

## UNEP STATEMENT

Statement by the UNEP at the Regular Session  
of the Committee on Trade and Environment of 8 October 2002

Items 1 & 5

1. This statement on behalf of UNEP has been developed in the context of our preparations for the MEA-UNEP sponsored meeting that will be held on 11 November, immediately prior to the Special Session of the CTE Information Session for MEAs. It also relates to items on the agenda of this regular session of the CTE. While this remains a statement from UNEP, it reflects many of the points emerging from consultations with colleagues from MEA Secretariats on these issues.
2. UNEP first wishes to acknowledge the cooperation of the WTO Secretariat, which is facilitating the organization of the 11 November MEA-UNEP meeting on Enhancing MEA and WTO Information Exchange. This cooperation is a concrete expression of that required between intergovernmental organizations with differing mandates and competencies, if the international community is to secure sustainable development. It is in line with the Plan of Implementation agreed by governments at the recent World Summit on Sustainable Development (WSSD), which calls for strengthened “cooperation among UNEP and other United Nations bodies and specialized agencies, the Bretton Woods institutions and WTO, within their mandates”. It is also a concrete expression of the Doha Declaration’s call to “promote cooperation between WTO and relevant international environmental and development organizations”.
3. UNEP also welcomes the recent initiative by WTO members to improve de-restriction of documents relating to CTE deliberations, including country positions prepared for the CTESS. In the absence of observer status for those Special Sessions we would like also to request that this derestriction be extended to the minutes of the CTESS.
4. For UNEP, granting observer status for MEA Secretariats and UNEP to the ongoing negotiations in the CTESS remains a priority. Observer status would enable MEAs and UNEP to better inform the WTO and its members on issues of substance relevant to their discussions. It would also enable MEA Secretariats to inform the COPs and subsidiary bodies of their agreements of relevant developments in the WTO. This channel, flowing in the “real time” of WTO negotiations would complement national coordination mechanisms between trade and environmental ministries. And it would undoubtedly help improve that coordination, and facilitate design of policies supportive of sustainable development. It would also enable these WTO negotiations to address issues of common interest to both regimes, in a reciprocal and mutually advantageous manner.
5. Cooperation and interaction between MEAs, the WTO and UNEP are relevant to a range of other elements of the Doha Work Programme, being discussed in this regular session of the CTE.
6. First of all, paragraph 33 cites the need for capacity building activities on trade and environment. The MEA Secretariats and UNEP are already collaborating with the WTO in its programme of regional seminars on trade and environment. Officials from various MEA Secretariats and UNEP have participated actively in regional seminars conducted in Zimbabwe, Malta, Singapore,

Namibia, St. Lucia, and Latvia, since February 1999. The presence and presentations of those secretariats, together with those of officials from UNCTAD and the WTO, has been welcomed by the participating national officials in all those cases.

7. In the coming months, UNEP hopes to expand those activities at national and regional levels in partnership with the MEAs, WTO and UNCTAD. In Fiji, in late November, UNCTAD and UNEP will hold a training workshop back-to-back with the WTO Regional Seminar, as part of the programme of their Capacity Building Task Force on Trade, Environment and Development (CBTF). UNEP is also following up on recommendations, which emerged from its workshops on capacity building held in Geneva and Washington in March and July respectively. These initiatives have moved beyond information exchange to deliver activities and outputs which enhance countries' capacity to analyse and respond to interactions between trade, environment and development policy. For example, UNEP's ongoing work on integrated assessment of trade related policies can also make an important contribution to the sharing of expertise and experience on environmental reviews among WTO members, as called for under Paragraph 33.

