainable development and management of fisheries resources.

Interim Agreement for Economic Partnership between the EU and the Eastern and Southern Africa States

A series of Economic Partnership Agreements (EPA) between the EU and the developing countries of Africa, the Caribbean and the Pacific is being developed to replace the Cotonou Agreement, whose trade preferences expired at the end of 2007. The Interim EPA between the European Union and the Eastern and Southern Africa States (Madagascar, Mauritius, Seychelles and Zimbabwe) is the first stage in developing a comprehensive EPA for the region.

The preamble to the interim EPA reaffirms the Parties' commitment to promoting sustainable national and regional development, and a general exceptions clause permits the adoption or enforcement of measures necessary to protect human, animal or plant life or health.

The agreement includes a chapter on natural resources and environment, covering water resources and other natural assets, environment (including biodiversity) and enhancing the linkages between trade and environment. Areas of cooperation on trade-related environmental policies cover protection, restoration and conservation of environment and biodiversity, including flora, fauna, microbial genetic resources and their ecosystems, the development of new industries related to the environment, action to reduce environmental degradation and combating desertification. The Parties agree to cooperate, including by facilitating support, in the implementation of international environmental agreements, conventions and treaties, biodiversity, forestry and wildlife resources, mitigation of natural disasters, prevention of environmental disasters and the loss of biodiversity, protection and management of coastal and marine resources and indigenous biological resources, eco-labelling, waste management and disposal of industrial and toxic wastes, and sustainable management of forests.

Environmental provisions in a chapter on fisheries establishes cooperation on monitoring environmental, economic and social impacts, environmental protection, and measures to ensure that fish trade supports environmental conservation, safeguards against stocks depletion and the maintenance of biodiversity. Other areas of cooperation include mainstreaming of environmental issues into trade and development, with particular emphasis on natural resources, including water resources and biodiversity. Cooperation on industrial development includes fostering self-sustainable and balanced growth, taking into account environmental protection and sustainable development. Cooperation on mining and minerals includes promoting environmentally friendly technologies.

Areas to be covered in negotiations towards a full and comprehensive EPA include on trade, environment and sustainable development.

Interim Partnership Agreement between the EU and the Pacific States (Fiji/Papua New Guinea)

Fiji and Papua New Guinea have signed an interim partnership agreement with the EU, in the process of developing a comprehensive EPA with the 14 Pacific island states.

The preamble to the interim EPA reaffirms the Parties' commitment to sustainable and equitable development, and their commitment to working together towards the achievement of sustainable development. The promotion of sustainable development is one of the objectives of the agreement. A general exceptions clause covers measures necessary to protect human, animal or plant life or health, and environmental protection measures are included as an exception in the clause on export duties. An article on sustainable development reaffirms that the objective of sustainable development shall be an integral part of the provisions of the agreement, with a commitment that its application fully take into account the human, cultural, economic, social, health and environmental best interests of the Parties' respective populations and of future generations.

United States - South Korea Free Trade Agreement and United States - Colombia Trade Promotion Agreement

As reported in the 2009 update (OECD 2010a), the United States adopted a new template for the inclusion of environmental provisions in its bilateral trade agreements. This followed an agreement between Congress and the White House in 2007 which stipulated that future US bilateral trade agreements must require partner countries to implement seven multilateral environmental agreements (MEA), with provisions restricting the rights of Parties to derogate from the provisions of these MEAs. It also agreed that FTA environmental obligations would be enforced on the same basis as the commercial provisions of the agreements, with access to the same remedies, procedures and sanctions. The recently notified agreements with South Korea and Colombia follow this template.

The FTA with South Korea entered into force on March 15, 2012, and the Trade Promotion Agreement with Colombia entered into force on May 15, 2012. Both Agreements include an environment chapter that commits the parties to, among other things:

- Strive to ensure their laws and policies provide for and encourage high levels of environmental protection and strive to continue to improve their respective levels of environmental protection;
- Adopt, maintain, and implement laws, regulations, and all other measures to fulfil obligations under certain listed Multilateral Environmental Agreements;
- Not fail to effectively enforce their environmental laws;
- Not waive or derogate from, or offer to waive or otherwise derogate from their environmental laws in a manner affecting trade and investment between the parties;
- Promote public awareness of their environmental laws, including procedures for interested persons to request investigations of alleged violations of such laws.

The Colombia Agreement also includes provisions allowing any person of a party to file a submission with a secretariat asserting that a party is failing to effectively enforce its environmental laws and establishes parameters under which the secretariat will consider the submission and, in certain cases, prepare a factual record related to the submission.

All provisions of both environment chapters are subject to dispute settlement. Both agreements also include commitments in the Preamble related to environment and sustainable development, and include a ‘general exceptions’ clause in which the environment-related exceptions of GATT Article XX and GATS Article XIV are incorporated into and made part of the agreement. Similar exceptions are included in the chapters on government procurement and investment, in both agreements, and for intellectual property rights in the Korea agreement.

Recent developments in implementing the environmental provisions of RTAs

Of the seven RTAs reviewed in this update, only the US-Colombia and US-Korea agreements establish a comprehensive implementation mechanism similar to those described in the 2010 update (OECD 2011a) for recent RTAs involving the USA, Canada, New Zealand and the EU. The two interim EU agreements, with the Eastern and Southern Africa States and with Fiji and Papua New Guinea, establish overarching committees to oversee the entire agreement and ongoing negotiations towards comprehensive EPAs. It is envisaged that more detailed mechanisms for implementing cooperation, including environmental cooperation, will be embodied in these comprehensive agreements.

