



Committee on Trade and Environment

ENVIRONMENTAL DATABASE FOR 2012

NOTE BY THE SECRETARIAT¹

1. The WTO Environmental Database (EDB) for 2012 covers information on: (i) national environment-related measures notified under WTO Agreements, (Section 1); (ii) environment-related provisions of notified Regional Trade Agreements (RTAs), (Section 2); and (iii) national environment-related measures or programmes, mentioned in Trade Policy Reviews (TPRs) carried out in 2012 (Section 3).²

2. In order to facilitate usage of EDB information, the EDB is being circulated in two parts: this document, which contains a brief description and overall analysis of the environment-related notifications and TPRs; and document WT/CTE/EDB/12/Add.1, exclusively circulated electronically, which provides the underlying data used for the analysis.³

3. The electronic data in WT/CTE/EDB/12/Add.1 enables users to search through all EDB environment-related information according to specific criteria, for instance by Member, Agreement, type of measure, product, activity, or environmental objective. The electronic file is divided into two main worksheets: "Notifications", listing all the environment-related notifications; and "TPRs", providing the environment-related information mentioned in TPRs. In addition, a third worksheet entitled "Summary" is included to allow users to retrieve pre-defined summary tables and graphs.

¹ This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

² To recall, the EDB is prepared in response to a recommendation in the 1996 Report of the Committee on Trade and Environment (CTE) to the Singapore Ministerial Conference for the Secretariat to compile and update annually all environment-related notifications to the WTO (see WT/CTE/1) and was initiated in 1998 (see WT/CTE/3). The list of search words is contained in Annex I to this document; the list of abbreviations is contained in Annex VI. See also the following documents containing information on search words: WT/CTE/W/46, WT/CTE/W/78 and WT/CTE/W/102.

Previous Environmental Databases have been circulated in the following documents: EDB 1996 in WT/CTE/W/46, EDB 1997 in WT/CTE/W/77, EDB 1998 in WT/CTE/W/118, EDB 1999 in WT/CTE/W/143, EDB 2000 in WT/CTE/W/195, EDB 2001 in WT/CTE/EDB/1, EDB 2002 in WT/CTE/EDB/2, EDB 2003 in WT/CTE/EDB/3, EDB 2004 in WT/CTE/EDB/4, EDB 2005 in WT/CTE/EDB/5, EDB 2006 in WT/CTE/EDB/6, EDB 2007 in WT/CTE/EDB/7, EDB 2008 in WT/CTE/EDB/8, EDB 2009 in WT/CTE/EDB/9 and Add.1, EDB 2010 in WT/CTE/EDB/10 and Add.1, and EDB 2011 in WT/CTE/EDB/11 and Add.1.

³ Annex VII provides the electronic EDB user's guide.

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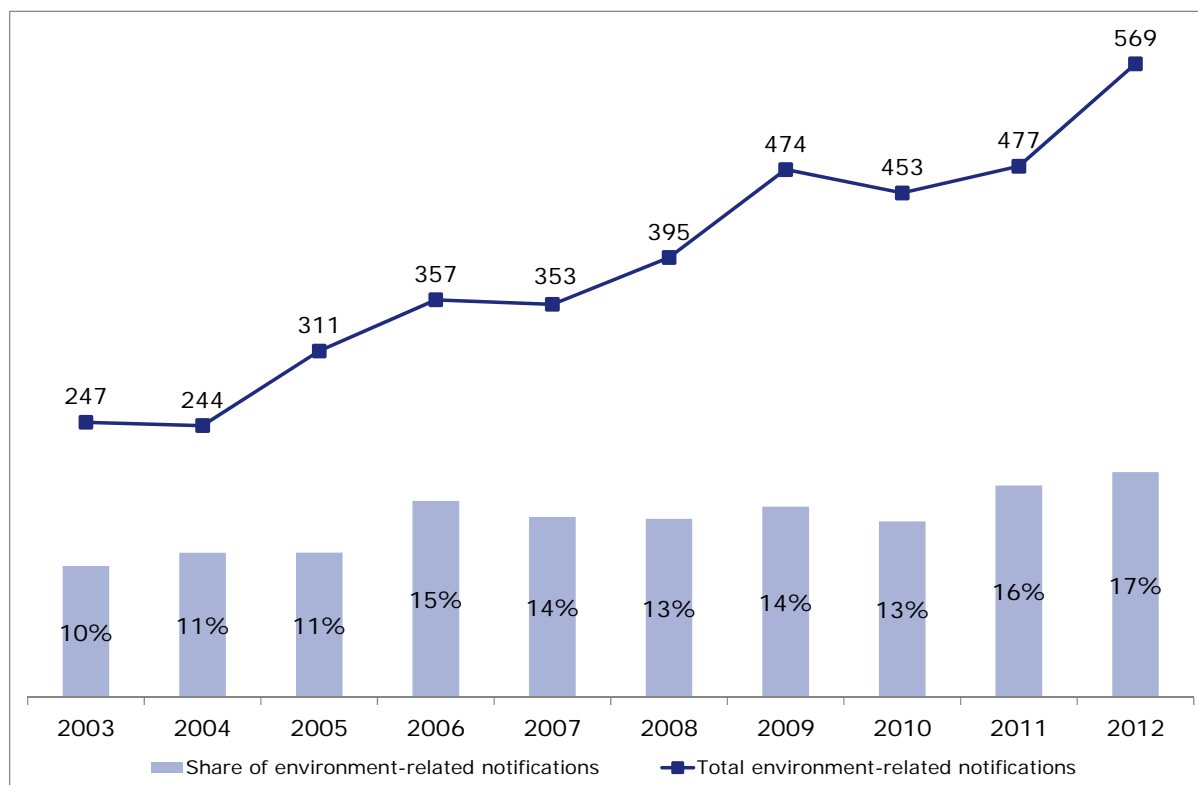
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1 NOTIFICATIONS OF NATIONAL MEASURES

1.1. This document provides an overall description and analysis of the notifications under relevant WTO Agreements of measures whose objective is environment-related. These notifications were compiled as the result of a search on 3,374 documents submitted by Members in 2012 under the following WTO Agreements: Agreement on Technical Barriers to Trade (TBT); Agreement on the Application of Sanitary and Phytosanitary Measures (SPS); Agreement on Subsidies and Countervailing Measures (SCM); Agreement on Agriculture; Agreement on Anti-Dumping; Agreement on Import Licensing Procedures (ILP); Agreement on Safeguards; Agreement on Customs Valuation; GATT Article XVII on State Trading Enterprises; Regional Trade Agreements (RTAs), including the Understanding on the Interpretation of Article XXIV of the GATT 1994; Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS); the General Agreement on Trade in Services (GATS); Decision on Notification Procedures for Quantitative Restrictions (QRs); Agreement on Trade-Related Investment Measures (TRIMs); Understanding on the Balance-of-Payments Provisions of the GATT 1994 (BoP); Agreement on Preshipment Inspection; Agreement on Rules of Origin; Agreement on Government Procurement (GPA); Information Technology Agreement (ITA); and other notifications such as measures to the Committee on Trade and Development (CTD).