8. Second, MEA Secretariats and UNEP have knowledge and expertise to contribute on issues being discussed under paragraph 32 of the Doha Ministerial Declaration. Environmental labelling is a tool that can contribute to implementation of MEAs. Issues of labelling have been specifically raised by the Secretariats of the CITES and Ramsar Conventions in discussions on this policy interface. Furthermore, labelling is explicitly referred to in the programme of work on incentive measures of the Convention on Biological Diversity, and is a tool that will also play an important role in implementation of the Cartagena Protocol on Biosafety. Information exchange and observer status would help promote understanding of the relationships between WTO and MEA discussions of labelling by, for example, enabling UNEP and the MEA Secretariats to contribute their experience and studies on the design and application of eco-labelling schemes.

9. Third, provisions of TRIPS Agreement are of considerable interest to the secretariats of those MEAs in which technology transfer will play a significant role in reducing pollution of the global environment, as well as to the Convention on Biological Diversity in the context of access and benefit sharing of genetic resources, and in the protection of biodiversity-related traditional knowledge. Enhanced information exchange and observer status in areas relating to intellectual property could benefit all WTO members by helping to identify areas of synergy between the WTO and MEAs.

10. Fourth, understanding the effects of environmental measures on market access, particularly for developing and least developed countries, is also of importance to MEA negotiators responsible for designing policy tools for the implementation of those agreements, including economic instruments and other trade-related measures. The research being conducted through UNEP's Working Group on Economic Instruments, including in the context of MEA implementation, and the paper that the CITES Secretariat will submit to their Conference of the Parties (COP) in Santiago de Chile in November, are cases in point.

11. We believe enhanced cooperation, information exchange and observer status thus has strong potential to yield concrete benefits to all countries, and especially developing ones. This is in line with calls in the Doha Ministerial Declaration and the WSSD Plan of Implementation to increase market access for developing countries.

12. Access and observer status are, of course, not a one-way street. In this regard, UNEP believes that the initiatives taken by the WTO Secretariat to provide information to MEA COPs and Subsidiary Bodies are an important advance. Examples are the side events hosted by the WTO Secretariat at CBD COP 6 in The Hague as well as at the forthcoming COP of CITES in Santiago de Chile. We would encourage WTO members to support these endeavours, and explore their full potential in other relevant fora. The Governing Council of UNEP, and the COPs of most if not all MEAs, have

extended and will continue to extend an open invitation to WTO Secretariat officials to observe and participate in their meetings.

13. While all these secretariats are making the most of existing information channels, UNEP believes that it remains vital to secure an early harvest on the issues of information exchange and criteria for observer status contained in paragraph 31(ii). We consider that these ongoing negotiations should not preclude the granting of observer status to the CTESS for those MEAs that have been invited on a consistent basis to the regular session of the CTE and to MEA Information Sessions. UNEP believes that pragmatic solutions are also needed to pending requests for observer status in all other relevant WTO Committees – WTO negotiations will simply be better informed if MEAs are on hand to observe and offer technical clarifications whenever those might be required.

14. UNEP looks forward to more detailed information exchange, greater transparency and the deeper collaboration between MEAs, the WTO and UNEP that should emerge from negotiations mandated under paragraph 31(ii). We also hope that all WTO Committees that consider that MEAs or UNEP have relevant analysis, experience with policy tools or other information to contribute to their discussions or negotiations will not hesitate to request that information, as the TRIPS Council has recently done from the CBD Secretariat.

15. Discussions during the preparations for the WSSD, and the outcome of that summit, made it clear that more cooperation and information exchange is required between international institutions responsible for the different elements of sustainable development. We should be translating information exchange into practical mechanisms which allow substantive inputs and practical experience to be exchanged between trade and environmental bodies, so as to develop the capacity of all countries to design and implement mutually supportive trade and environment policies.

16. Trade is identified as an absolutely central means of implementation for sustainable development in the Plan of Implementation agreed in Johannesburg last month. Thus it is clear that the multilateral institutions responsible for trade and the environment have an obligation to intensify their cooperation and information exchange. UNEP looks forward to meeting that obligation, in partnership with the WTO and MEAs, so that these negotiations can reaffirm that the relationship between MEAs and the WTO is built on their equal status in international law, their unique and multilateral features, and their respective areas of competence.

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