The two parallel environmental protocols of the East African Community RTA, for Environment and Natural Resources Management and for Sustainable Development of Lake Victoria Basin, both contain administrative arrangements for their implementation. The Environment and Natural Resources protocol establishes a Sectoral Committee, with designated National Focal Points responsible for implementation. The Lake Victoria Basin protocol is administered by the Lake Victoria Basin Commission, supported by a Sectoral Council, a Coordination Committee, a Sectoral Committee, a Secretariat and National Focal Points. The Focal Points are responsible for coordinating national initiatives and sharing information with the Commission and other stakeholders

The other RTAs discussed in Section 3 include no specific mechanisms for implementing their environmental provisions. Progress in implementing the environmental provisions of a number of existing RTAs is summarised below:

Canada

Canada-Colombia: The Canada-Colombia FTA and Environment Agreement came into force on 15 August 2011. A Committee on the Environment was established under the Agreement, and the first Committee on the Environment (officials-level) meeting took place in Bogotá, Colombia, in March 2012. Canadian and Colombian officials have begun the implementation of this Agreement and initial cooperative activities, including work on biodiversity and climate change education funded by Canada’s fast-start financing.

Canada-Chile: In 2012 Canada and Chile celebrated the 15th anniversary of the Canada-Chile Agreement on Environmental Cooperation (CCAEC), signed in 1997 in parallel to the bilateral Canada-Chile Free Trade Agreement. The most recent Council Session of the Canada-Chile Commission for Environmental Cooperation was held on May 9, 2012 in Gatineau, Quebec. The National Secretariats continue to advance cooperative activities in line with the principles of the Agreement. Implementation of cooperative projects in 2011 resulted in:

- A range of conservation activities aimed at protecting migratory birds;
- Multi-sectoral engagement to monitor the environmental impacts of the pulp and paper sector on the Bío Bío watershed;

- Participation by 200 representatives from across government, the private sector and civil society at a two-day seminar ‘Private Protected Areas: the Chilean and Canadian Experience’, to discuss Private Sector engagement in Protected Areas Management and Biodiversity Conservation.

In addition, Canada and Chile have agreed to work together this year on four climate change projects funded by Canada’s fast-start financing for climate change. Other approved projects for this year’s cooperative work program include activities aimed at addressing invasive species, air quality, and water management.

Canada-Peru: The Canada-Peru Environment Agreement was signed in parallel to the Canada-Peru FTA in 2009. The fourth Committee on the Environment meeting under the Environment Agreement was held on 16-17 July 2012, in Ottawa, Canada. Recent and ongoing projects under the cooperative Work Program have covered themes including migratory species conservation, environmental enforcement, pollutant release and transfer registries, and a climate change project supported by Canada’s fast-start financing.

Chile

Chile - Malaysia FTA (entered into force on 18 April 2012). The Preamble to the Free Trade Agreement between the Republic of Chile and the Republic of Malaysia states that Parties are aware that economic development, social development and environmental protection are components of sustainable development and that this free trade agreement can play an important role in promoting sustainable development. In the Chapter of Cooperation a specific article on environment was included where Parties recognize the importance of strengthening capacity to promote sustainable development with their three interdependent and mutually reinforcing components: economic growth, social development and environmental protection, and the Parties agree to cooperate in the field of environment. Also, the Parties agree that it is inappropriate to enact or use their environmental laws, regulations, policies and practices for trade protectionist purposes; as well as it is inappropriate to relax, or fail to enforce or administer, their environment laws and regulations to encourage trade and investment.

The aim of cooperation will be the prevention and/or reduction of contamination and degradation of natural resources and ecosystems and rational use of the latter; through developing and endorsing mutually agreed special programmes and projects dealing, inter alia, with the transfer of knowledge and technology. The intention of the Parties is to cooperate in environmental areas of common global or domestic concern, which may include, among others: climate change; biodiversity and conservation of natural resources; management of hazardous chemicals; air quality; water management; waste management; marine and coastal ecological conservation and pollution control; strategic environmental impact assessment; mining practices and mines rehabilitation and improvement of environmental awareness. In order to facilitate communication for the purposes of this Article, each Party will designate a contact point no later than six months from the date of entry into force of this Agreement. Each Party will notify the other Party promptly of any change of contact point.

European Union

EU-Korea FTA – The first meeting of the Sub-Committee on Trade and Sustainable Development under the FTA was held on 26 June 2012. It was followed on 27 June by the first session of the Civil Society Forum. These are important steps in the implementation of the T&SD chapter of the EU-Korea FTA. The work of the Sub-Committee is designed not to be limited to information exchange but also to address concrete initiatives that EU and Korea could take together.

EU-Cariforum EPA - Similarly, the EU's Economic Partnership Agreement (EPA) with CARIFORUM, a group of 15 Caribbean States, includes a comprehensive chapter on environment. Both regions have provisionally applied the EPA, including this chapter, since the end of 2008. The EPA also establishes a new CARIFORUM-EU Consultative Committee which the Parties can consult on environmental and social issues. The Committee comprises representatives of business, academia and civil society. CARIFORUM States were due to confirm their committee members in the Fall, and the Committee set to meet for the first time soon afterwards.

New Zealand

New Zealand continues to engage with partner countries in cooperation activities – most recently with China on chemicals and waste management and on climate change.

Switzerland

Cooperation activities undertaken in the environmental area consisted in setting up “Cleaner Production Centres,” that are responsible for advising and supporting companies willing to develop energy efficient activities that favour the environment. Cooperative projects directly linked to free trade agreements with Switzerland include for instance Egypt (ongoing), Jordan (completed) and Tunisia (ongoing).

Additionally, a cooperation project in the area of organic certification has been completed with Lebanon. A similar project is ongoing with the Ukraine, in parallel with an ongoing project on sanitary and phytosanitary risk management in milk processing. Other cooperation activities have been set up with Peru and Colombia in the setting of the UNCTAD Biotrade initiative for the development of a project on sustainable exploitation and commercial promotion of this sector.

Finally, a cooperation project in the area of organic farming in partnership with the organic agricultural research institute (FiBL) is about to be implemented with Colombia.

United States

The US–Korea Environmental Cooperation Agreement (ECA) entered into force on 15 March 2012. The US–Colombia ECA is expected to be signed in the near future. These ECAs will facilitate fulfilment of respective Environment Chapter obligations and create mechanisms for continued environmental cooperation between the countries. The United States and Korea currently are developing a Work Program for implementing the ECA. Initial meetings were held in Bogota the week of 7 May to jump start the process of developing an ECA Work Program with Colombia.