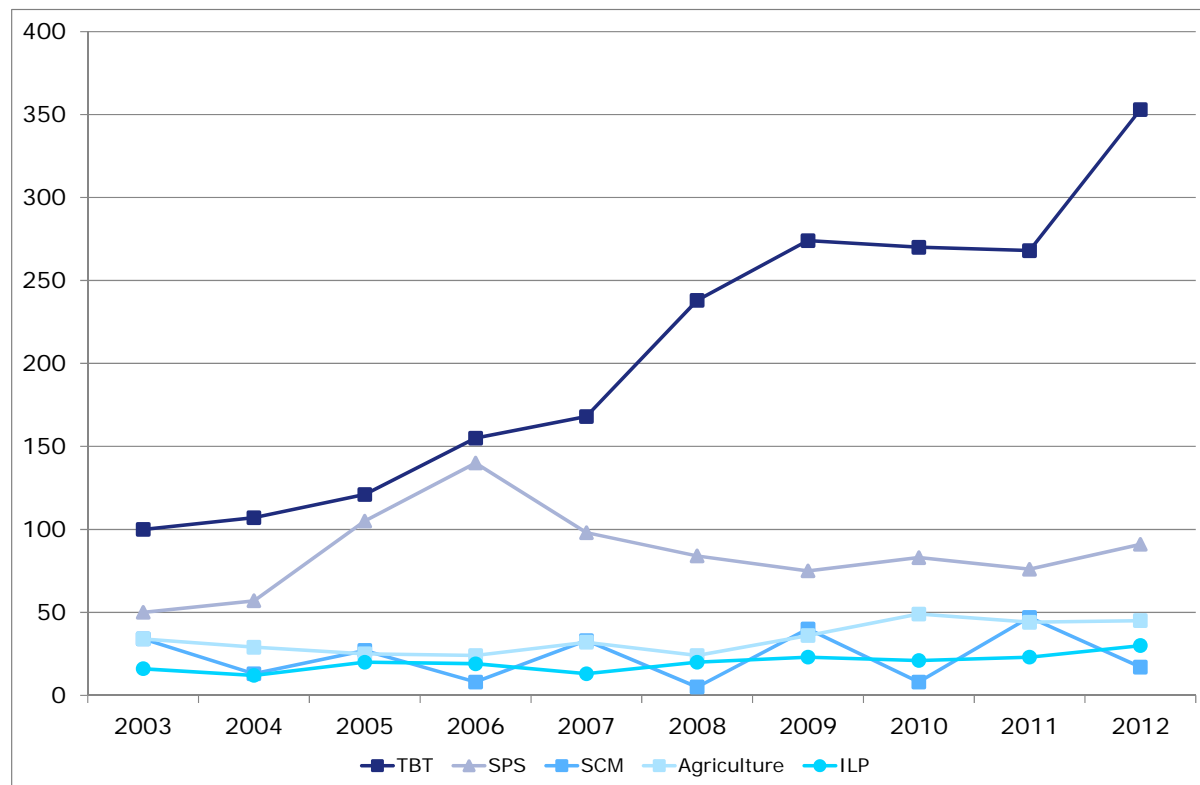
1.2. Environment-related notifications can be broadly grouped into two categories. The first consists of notifications that mention environmental protection as the principal objective of the notified measure. The second category includes notifications that are not primarily aimed at environmental protection, but contain environment-related elements. In both categories, reference is made only to the environmental objective of the measure. Further, some notifications are made for each and every measure (such as most notifications under the TBT and SPS Agreements); others concern various measures in a single report type document (such as the SCM and Agriculture Agreements). In the latter case the various measures are reported separately. In addition, there might be cases where several notifications refer to the same environment-related measure.

Chart 1.1: Environment-related Notifications (2003 – 2012)



1.3. In 2012, of the 3,374 notifications submitted⁴, 16.9% were environment-related (569 environment-related notifications covering a total of 963 environment-related measures). Although there has been a substantial increase in the number of notifications of environment-related measures to the WTO in recent years (from 165 notifications in 1997 to 569 notifications in 2012), their share has remained relatively stable over the last six years (13% to 17%). The average share of environment-related notifications between 1997 and 2012 is 12%, representing on average 322 environment-related notifications submitted annually (see Annex II). The number of environment-related measures covered by the notifications decreased, from 1,175 environment-related measures in 2011 to 963 in 2012, representing an 18% decrease (see Annex III on the number of environment-related notifications and measures).

Chart 1.2: Environment-related Notifications in Selected Agreements (2003 - 2012)

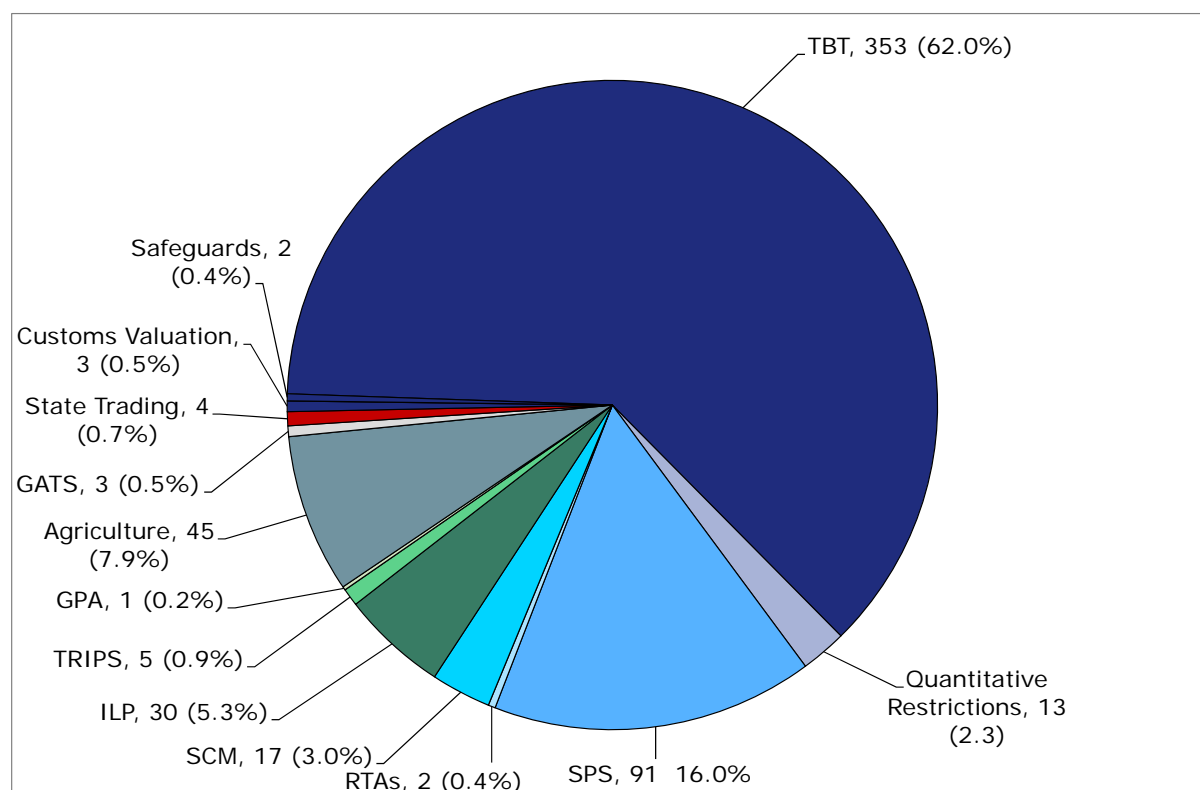


1.4. As in 2011, the search words with the highest frequency associated with the 569 environment-related notifications continued to be "environment" (found in 60% of all environment-related notifications), "energy" (25%), and "bio" (16%). Other frequently mentioned keywords include species (15%) and "conserv(ation)" (14%) (see Annex IV on the search word frequency in notifications).

1.5. As in previous years, and since 2002, the TBT and SPS Agreements had the highest number of environment-related notifications (353 and 91 notifications respectively), accounting for 62% and 16% respectively of all WTO environment-related notifications in 2012. Environment-related notifications to the TBT Agreement displayed the highest growth in numbers in 2012, from 268 environmental-related notifications in 2011 to 353 in 2012, representing a 32% increase. Environment-related notifications to the Agreement on Import Licensing Procedures also registered a 30% increase from 23 notifications in 2011 to 30 in 2012.

