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**Multilateral Environmental Agreements & World Trade**

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49 Telephone Interview with Andy Curtis, Public Utilities Comm’n of TX (July 1, 2002).

1s NorthWest Project, Stateline Wind Project (the 263 MW project saddles the WA OR border and employs 380 660 kW Vestas turbines. FPL Energy built the project for about $300 million), at http://www.fplenergy.com/.

1 Telephone interview with George Darr, Mgr., Renewable Resource Program, BONNIEVILLE POWER ADMIN., DEPT. OF ENERGY (July 18, 2002).

1M Renewable: Managing Pricing Risks of Intermittency Could Be Windpower’s Last Challenge, UTILITY ENVIRONMENT RPT. (June 14, 2002), available in 2002 WL 11408721.


1 Telephone Interview with Mike Taylor, Energy Div., MN Dept. of Commerce (July 23, 2002).


1AWEA, supra note 26.

1 BONNIEVILLE POWER ADMIN., DEPT. OF ENERGY, Transmission Generation Imbalance Service Rate Proposal, GI-02-A-02 (July 15, 2002).


1 Renewable: The Public Utilities Regulatory Policies Act of 1978 (PURPA) mandated that utilities buy power from independent power producers at a price equal to the utility’s own cost of meeting the energy demand (full avoided cost).


By Melanie Nakagawa*

In September 2003, the Fifth Ministerial Conference of the World Trade Organization (“WTO”) will meet in Cancun, Mexico. Cancun may provide an opportunity to reconcile many tensions between trade and the environment, although it seems likely that environmental concerns will remain marginalized. NGOs, governments, and other environmental agencies are eagerly waiting to see what happens at Cancun.

At the Fourth WTO Ministerial Conference in Doha, Qatar, governments mandated the WTO to unilaterally clarify the relationship between trade rules and trade measures that enforce MEAs. The Doha mandate, however, established that the outcome of any negotiations “shall not diminish the rights and obligations of Members under existing WTO agreements,” thus continuing to subjugate environmental concerns to those of trade. Many developing nations favor prioritizing economic development over complying with MEAs. They consider GATT Article XX, the list of exceptions, adequate for handling the MEA-WTO issue. Other nations, mainly developed economic powers, support clarifying the MEA-WTO relationship.

Two areas of potential progress are increased cooperation and information exchange, and laying out the legal framework for the relationship between MEAs and trade agreements. A major limiting factor, however, is the fact that the negotiations leading up to Cancun have largely excluded many environmental perspectives from the discussion. Currently the WTOs Committee on Trade and Environment meets with secretariats of MEAs once or twice a year to discuss trade-related provisions and dispute resolution mechanisms in MEAs.

Thus, new negotiations could expand the existing cooperation between the WTO and trade-related MEAs.

(Endnotes)


2 WTO, WTO Symposia: Challenges Ahead on The Road to Cancun, June 16 Session I: The Relationship Between MEAs and the WTO: Where are Negotiations Heading, available at http://www.wto.org/english/tratop_e/dda_e/symp03_sum_devel_country_e.doc.

3 Doha Round Briefing Series, supra note 1.