The United States and Panama signed an environmental cooperation agreement on 2 May 2012. Like the ECA with Korea, it creates a mechanism for continued environmental cooperation between the countries and will facilitate fulfilment of environment chapter

obligations when the US– Panama Trade Promotion Agreement enters into force. Initial meetings were held in Panama the week of 7 May to jump start the process of developing an ECA Work Program.

- *CAFTA-DR*

An Environmental Affairs Council Meeting was held on 12 April 2012. During the meeting, the Council reviewed each Party's implementation of the Environment Chapter. The Council also heard a report from the Secretariat for Environmental Matters (Secretariat) and recognized the high number of public submissions as a positive demonstration of increased public participation and awareness. The Secretariat has received 22 submissions to date regarding effective enforcement of environmental laws by CAFTA-DR Parties; of these submissions, seven are active with three factual records under development. The Council considered the first final Factual Record related to the Dominican Republic Sea Turtle Submission, which alleged that the Dominican Republic had failed to effectively enforce certain domestic laws intended to protect endangered sea turtles. Under the CAFTA-DR environmental cooperation program, the Dominican Republic has worked with several non-governmental organizations and relevant United States government agencies on a range of capacity-building activities to address this issue, including enforcement trainings, product seizures, monitoring, and awareness-raising campaigns with civil society. The Council welcomed the steps taken by the Dominican Republic to increase enforcement, which has resulted in a significant reduction in the trade and sale of products made from sea turtles. The Council also signed a decision on the process for engagement of environmental experts to assist the Secretariat for Environmental Matters with the preparation of factual records.

As a part of the CAFTA-DR Environmental Cooperation Program, the Rainforest Alliance is working with farmers in Central America and the Dominican Republic to implement best management practices and increase income from sustainably produced coffee, cocoa, and bananas. In April 2012, the Rainforest Alliance built on this work and brought coffee producers from CAFTA-DR countries to Colombia for a study tour of farms and institutions that have been successful in marketing sustainably produced coffee internationally. The study tour culminated with a workshop on business development and marketing strategies for sustainably produced goods.

In March 2012, the World Environment Center launched its partnership with the poultry and agro-industry associations to improve environmental performance of member companies by promoting implementation of cleaner production practices and technologies.

The Humane Society International (HSI) is working with different institutions in Honduras to construct a rescue centre and a temporary holding facility for confiscated wildlife. In May 2012, HSI finalized its agreement for the construction of the rescue centre with the National University for Agriculture in Olancho, Honduras. HSI continues to coordinate with the Institute for Forest Conservation, Protected Areas, and Wild Life (ICF) to finalize the agreement for the construction of the temporary holding facility in Tegucigalpa.

- *Chile*

The close collaboration with Chile on environmental matters has been strengthened through continued implementation of activities that address Work Program priority areas. Since December 2011, this includes completing three technical exchanges on protected area management and four workshops that reached over 80 people and expanded cooperation on

sustainable tourism, cleaner production, aquaculture and mining. The Parties are also continuing to plan for the next meetings of the Joint Commission for Environmental Cooperation and the Environmental Affairs Council in Santiago.

▪ *Jordan*

A meeting of the Joint Forum on Environmental Cooperation was held on 3 March 2012. During the Joint Forum a new Work Program was signed that lays out a road map for environmental cooperation between the Parties through 2013. In this new Work Program, the Parties express their intention to focus cooperation on creating green jobs and other economic opportunities that promote green growth and sustainable development. Four priority areas were identified for cooperation: (1) institutional and policy strengthening for effective implementation and enforcement of environmental laws, including natural resource-related laws; (2) biodiversity conservation and improved management of protected areas and other ecologically important ecosystems; (3) improved private sector environmental performance; and (4) environmental education, transparency, and public participation in environmental decision-making and enforcement. The entire Forum was open to the public and provided numerous opportunities for the public to ask questions and converse with the high-level Jordanian and US officials chairing the meeting.

The US Department of Interior has provided technical assistance in protected areas management and sustainable tourism. Achievements include: training over 70 rangers, guides and other employees; enhancing the care of animals in Petra Archaeological Park; strengthening wildlife and natural landscape preservation practices; producing Arab-language tools for the development of signage and maps in reserves; identifying areas for education of youth and tourists for future cultural learning projects.

The US Forest Service has provided technical assistance in forest inventory and conservation, nature reserve management, and rangeland management. As a result, thousands of hectares of forests, nature reserves and rangeland are under improved management. The Forest Service has also been working with Jordan's Royal Society for the Conservation of Nature and the University of Montana to develop curricula for a new regional training centre that will build capacity in protected areas management, ecotourism, and the training of park rangers.

▪ *Morocco*

US-Morocco collaboration continues to be strengthened through implementation of ongoing environmental cooperation activities. Since December 2011, the US Forest Service (USFS) and the Moroccan High Commission on Water Forests and Combating Desertification (HC) began implementation of the new multi-stakeholder rangeland management plan to combat overgrazing and protect degraded watershed in the Middle Atlas region. After participating in a study tour in the United States and developing their own curriculum, the Moroccan training cadre is now well-established and has taught three Range School courses in Morocco since December, including a woman-led course for women herders. USFS also began implementing its fire management program with the HC. After attending a study tour on fire systems in the United States in February, in April 2012, a USFS fire specialist collaborated with fire managers in Rabat and Chefchaouen in April to begin developing a national operations guide for Morocco.

The US Department of Interior (DOI) has continued their direct collaboration with the High Commission for Water, Forests and the Fight Against Desertification (HCEFLCD) on improved management of protected areas including support for sustainable tourism. Since

December 2011, technical experts evaluated existing practices nationally and worked to develop management plans with three parks in particular. US technical experts coached three Moroccan national parks teams in developing comprehensive sustainable tourism management plans, as well as prepared and conducted train to be delivered to all ten national parks teams.

- *Oman*

The United States and the Government of the Sultanate of Oman reached agreement in March 2012 on a new Plan of Action for implementing the US – Oman Memorandum of Understanding on Environmental Cooperation. The Plan of Action establishes the following five main priority areas for cooperation: (1) Strengthening environmental laws, including natural resource-related laws; (2) Disaster preparedness; (3) Biodiversity conservation and improved management of protected areas, and other ecologically important ecosystems; (4) Cleaner production and environmental technology; and (5) Environmental education and public participation in environmental issues.