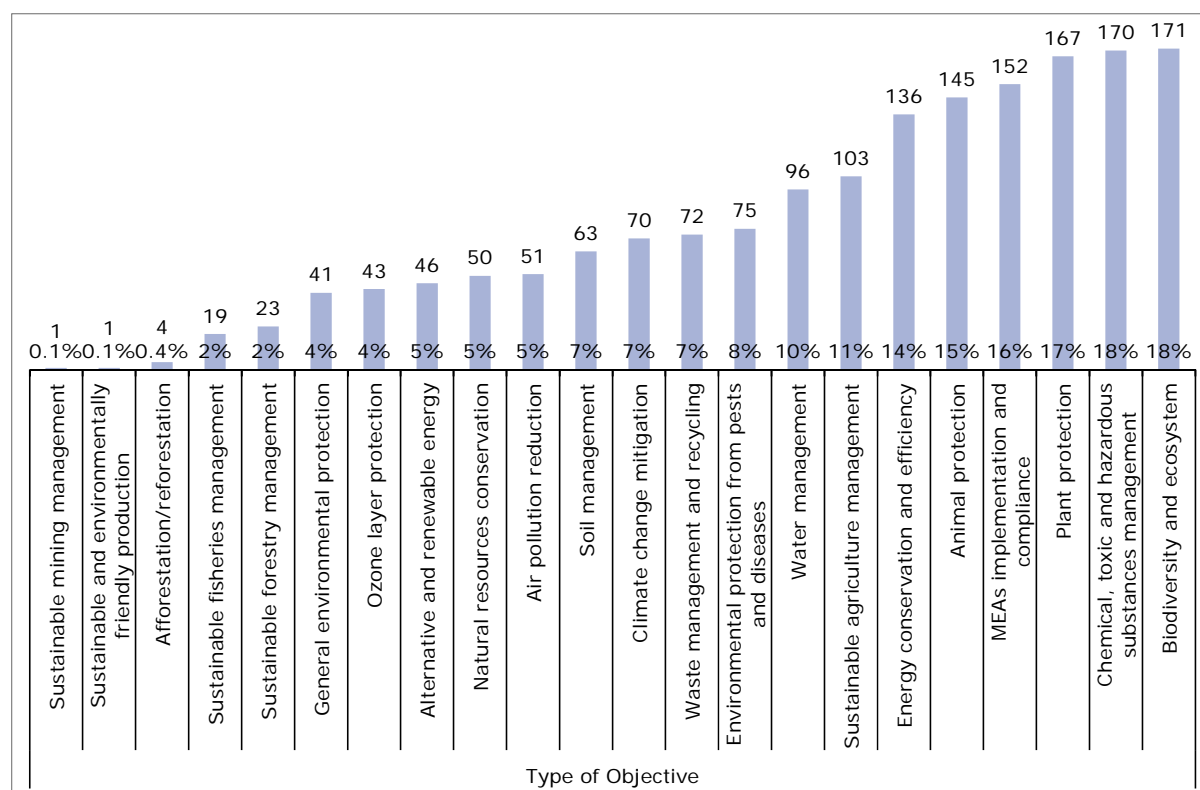
1.6. In terms of measures, the TBT Agreement also reported the highest number of environment-related measures with 353 measures, followed by the Agreement on Agriculture (221 measures), the Decision of the Council for Trade in Goods on Notification Procedures for Quantitative Restrictions (112), the ILP Agreement (102) and the SPS Agreement (91) (see Annex III).

⁴ This number includes regular notifications, as well as addenda, corrigenda and revisions, except in the case of TBT and SPS (regular) notifications.

Chart 1.3: Environment-related Notifications by Agreement (2012)

1.7. The 963 measures mentioned in the 569 notifications addressed a broad range of environmental objectives, including the conservation of biodiversity and ecosystem (18% of all environment-related measures described in the notifications), management of chemical and hazardous substances (18%), plant protection (17%) and animal protection (15%), as well as the implementation of and compliance with obligations under various multilateral environmental agreements (MEAs) (16%), such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention for the Conservation of Antarctic Marine Living Resources, the International Plant Protection Convention (IPPC), the Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol), the Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention), the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention) and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention).

1.8. Other reported environmental objectives included the promotion of energy conservation and efficiency (14%), sustainable agriculture management (11%), water management (10%), environmental protection from pests and diseases (8%), waste management and recycling (7%), climate change mitigation (7%), soil management (7%), air pollution reduction (5%), natural resources conservation (5%), alternative and renewable energy (5%) and ozone layer protection (4%).

Chart 1.4: Types of Environment-related Notifications (2012) ⁵

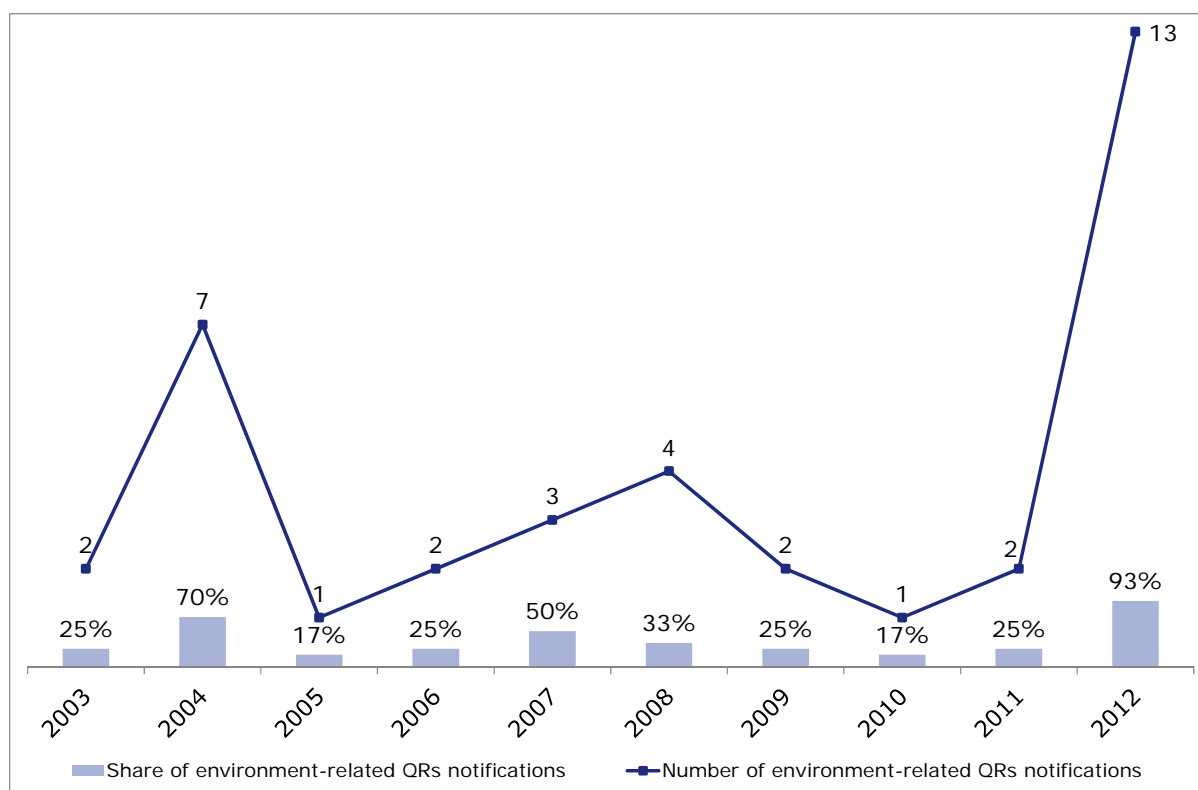
1.9. Seventy-nine Members submitted notifications of environment-related measures in 2012, with the European Union (58 notifications), the United States (53), Jordan (29) and Chile (25) leading the way. As in previous years, the European Union and the United States are the Members that annually notify the highest number of environment-related notifications.

1.1 Regulatory Measures

1.1.1 Quantitative Restrictions Provisions (QRs)

1.10. In 2012, 13 of the 14 notifications submitted pursuant to the Decision of the Council for Trade in Goods on Notification Procedures for Quantitative Restrictions contained environment-related issues (93% of all QRs notifications), covering 112 environment-related measures.

⁵ Since more than one environmental objective can be mentioned in a notification, the total number may exceed 100 per cent.

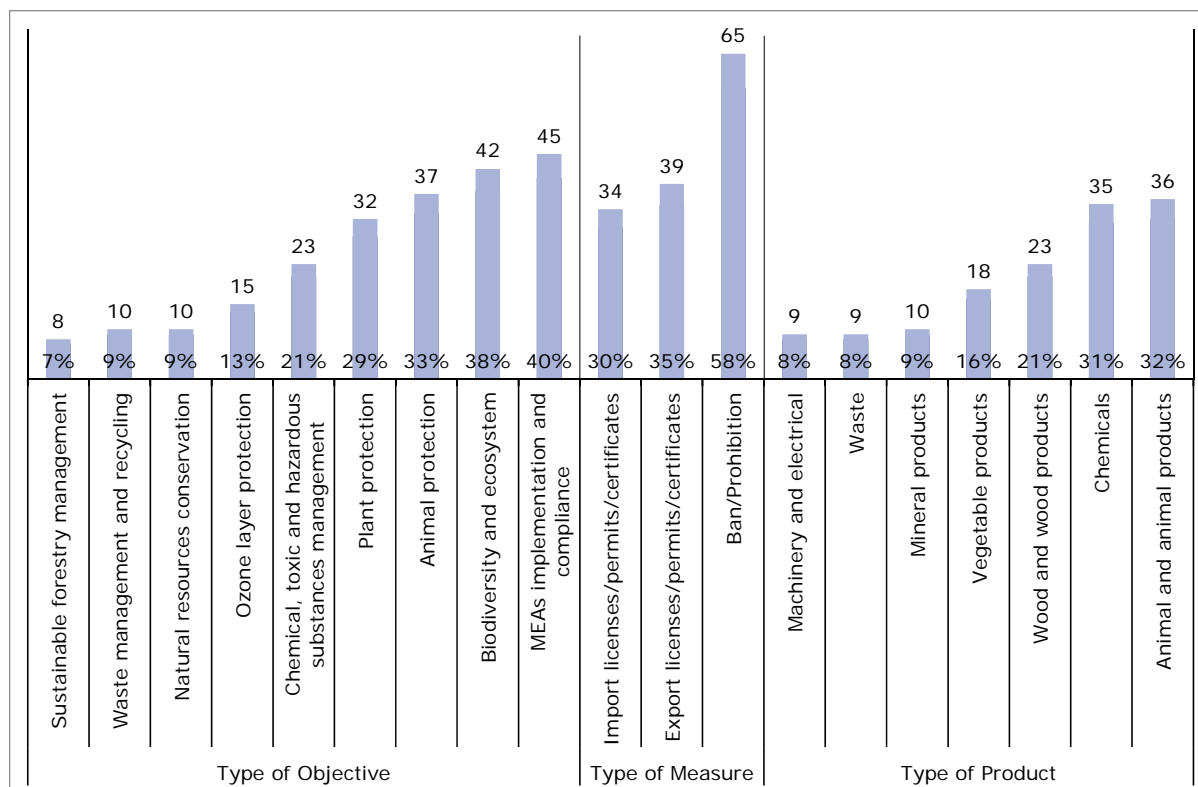
Chart 1.5: Environment-related QRs Notifications (2003 – 2012)

1.11. Animal and animal products, such as the endangered species listed in CITES appendices, Antarctic toothfish and Patagonian toothfish, yellowfin tuna, and various cetacean, were included in 32% of all environment-related measures described in the QRs notifications. Other products covered by the environment-related QRs measures included chemicals, such as ozone depleting substances and hazardous substances (31%), wood and wood products (21%), mineral products (9%), machinery and electrical (8%), and waste (8%).

1.12. Bans and prohibitions were mentioned in 58% of all the 2012 environment-related QRs measures. Other types of measures being reported included export licenses (35%) and import licenses (30%).

1.13. Compliance with obligations under various MEAs, such as the Convention for the Conservation of Antarctic Marine Living Resources, the United Nations Framework Convention on Climate Change (UNFCCC), CITES, IPCC, Montreal Protocol, Basel Convention, Stockholm Convention, and Rotterdam Convention, were mentioned in 40% of all environment-related notified QRs measures. Other environmental objectives included biodiversity and ecosystem conservation (38%), plant protection (29%), chemicals management (21%), ozone layer protection (13%), natural resources conservation (9%), waste management (9%) and sustainable forestry management (7%).

1.14. Developing countries notified 69% of the environment-related QRs notifications, while 31% were made by developed countries, and 13% by least-developed countries.

Chart 1.6: Types of Environment-related QRs Notifications (2012)⁶

1.1.2 Agreement on Import Licensing Procedures (ILP)

1.15. In 2012, of the 85 notifications⁷ submitted by Members under the ILP Agreement, 30 (35%) were environment-related. Those 30 notifications referred to 102 environment-related measures.⁸

1.16. Chemicals, such as ozone depleting substances, radioactive substances, explosives, pesticides and fertilizers, were mentioned in 51% of all environment-related measures described in the ILP notifications. Other products covered by the environment-related ILP measures included animals and animal products (38%), vegetable products (28%), wood and wood products (27%), waste (17%), machinery (5%) and motor vehicles (5%).

1.17. Import and export licenses were reported in 96% and 14% of the 2012 environment-related ILP measures, while 19% of these notified measures referred to bans and prohibitions.

1.18. Compliance with obligations under MEAs, such as CITES, Basel Convention, Stockholm Convention, Rotterdam Convention and Montreal Protocol, was stated as the environmental objective of 61% of the environment-related ILP measures. Other environment-related objectives included biodiversity conservation (37%), animal protection (36%), chemical and hazardous substances management (33%), plant protection (31%), followed by waste management (20%), ozone layer protection (18%), and environmental protection from pests and diseases (6%).

1.19. Developing countries notified 60% of the environment-related ILP notifications, while 27% were made by developed countries, and 13% by least-developed countries.

⁶ Since more than one product/measure/objective can be mentioned in a notification, the total number may exceed 100 per cent.

⁷ This number includes regular notifications as well as addenda, corrigenda and revisions.

⁸ Most ILP notifications contain more than one measure.

Chart 1.7: Environment-related ILP Notifications (2003 – 2012)

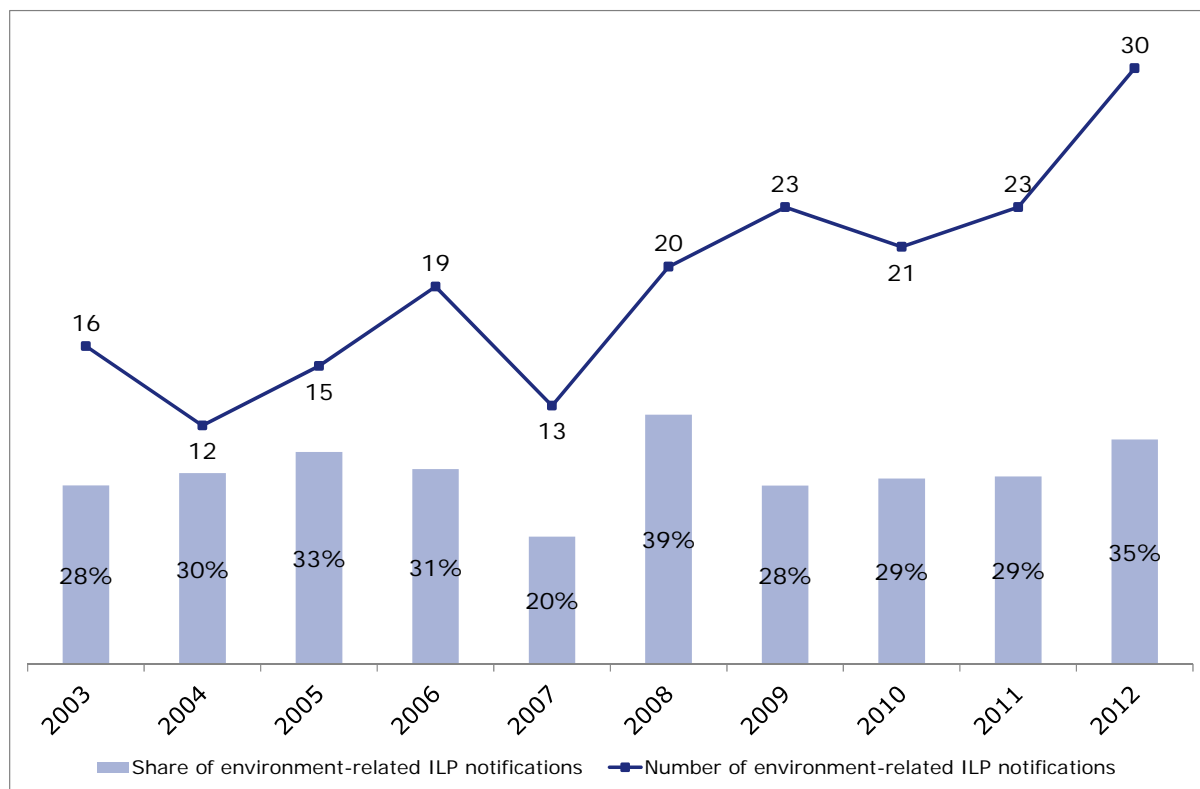
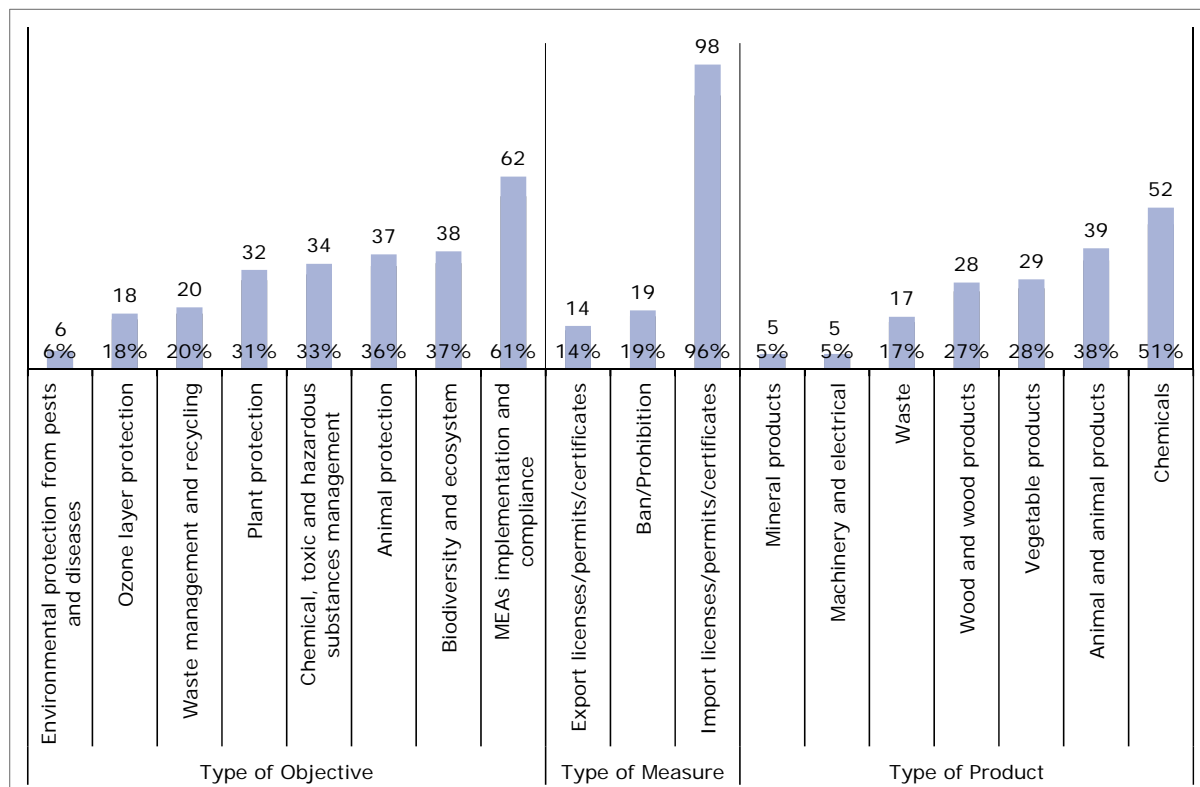