Collaboration between the United States and Oman on environmental matters continues through implementing activities under the 2011-2014 Plan of Action on Environmental Cooperation. Since December 2011, the US Department of the Interior worked with Oman to improve protected areas management in two protected areas, train Omani government staff to implement the management tool in other protected areas, and trained 26 people in conservation biology. To further women's engagement in environmental issues, the Environment Society of Oman has facilitated meetings with Majalis Ash'Shura Council members where Omani women shared the results of their research on local environmental issues and discussed solutions. A digital video conference was also held between US and Omani government experts to discuss aquaculture, fisheries management, and marine invasive species.

- *Peru*

A meeting of the Environmental Affairs Council, Environmental Cooperation Commission, and Subcommittee on Forest Sector Governance was held on 29-31 May 2012. The United States and Peru convened the fifth meeting of the Sub-Committee on Forest Sector Governance, the third meeting of the Environmental Affairs Council, and the second meeting of the Environmental Cooperation Commission from 29-31 May 2012 in Washington, D.C. The meetings focused on progress in implementing the environmental provisions of the United States-Peru Trade Promotion Agreement, including its Annex on Forest Sector Governance (Annex), and the United States-Peru Environmental Cooperation Agreement. The Governments discussed: (1) details of an independent secretariat to receive and consider submissions asserting that a Party is failing to effectively enforce its environmental laws; (2) Peru's efforts to develop regulations to implement its new Forestry and Wildlife Law; (3) a petition received by the United States asking that it request Peru to audit and verify several timber producers, exporters and shipments; and (4) the status of cooperative environmental activities under the 2011-2014 ECA Work Program, which focuses on implementing the Annex. The Governments also held a public session to report on their progress and respond to stakeholders' questions. Overall, discussions were helpful in better understanding how the situation in Peru may have improved in relation to the time period and concerns described in the petition.

The US Forest Service has worked with the Government of Peru (GOP) on implementing a number of projects related to forest sector governance, with an emphasis on

ecosystem management, institutional strengthening, information management, and capacity building. Recent activities include:

- Ongoing assistance in the creation of Peru’s National Forestry and Wildlife Information System (SNIFF), which will serve as a foundation for sustainable resource management in the Peruvian Amazon.
- Assistance in the design and piloting of the Permanent Production Forest Inventory.
- Support for field work to improve accuracy and to contribute to the standardization of measurements taken in the forest by regional staff responsible for administering timber concessions.
- Improved the identification and classification of CITES-listed species.
- Designed population studies for Spanish cedar and big leaf mahogany.
- Assistance in the ongoing design of the natural resource management organizations of regional governments under the legislation of decentralization and the new Forestry Law and Wildlife Law, as well as the institutional design of the national Forest Service (SERFOR).
- Completed the business mapping and design phase of the four-year process of creating a National Forest Information System.
- Support to the GOP’s planning process for developing its regulations to implement its new Forestry and Wildlife Law.
- Assistance to strengthen regional governments through the development of a macro-regional environmental agenda. A highlight was signing the “Grey Towers Declaration,” which set out a commitment to cooperation among the Amazonian regions on a broad range of environmental issues, including sustainable forest management, public participation, and climate change.
- Support for community forestry activities in the Amazonas region, specifically working with two native communities to develop forest management plans and operating plans for future timber harvest. Training was provided on sustainable forest management and the commercialization of forest products.
- The new Network of Cooperation Agencies for the Promotion of Community Forest Management was strengthened in an effort to raise the profile of community forestry and to create a platform for more organized participation in national and regional dialogue and public policy.

▪ *Singapore*

- Since December 2011 the United States continues to have active engagement with the Government of Singapore on environmental matters, supported by a Memorandum of Intent for Environmental Cooperation. The United States Environmental Protection Agency continues to strengthen its cooperation with Singapore’s Public Utilities Board to address sustainable water management. During April 2012, the US Department of State facilitated a study tour for a high level delegation from Singapore to exchange lessons learned on climate change adaptation and disaster preparedness. The delegation met with local officials from the States of California and Louisiana. Planning continues for the biennial review of environmental cooperation which is planned to take place in Singapore towards the end of 2012.

Recent developments in assessing the impacts of RTAs

Ex ante impact assessments

Canada, the United States and the EU have all committed to undertaking *ex ante* assessments of the impacts of proposed RTAs. The impact assessments that have been carried out to date in these programmes are listed in Tables A3, A4 and A5 of the Annex.

Since the previous update Canada has completed final Environmental Assessments (EA) of the FTA with Jordan and proposed FTA with Panama and an initial EA of the proposed Comprehensive Economic and Trade Agreement (CETA) with the EU, and the EU has completed a Sustainability Impact Assessment (SIA) of the proposed FTA with Georgia and Moldova.

The final EAs of the Canada-Jordan and Canada-Panama FTAs re-affirm the findings of the initial EAs, namely that the economic effects are expected to be relatively modest, and that the related environmental impacts in Canada are not expected to be significant. No new environmental issues arose during the latter stages of the negotiations, and as a result no additional analysis was required.

Canada's initial EA of the proposed Comprehensive Economic and Trade Agreement with the EU identified four areas where there is greater likelihood of environmental impacts: trade in goods, trade in services, government procurement and investment. Each of these areas was examined in detail using both qualitative and quantitative techniques. The results suggest that any direct impacts on the Canadian environment are not likely to be significant, based on the following factors: the quantitative analysis showed that changes in GHG emissions, energy use and water use resulting from increased bilateral trade with the EU would be minor; environmental legislation is already in place (or will be in place) to mitigate negative effects; many areas under negotiation focus on provisions (e.g. clarification in procedures) that are not expected to directly result in environmental impacts. These findings are broadly in line with those of the EU's SIA of the proposed Canada-EU agreement as reported in the 2011 update (OECD 2012).

The EU's SIA of the proposed RTA with Georgia and Moldova followed a similar methodology to that used in previous studies, such as the EU-Canada SIA reported in the previous update (OECD 2012). Due to the asymmetry in size between the EU and the Georgian and Moldovan economies, the FTA was expected to have negligible environmental effects in the EU. Economic modelling indicated larger impacts in Georgia and Moldova, due primarily to significant increases or decreases in production in particular economic sectors. Screening and scoping identified two areas for detailed study in Georgia (vegetables, fruits, nuts and oilseeds; and chemicals, rubber and plastics), and three such areas in Moldova (grains and crops; textiles and clothing; and SPS measures). For SPS measures in Moldova, positive environmental effects are expected from improved agricultural and food processing practices, including better control of dangerous substances. For the other areas a combination of positive and negative environmental outcomes was identified. Potentially negative effects include increased resource use, pollution and waste generation, while positive effects are expected to occur through the application of more stringent standards and more effective implementation of international environmental agreements. The study identified a range of policy measures that may be adopted in mitigation of any adverse impacts that might occur, including the establishment of monitoring mechanisms, and the provision of technical assistance, capacity building and budget support in environmental policy.

Ex post impact assessments

Recent *ex post* studies of the environmental provisions of trade agreements include a third review of CAFTA-DR by the Organisation of American States (OAS) and two evaluations of the EU-Chile RTA undertaken for the European Commission.

The OAS review of CAFTA-DR Environmental Cooperation Agenda (OAS 2011) followed two previous reviews reported in the update for 2010 (OECD, 2011a). It used the same evaluation criteria as the previous reviews, with a methodology adapted to allow for the evaluation context. A document review was supplemented by a series of interviews with key stakeholders in Washington, D.C. and in CAFTA-DR countries. One of the main achievements identified was the agenda's contribution to the improvement of inter-institutional coordination. This was a key issue raised in the previous report. Other areas of significant progress included a great improvement in Environmental Impact Assessment implementation capabilities, and the formation of linkages between suppliers of certified products and the market of buyers. One of the main remaining challenges is that the environmental agenda is not seen as a fundamental pillar of the development agenda, particularly in the political sphere. In consequence the achievement of some results has been hindered by failure to approve the necessary legislation.

The first of the two EU evaluations (Ergon Associates 2011) involved a retrospective *ex post* monitoring exercise of the EU-Chile trade agreement, alongside an evaluation of the involvement of workers' and employers' organisations in a range of trade SIAs. Although the main aim of the *ex post* study was to examine employment and social issues, some of its findings are equally relevant to environmental aspects. In the fruit and wine sectors in particular, Chilean business representatives reported that European buyers were placing increasing pressure on Chilean exporters to demonstrate compliance with social and environmental standards. While these ethical trade initiatives were not seen to be directly linked to the EU-Chile RTA or its associated technical assistance, they may be indirectly linked to the extent that the RTA may have facilitated greater trade between Chilean and EU companies, encouraging export industries to be more proactive on social and environmental standards in their supply chains.

The second evaluation of the EU-Chile agreement (ITAQA Sarl 2012) examined the environmental impacts of the FTA on the basis of an *ex post* analysis of its economic impacts. The report acknowledges the difficulty of assessing the environmental consequences the trade agreement, given the numerous the numerous agreements that have been signed and the structural changes that have taken place in the Chilean economy since the FTA came into force. This is reflected in the report's findings, which cites numerous instances of continuing environmental deterioration in sectors where Chilean exports have risen, but finds little or no evidence that the impact could be linked directly to the FTA. Likewise, several improvements in environmental standards and management practices were identified that could be linked to trade, but the impact of the EU-Chile FTA was too diluted with other factors to single out its role. Overall, the report concludes that the impact of the EU-Chile FTA on the use of natural resources and the degradation of the environment seems to be marginal, while by imposing higher environmental standards, trade with the European Union (and also with the United States, Canada and Japan) has made a positive contribution to reducing the pollution intensity of production in some sectors.

Annex 1. Summary tables

Table A1. Trade agreements notified since previous update: Overview of environmental provisions

Table A2. Regional Trade Agreements referenced in JWPTE updates

Table A3. Canadian Environmental Assessments of RTAs

Table A4. US Environmental Reviews of RTAs

Table A5. EU Sustainability Impact Assessments of RTAs

Table A1. Regional trade agreements notified since previous update: Overview of environmental provisions

Trade Agreement	Date of notif.	Date of entry into force	Reference to Environmental considerations	Environmental co-operation and capacity building	Public participation	Dispute-settlement mechanisms	Ex ante/ ex post assessments	Reference to specific environmental issues	Other implementation issues	Official text
Chile - Guatemala (Chile - Central America)	30-Mar-2012	23-Mar-2010	General exceptions under GATT Art. XX, Chapter 9 "Standards, Metrology Measures and Authorization Procedures"	-	-	-	-	-	-	http://www.direcon.gob.cl/sites/rc.direcon.cl/files/bibliotecas/Texto_Completo_Acuerdo_Centroamerica.pdf
Chile - Honduras (Chile - Central America)	28-Nov-2011	19-Jul-2008	General exceptions under GATT Art. XX, Chapter 9 "Standards, Metrology Measures and Authorization Procedures"	-	-	-	-	-	-	http://www.direcon.gob.cl/sites/rc.direcon.cl/files/bibliotecas/Texto_Completo_Acuerdo_Centroamerica.pdf
China - Costa Rica	27-Feb-2012	01-Aug-2011	Preamble, objectives, TBT, intellectual property, cooperation, general exceptions	Included in chapter on cooperation	-	General DS provisions apply to all chapters	-	Biological diversity, climate change, sustainable land management, fisheries	Joint Committee on Cooperation	http://www.sice.oas.org/Trade/CRI_CHN_FTA/Texts_Apr2010_e/CRI_CHN_ToC_PDF_e.asp
Colombia - Northern Triangle (El Salvador, Guatemala, Honduras)	31-Aug-2012	12-Nov-2009	Preamble, GATT Art. XX general exceptions, TBT, procurement, investment	-	-	-	-	-	-	https://www.mincomercio.gov.co/publicaciones.php?id=15292
Dominican Republic - Central America	06-Jan-2012	04-Oct-2001	Preamble, general exceptions, investment, TBT	-	-	-	-	-	-	http://www.sice.oas.org/Trade/camdrepi/indice.asp