Chart 1.8: Types of Environment-related ILP Notifications (2012)⁹

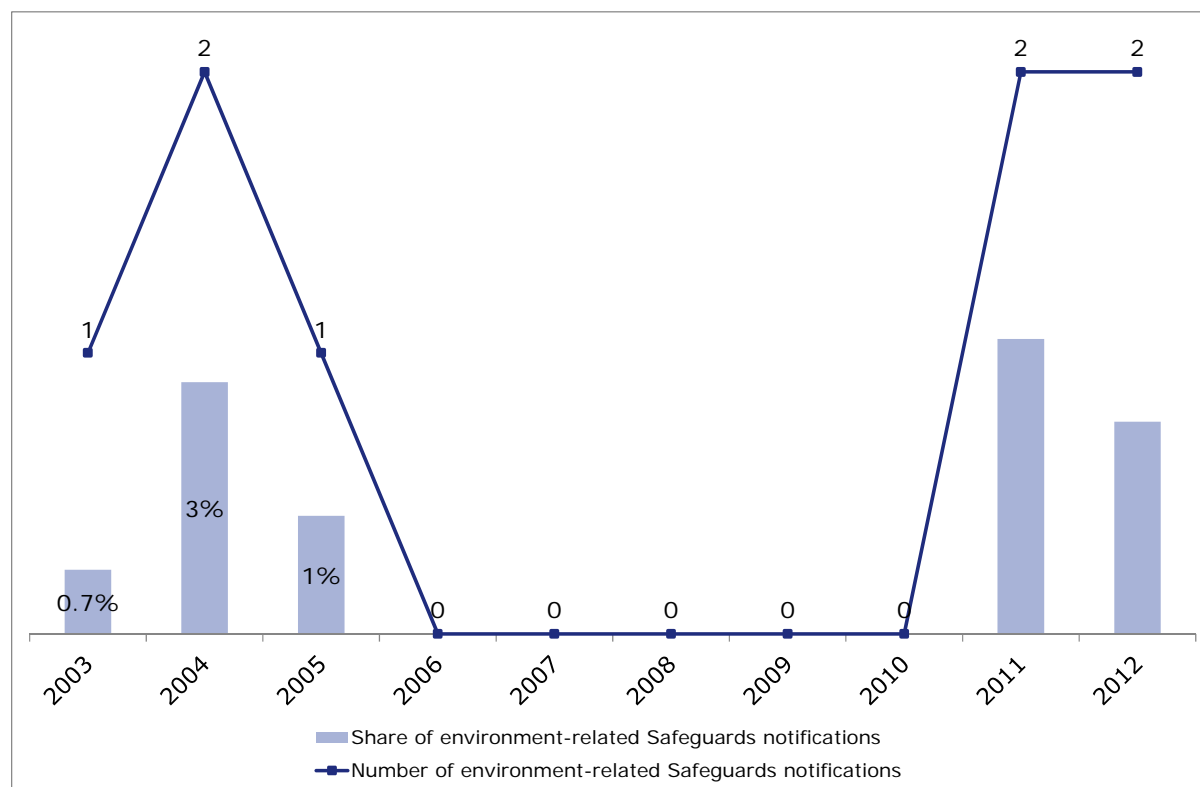


⁹ Since more than one product/measure/objective can be mentioned in a notification, the total number may exceed 100 per cent.

1.1.3 Agreement on Safeguards

1.20. As in 2011, two (2%) safeguards notifications in 2012 were environment-related (out of 89 Safeguards notifications¹⁰ submitted in 2012) and referred to the application by Turkey of special measures to provide an opportunity for the domestic matches industry to reduce costs and increase energy efficiency by completely converting the energy system to natural gas as well as to reduce the use of chemicals.

Chart 1.9: Environment-related Safeguards Notifications (2003 - 2012)



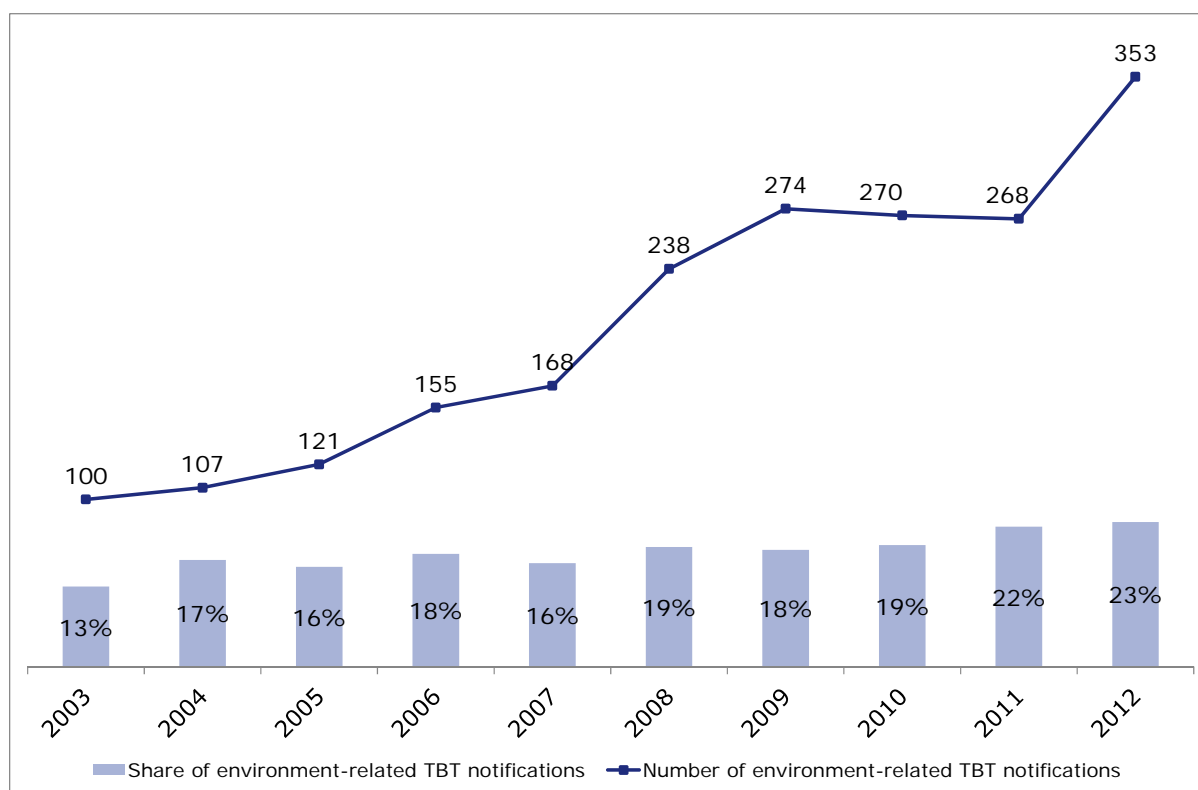
1.1.4 Agreement on Technical Barriers to Trade (TBT)

1.21. In 2012, of the 1,511 regular notifications¹¹ submitted by Members under Articles 2 and 5 of the TBT Agreement, 353 (23%) cited environment as an objective of the notified technical regulation and/or conformity assessment procedure.

1.22. Although the number of environment-related TBT notifications has increased significantly with respect to 2011, their share with respect to all 2012 TBT notifications has remained constant from 22.0% in 2011 to 22.8% in 2012. The average share of environment-related TBT notifications for the 1991-2012 period is 14.9%, representing 127 environment-related TBT notifications submitted annually.

¹⁰ This number includes regular notifications as well as addenda, corrigenda and revisions.

¹¹ This number only includes regular notifications but excludes addenda, corrigenda and revisions, which are usually procedural documents not providing additional substantive information.

Chart 1.10: Environment-related TBT Notifications (2003 - 2012)¹²

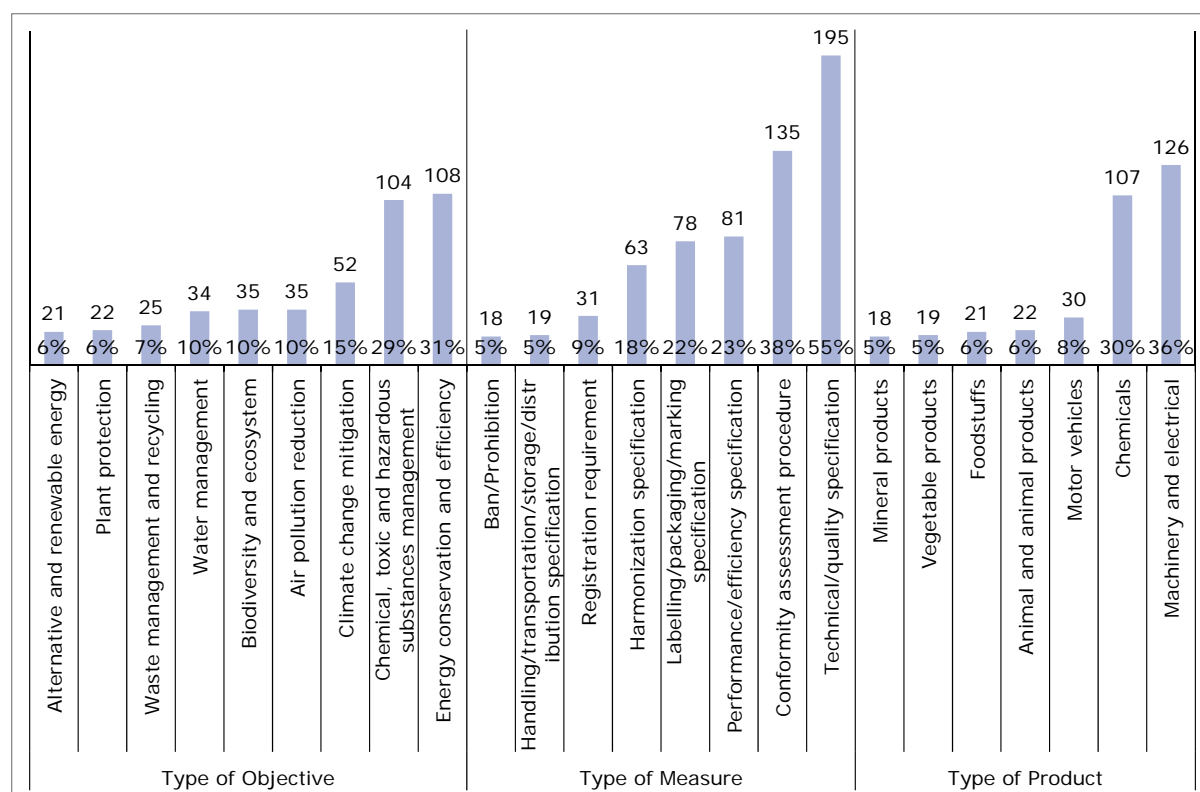
1.23. Eighty-five per cent of the 2012 environment-related TBT notifications were notified as technical regulations under Article 2 of the TBT Agreement, while five per cent were notified as conformity assessment procedures under Article 5. Seven per cent were simultaneously notified as both a technical regulation and a conformity assessment procedure, while the remaining three per cent were notified under other transparency provisions.

1.24. The products that were most frequently associated with the environment-related TBT notifications were machinery and electrical apparatus, such as heating systems, batteries and accumulators, showers, audio/video equipment, washing machines, and lamps, found in 36% of the environment-related TBT notifications. Other products covered included chemicals such as toxic substances, explosives, fertilizers, pesticides, biocidal products and cosmetics (30%), motor vehicles (8%), animal products (6%), foodstuffs (6%), vegetable products (5%), and mineral products (5%).

1.25. The 2012 environment-related TBT measures were mainly technical/quality specifications (found in 55% of the environment-related TBT notifications), evaluations of conformity and certification procedures (38%), performance/efficiency specifications (23%), and labelling/packaging/marketing specifications (22%). Other measures included harmonization provisions (18%), handling/distribution specifications (5%) and prohibitions requirements (5%).

1.26. Energy conservation and efficiency was the most frequent environmental objective, mentioned in 31% of the environment-related notifications. Other environmental objectives included the management of chemical and hazardous substances (29%), climate change mitigation (15%), air pollution reduction (10%), biodiversity and ecosystem protection (10%), water management (10%), waste management and recycling (7%), plant protection (6%) and alternative and renewable energy (6%).

¹² Any discrepancy with figures from previous EDBs are due to the fact that addenda, corrigenda and revisions are not included here.

Chart 1.11: Types of Environment-related TBT Notifications (2012)¹³

1.27. The 2012 environment-related TBT notifications were made by both developing and developed countries (65% and 35%, respectively), with the United States (47 notifications) and the European Union (45) leading the way, followed by Jordan (29), Kenya (16), Uganda (16), Israel (12), Brazil (12) and the Kingdom of Saudi Arabia (12), amongst others.