Trade Agreement	Date of notif.	Date of entry into force	Reference to Environmental considerations	Environmental co-operation and capacity building	Public participation	Dispute-settlement mechanisms	Ex ante/ ex post assessments	Reference to specific environmental issues	Other implementation issues	Official text
East African Community (EAC) Customs Union - Accession of Burundi and Rwanda	01-Aug-2012	01-Jul-2007	General exceptions	Included in parallel protocols under the EAC Treaty	-	Defined in parallel protocols	-	Water, energy, wildlife, minerals, forestry, fisheries, environmental protection	Committee on Environment and Natural Resources, Lake Victoria Basin Commission	http://www.eac.int/commonmarket/documentation/cat_view/24-documents-a-downloads/30-common-market-protocol-a-annexes.html
East African Community (EAC) Common Market (Services)	01-Aug-2012	01-Jul-2010	General provisions on environmental and natural resources management principles	Included in parallel protocols under the EAC Treaty	-	Defined in parallel protocols	-	Water, energy, wildlife, minerals, forestry, fisheries, environmental protection	Committee on Environment and Natural Resources, Lake Victoria Basin Commission	http://www.eac.int/commonmarket/documentation/cat_view/24-documents-a-downloads/30-common-market-protocol-a-annexes.html
EFTA - Ukraine	18-Jun-2012	01-Jun-2012	Preamble, general exceptions, investment right to regulate	-	-	-	-	-	-	http://efta.int/~media/Documents/legal-texts/free-trade-relations/ukraine/EFTA-Ukraine%20Free%20Trade%20Agreement.pdf
EU - Eastern and Southern Africa States Interim EPA	09-Feb-2012	14-May-2012	Preamble, chapter on natural resources and environment, provisions in other chapters, general exceptions	Included in chapter on co-operation	-	General DS provisions applicable	ex ante SIA carried out	natural resources, water resources, biodiversity, mining, air, desertification, forestry, disaster prevention, waste management	further negotiations on trade, environment and sustainable development	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:111:0002:1172:EN:PDF

Trade Agreement	Date of notif.	Date of entry into force	Reference to Environmental considerations	Environmental co-operation and capacity building	Public participation	Dispute-settlement mechanisms	<i>Ex ante/ ex post</i> assessments	Reference to specific environmental issues	Other implementation issues	Official text
EU - Papua New Guinea / Fiji	18-Oct-2011	20-Dec-2009	Preamble, objectives, exceptions	-	Decision-making methods to embrace the fundamental principles of ownership, participation and dialogue, arbitration panel meetings and rulings may be open to the public.	General DS provisions applicable	<i>ex ante</i> SIA carried out	-	further negotiations towards a comprehensive agreement	http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:272:0002:0715:EN:PDF
Panama - Peru	23-Apr-2012	01-May-2012	GATT Art. XX general exceptions, investment, maritime services, intellectual property	-	-	-	-	-	-	http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=112&Itemid=135
Peru - Chile	29-Nov-2011	01-Mar-2009	General exceptions, TBT, investment	-	-	-	-	-	-	http://www.direcon.gob.cl/sites/rc.direcon.cl/files/bibliotecas/PER_TN_TLC_0309.pdf
Peru - Mexico	22-Feb-2012	01-Feb-2012	General exceptions, TBT, investment	-	-	-	-	-	-	http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=77&Itemid=100
Russian Federation - Azerbaijan	13-Sep-2012	17-Feb-1993	Exceptions for protection of human, animal and plant life	-	-	-	-	-	-	http://rtais.wto.org/rtdocs/830/TOA/English/RF-Azerbaijan%20FTA_text%20with%20protocols.doc

Trade Agreement	Date of notif.	Date of entry into force	Reference to Environmental considerations	Environmental co-operation and capacity building	Public participation	Dispute-settlement mechanisms	Ex ante/ ex post assessments	Reference to specific environmental issues	Other implementation issues	Official text
Russian Federation - Belarus	13-Sep-2012	20-Apr-1993	Exceptions for protection of human, animal and plant life	-	-	-	-	-	-	http://rtais.wto.org/rtdadocs/828/TOA/English/RF-RB%20FTA_text%20with%20protocols.doc
Russian Federation - Kazakhstan	13-Sep-2012	07-Jun-1993	Exceptions for protection of human, animal and plant life	-	-	-	-	-	-	http://rtais.wto.org/rtdadocs/832/TOA/English/RF-Kazakhstan%20FTA%20_text%20with%20protocols.doc
Russian Federation - Republic of Moldova	13-Sep-2012	30-Mar-1993	Exceptions for protection of human, animal and plant life	-	-	-	-	-	-	http://rtais.wto.org/rtdadocs/829/TOA/English/RF-Moldova%20FTA_text%20%20with%20protocols.doc
Russian Federation - Tajikistan	13-Sep-2012	08-Apr-1993	Exceptions for protection of human, animal and plant life	-	-	-	-	-	-	http://rtais.wto.org/rtdadocs/834/TOA/English/RF-Tajikistan%20FTA_text%20%20with%20protocols.doc
US - Colombia	08-May-2012	15-May-2012	Preamble, environment chapter, general exceptions, procurement, investment	Included in environment chapter, parallel environmental cooperation agreement	In environment chapter	In environment chapter and dispute settlement chapter	ex ante environmental review carried out	MEAs, levels of protection, biological diversity	Environmental Affairs Council	http://www.ustr.gov/trade-agreements/free-trade-agreements/colombia-fta/final-text
US - Korea, Rep.	15-Mar-2012	15-Mar-2012	Preamble, environment chapter, general exceptions, TBT, procurement, investment	Included in environment chapter, parallel environmental cooperation agreement	In environment chapter	In environment chapter and dispute settlement chapter	ex ante environmental review carried out	MEAs, levels of protection	Environmental Affairs Council	http://www.ustr.gov/Trade_Agreements/Bilateral/Republic_of_Korea_FTA/Final_Text/Section_Index.html

Table A2. Regional trade agreements referenced in JWPTTE updates

	Date of entry into force	Update for 2008	Update for 2009	Update for 2010	Update for 2011	Update for 2012 (this report)
Australia-Chile	06/03/09	x	x			
Australia-New-Zealand-ASEAN	01/01/10		x			
ASEAN-India	01/01/10			x		
ASEAN-Korea	01/01/10(G) 01/05/09(S)			x		
Canada-Colombia	05/08/11	x	x			
Canada-EFTA	01/07/09	x	x			
Canada-Jordan	-	x	x			
Canada-Peru	01/08/09	x	x			
Chile-Colombia	08/05/09		x			
Chile-Turkey	-		x			
Chile Panama	07/03/08	x				
Chile-India	17/08/07			x		
Chile-Guatemala	23/03/10					x
Chile-Honduras	19/07/08					x
China-Costa Rica	01/08/11					x
China-Peru	01/03/10		x			
China-Singapore	01/01/09		x			
China-Pakistan	01/01/07(G) 10/10/09(S)			x		
Colombia-Northern Triangle	12/11/09					x
Dominican Republic-Central America	04/10/01					x
East African Community Customs Union	01/07/10					x
East African Community Common Market	01/06/12					x
EFTA-Albania	01/11/10		x		x	
EFTA-Colombia	01/07/11				x	
EFTA-Hong Kong, China	01/09/12				x	
EFTA-Peru	01/07/11				x	
EFTA-Montenegro	01/10/10		x			
EFTA-Ukraine	01/06/12					x
EU-Cameroon	01/10/09		x			
EU-CARIFORUM	01/11/08	x	x			
EU-Côte d'Ivoire	01/01/09		x			
EU- Eastern and Southern Africa States	14/05/12					x
EU-Korea	01/07/11			x	x	
EU-Montenegro	01/01/08(G) 01/05/10(S)			x		
EU-Papua New Guinea/Fiji	20/12/09					x
EU-Serbia	01/02/10			x		
India-Korea	01/01/10			x		
India-Malaysia	01/07/11				x	
India-MERCOSUR	01/06/09			x		
India-Nepal	27/10/09			x		

	Date of entry into force	Update for 2008	Update for 2009	Update for 2010	Update for 2011	Update for 2012 (this report)
Japan-Philippines	11/12/08		x			
Japan-Switzerland	01/09/09		x			
Japan-Viet Nam	01/10/09		x			
Japan-ASEAN	01/12/08	x				
Japan-Brunei	31/07/08	x				
Japan-Indonesia	01/07/08	x				
Japan-India	01/08/11				x	
Japan-Peru	01/03/12				x	
New-Zealand-Malaysia	01/08/10		x			
New-Zealand-Philippines	01/10/09		x			
New Zealand China	01/10/08	x				
New Zealand-Hong Kong (China)	01/01/11			x	x	
Panama-Costa Rica	23/11/08		x			
Panama-Honduras	09/01/09			x		
Panama-Peru	01/05/12					x
Pakistan Malaysia	01/01/08	x				
Peru-Chile	01/03/09					x
Peru-Singapore	01/08/09	x	x			
Peru-Korea	01/08/11				x	
Peru-Mexico	01/02/12					x
Chinese Taipei-El Salvador Honduras	01/01/08	x				
Chinese Taipei-Guatemala	01/07/06				x	
Chinese Taipei-Nicaragua	01/01/08			x		
Turkey-Georgia	01/11/08		x			
Turkey-Montenegro	01/03/10		x			
Turkey Albania	01/05/08	x				
Turkey-Serbia	01/09/10			x		
Turkey-Chile	01/03/11				x	
Turkey-Jordan	01/03/11				x	
Russia-Azerbaijan	17/02/93					x
Russia-Belarus	20/04/93					x
Russia-Kazakhstan	07/06/93					x
Russia-Moldova	30/03/93					x
Russia- Tajikistan	08/04/93					x
US-Colombia	15/05/12					x
US-Korea	15/03/12					x
US-Oman	01/01/09	x	x			
US-Peru	01/02/09	x	x			

Table A3. Canadian Environmental Assessments of RTAs

Country	Status	Date
Singapore	initial	before 2005
Central America Four (CA4)	initial	before 2005
Free Trade Area of the America (FTAA)	initial	before 2005
Korea	initial	Sep 2007
Andean Community	initial	Jan 2008
Chile government procurement chapter	final	Jun 2008
Caricom	initial	Dec 2008
Dominican Republic	initial	Dec 2008
Colombia and Peru	final	Apr 2009
Jordan	final	Jul 2009
European Union	initial	Feb 2012
Panama	final	May 2012

Source: www.international.gc.ca/trade-agreements-accords-commerciaux/env/EAlisteEE.aspx.

Table A4. US Environmental Reviews of RTAs

Country	Status	Date
Jordan	final	Dec 02
Chile	final	Jun 03
Singapore	final	Jun 03
CAFTA-DR	final	Aug 03
Panama	final	Jun 04
Australia	final	Jul 04
Morocco	final	Jul 04
Bahrain	final	Sep 04
UAE	interim	May 05
Thailand	interim	Nov 05
Oman	final	Jun 06
Korea	final	Dec 06
Peru	final	Oct 07
Colombia	final	Mar 08

Source: www.ustr.gov/trade-topics/environment/environmental-reviews.

Table A5. EU Sustainability Impact Assessments of RTAs

Country	Status	Date
Chile	final	Dec 2002
Gulf Co-operation Council (GCC)	final	May 2004
Africa Caribbean Pacific (ACP)	final	Oct 2006
Euro-Mediterranean Free Trade Area (EMFTA)	final	Nov 2007
Ukraine	final	Dec 2007
Korea	final	Jun 2008
China	final	Aug 2008
MERCOSUR	final	Mar 2009
India	final	May 2009
ASEAN	final	Jun 2009
Central America	final	Sep 2009
ANDEAN	final	Oct 2009
Libya	final	Oct 2009
Canada	final	June 2011
Georgia and Moldova	final	Aug 2012

Source: <http://ec.europa.eu/trade/analysis/sustainability-impact-assessments/assessments/>

Annex 2.