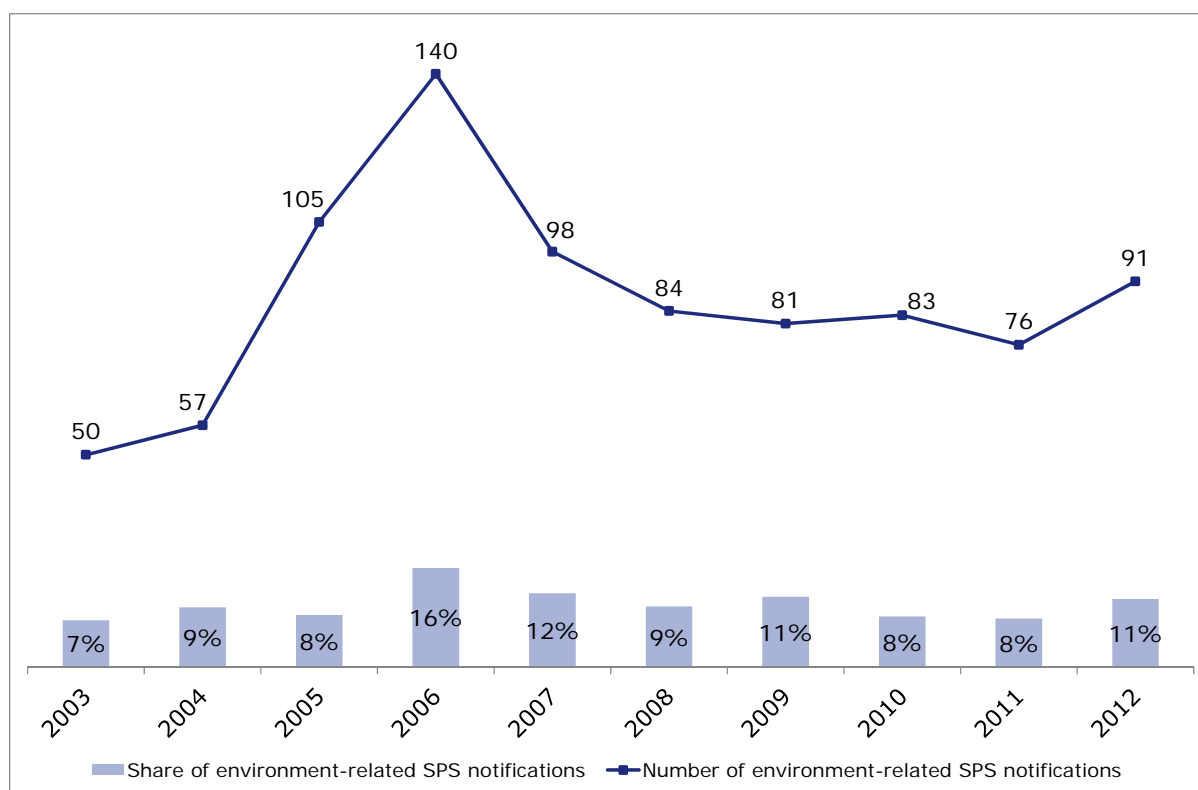
1.1.5 Agreement on the Application of Sanitary and Phytosanitary Measures (SPS)

1.28. In 2012, out of the 856 regular notifications¹⁴ made under the SPS Agreement, 91 (11%) were environment-related.¹⁵ The number and share of environment-related SPS notifications with respect to all the SPS notifications increased from 7.5% in 2011 to 10.6% in 2012, a level higher than the average share of 8.7% for the period 1997-2012.

¹³ Since more than one product/measure/objective can be mentioned in a notification, the total number may exceed 100 per cent.

¹⁴ This number only includes regular notifications but excludes addenda, corrigenda and revisions, which are procedural documents not providing additional substantive information.

¹⁵ Although SPS measures deal with the safety and protection of human, animal and plant health, not all of them have been included in this environmental database. For instance, notifications of measures dealing with pests pertinent to the protection of agricultural crops or farm animals have been excluded; yet they have been included if they pertain to the protection of "territory" or the wild-environment or plants in general.

Chart 1.12: Environment-related SPS Notifications (2003 - 2012)¹⁶

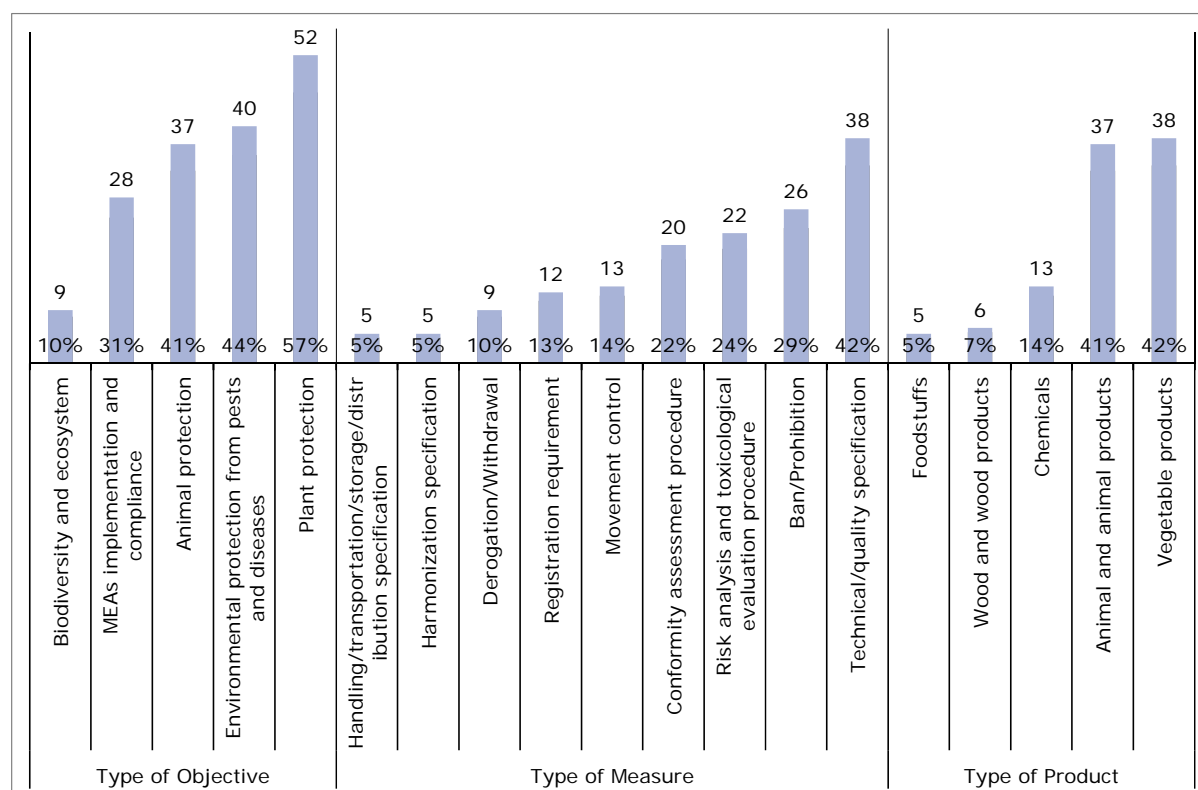
1.29. Vegetable products, such as seeds, plants for planting, flowers, fruits, rice, organic products and modified organisms, were mentioned in 42% of the 2012 environment-related SPS notifications. Other products included animal and animal products (including eggs and live birds and fish) found in 41% of the notifications, chemicals such as pesticides (14%), wood and wood products (7%), and foodstuffs (5%).

1.30. The environment-related SPS measures were mainly technical/quality specifications (found in 42% of the environment-related SPS notifications), ban and prohibitions (29%), risk analysis and toxicological evaluation (24%) and conformity assessment procedures (22%). Other forms of SPS measures included movement control (14%), registration requirements (13%), derogation or withdrawal of the SPS requirements (10%), harmonization provisions (5%), and handling, transportation, storage and distribution specifications (5%).

1.31. Plant protection and environmental protection from pests and diseases were mentioned in 57% and 44% of the environment-related SPS notifications, respectively. Other environmental objectives included animal protection (found in 41% of the notifications), implementation and compliance with MEAs, mainly the International Plant Protection Convention (31%) and biodiversity and ecosystem conservation (10%).

1.32. Of the 91 SPS environment-related notifications made in 2012, 79% were made by developing countries. Chile (14 notifications), the Philippines (9), Nicaragua (6), New Zealand (5), Costa Rica (5), Peru (5) and Ukraine (6) were the countries that submitted the most environment-related SPS notifications.

¹⁶ Any discrepancy with figures from previous EDBs are due to the fact that addenda, corrigenda and revisions are not included here.

Chart 1.13: Types of Environment-related SPS Notifications (2012)¹⁷

1.2 Support Measures

1.2.1 Agreement on Subsidies and Countervailing Measures (SCM)

1.33. In 2012, of the 108 notifications¹⁸ submitted by Members under the SCM Agreement, 17 (approximately 16%) were environment-related, covering a total of 58 environment-related measures.¹⁹ During 1997-2012, the number of environment-related SCM notifications varied, ranging from five to 47 notifications, with an average of 25 notifications per year, representing 17.6% of all SCM notifications.