Regional Trade Agreements under negotiation

Recent developments among pending regional trade agreements with environmental provisions include⁴:

- EU-Central America Association Agreement and EU-Colombia/Peru FTA – These agreements have already been signed but their conclusion requires the consent of the European Parliament. They are still under discussion before the EP and vote is expected in the coming months.
- EU-Japan FTA/EPA - The EU-Japan Summit agreed on 28 May 2011 to begin the process for negotiations for a Deep and Comprehensive Free Trade Agreement/Economic Partnership Agreement (DCFTA/EPA), addressing all issues of shared interest to both sides. The so-called scoping exercise, which was launched to pave the way for starting negotiations between the two trading partners, was concluded in the beginning of May 2012. FTA/EPA negotiations should start shortly.
- EU-Viet Nam FTA – EU and Viet Nam have finalised preparations for starting negotiations on a bilateral FTA. They have concluded a scoping paper that covers the topics to be included in the future trade negotiations. The completion of this preparatory work is an important step towards launching trade negotiations. The EU Trade Commissioner and Vietnamese Trade Minister officially launched the negotiations on 26 June 2012 in Brussels.
- Fifteen full rounds of negotiations have been held between the TPP countries, with the fifteenth taking place in December 2012 in Auckland, New Zealand. For Canada this was the first in which it was participating, alongside Mexico. The Environment Working Group is making steady progress on consolidating various proposals, consistent with TPP Leaders' instructions to conclude these negotiations as rapidly as possible. In addition to traditional environment provisions in FTAs, a number of Parties have submitted proposals aimed at addressing shared trade and environmental challenges, such as illegal fishing practices and harmful fisheries subsidies, as well as seeking outcomes on environmental goods and services.
- On 29 November 2012, the EU Council decided to give the Commission an authorisation to start trade negotiations with Japan. Trade and Sustainable Development provisions including on environment will be part of the negotiating process.
- On 26 June 2012, the EU and Viet Nam launched negotiations on an FTA. A first round of negotiations was held in Hanoi from 8 to 12 October 2012 and the second round from 22 to 25 January 2013 in Brussels.
- On 26 June 2012, the EU and Colombia and Peru signed an FTA which creates a stable framework to boost trade and investment between the EU and the Andean

4 Please note that the information provided in this section is the latest available at the time of publication and is likely to become quickly outdated.

region. On 11 December, the European Parliament gave its consent to the agreement which enables the EU Council to formally adopt the decision concluding the FTA.

- On 29 June 2012, the EU and Central America signed an Association Agreement which will open up markets on both sides, help establish a stable business and investment environment. On 11 December, the European Parliament gave its consent to the Agreement which enables the EU Council to formally adopt the decision concluding the agreement.
- On 16 December 2012, the EU and Singapore concluded negotiations on an FTA which includes a comprehensive chapter on Trade and Sustainable Development, also addressing environmental issues, and dedicated disciplines to tackle barriers to trade and investment in renewable energy generation.
- New Zealand is currently engaged in bilateral negotiations for free trade agreements with India; the Customs Union of Russia, Kazakhstan and Belarus; and the Republic of Korea. New Zealand is also in plurilateral negotiations for a regional trade agreement – the Trans Pacific Partnership Agreement (TPP) - with the US, Chile, Peru, Australia, Singapore, Malaysia, Brunei, Viet Nam, Canada, and Mexico. All negotiations include discussions on environment.
- Negotiations on an economic cooperation agreement between New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei) led by the New Zealand Commerce and Industry Office in Taipei, and the Taipei Economic and Cultural Office in Wellington also include discussions on trade and environment.
- Eight rounds of the New Zealand – India FTA negotiations have been held to date. The Parties continue to share perspectives on trade and environment provisions. New Zealand has been able to share its experiences of negotiating environmental outcomes in its previous FTAs and the value that such outcomes bring to relationships among FTA partners.
- Nine rounds of negotiations have been held to date between New Zealand and the Russia-Belarus-Kazakhstan Customs Union. Significant progress has been made across the negotiations and the Parties have held constructive discussions on the inclusion of trade and environment provisions.
- Negotiations for a Comprehensive Economic and Trade Agreement between Canada and the European Union are very advanced and Parties are hoping to conclude the agreement soon.
- A first Round of negotiation for a Comprehensive Economic Partnership Agreement between Canada and Japan was held in Tokyo at the end of November 2012.
- In November, the 6th Round of negotiations for a Comprehensive Economic Partnership Agreement between Canada and India was held in Ottawa.
- The Canada-Jordan Free Trade Agreement has entered into force on 1st October 2012.
- The 3rd round of negotiations for a Free Trade Agreement between Canada and Morocco was held in Ottawa on 18-22 June 2012.
- EFTA - Custom Union Russia-Belarus- Kazakhstan: The first round of negotiations was held on 11-13 January 2011 and 6 rounds of negotiations have already taken place.

- EFTA - Bosnia-Herzegovina: The first round of negotiations was held on 28 and 29 March 2011 and 3 rounds of negotiations have already taken place.
- EFTA – Indonesia: The first round of negotiations was held from 31 January to 2 February 2011 and 5 rounds of negotiations have already taken place.
- EFTA –India: The first round of negotiations was held on 6-8 October 2008 and 11 rounds of negotiations have already taken place.
- Switzerland- China: The first round of negotiations was held on 7-8 April 2011 and 7 rounds of negotiations have already taken place.
- EFTA -Central American States: The first round of negotiations was held from 28 February to 1 March 2012 and 5 rounds of negotiations have already taken place.
- EFTA- Viet Nam: The first round of negotiations was held on 22-25 May 2012 and 2 rounds of negotiations have already taken place.
- EFTA-Malaysia: Future free trade negotiations are expected to start in 2013, in which discussions on trade-related environmental issues are foreseen.

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