1.34. In 2012, 41% of all the measures mentioned in the environment-related SCM notifications concerned the energy sector. Other specific activities identified included manufacturing (36%), agriculture (17%), services (17%), research and development (R&D) (12%), fisheries (10%), public administration (9%), forestry (7%), construction (5%) and motor vehicles (5%).

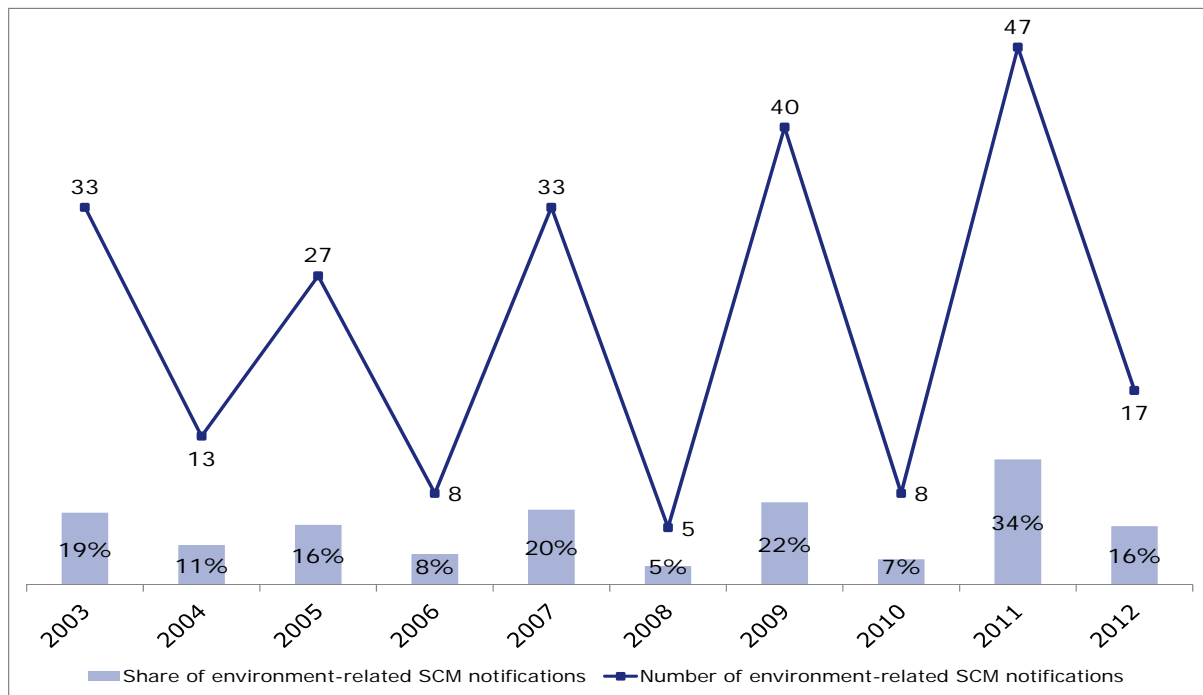
1.35. As in previous years, the notified measures predominantly took the form of grants and direct payments, including conditional contributions (found in 78% of all the environment-related SCM measures). Other forms of support included tax concessions (17%) and loans (9%).

1.36. Besides general environmental protection, the promotion of alternative and renewable energy and energy conservation and efficiency were some of the most frequently mentioned environmental objectives in the 2012 environment-related SCM notifications (22% of all the environment-related SCM measures respectively). Other environment-related objectives cited included, amongst others, water management (17%), climate change mitigation (17%), waste management and recycling (14%), sustainable fisheries management (10%), and biodiversity and ecosystem protection (5%).

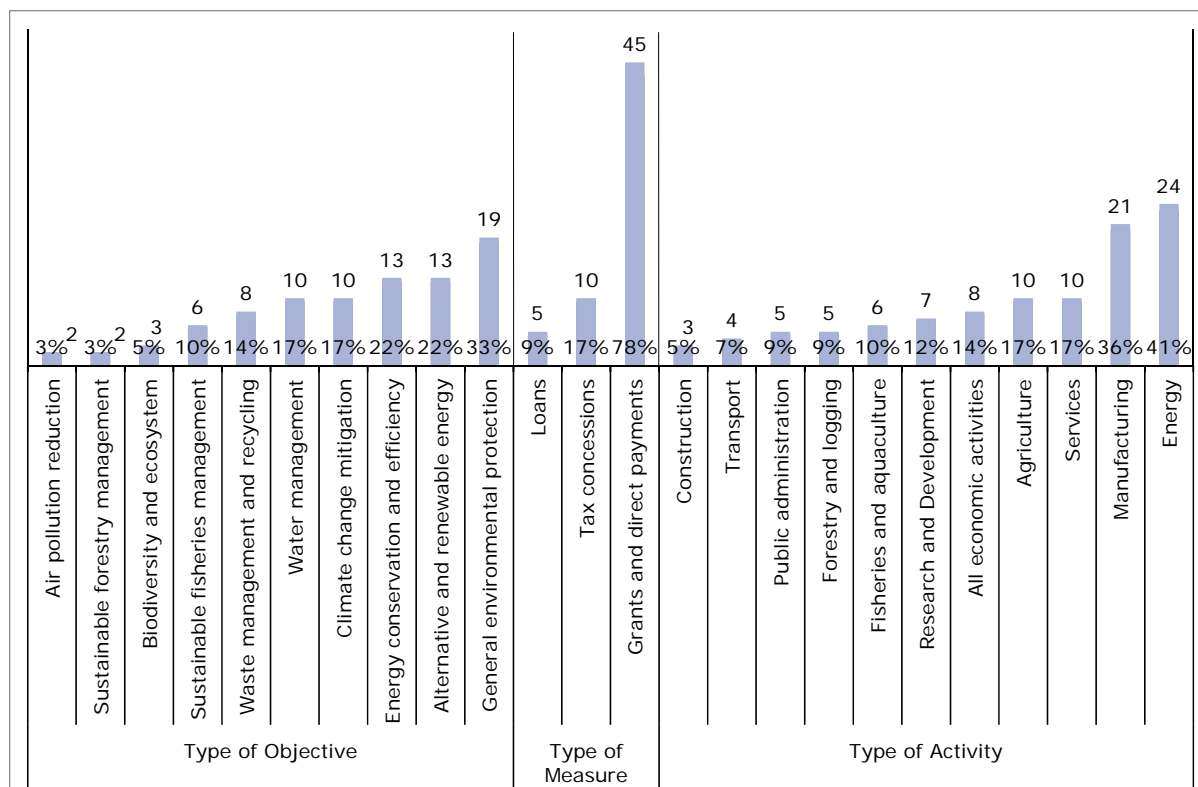
¹⁷ Since more than one product/measure/objective can be mentioned in a notification, the total number may exceed 100 per cent.

¹⁸ This number includes regular notifications as well as addenda, corrigenda and revisions.

¹⁹ Most SCM notifications contain more than one measure.

Chart 1.14: Environment-related SCM Notifications (2003 - 2012)

1.37. Of the 17 SCM environment-related notifications made in 2012, 73% were submitted by developing countries and 27% by developed countries. The European Union and Peru were the countries that submitted the most environment-related SCM notifications, with 3 notifications each.

Chart 1.15: Types of Environment-related SCM Notifications (2012)²⁰

1.2.2 Agreement on Agriculture

1.38. In 2012, of the 203 notifications²¹ submitted by Members under the Agreement on Agriculture, 45 (22%) were environment-related and covered 221 environment-related measures.²²

1.39. Eighty per cent of the environment-related measures were notified as Green Box measures, while 14% were notified pursuant to Article 18.3 on new domestic support measures or modification of an existing measure. The remaining 4%, and 2% of the environment-related agriculture measures, were notified under Article 16 on bilateral assistance projects for Least-Developed Net Food-Importing Countries and under Article 6 on Development Programmes, respectively.

²⁰ Since more than one product/measure/objective can be mentioned in a notification, the total number may exceed 100 per cent.

²¹ This number includes regular notifications as well as addenda, corrigenda and revisions.

²² Most notifications under the Agreement on Agriculture contain more than one measure.

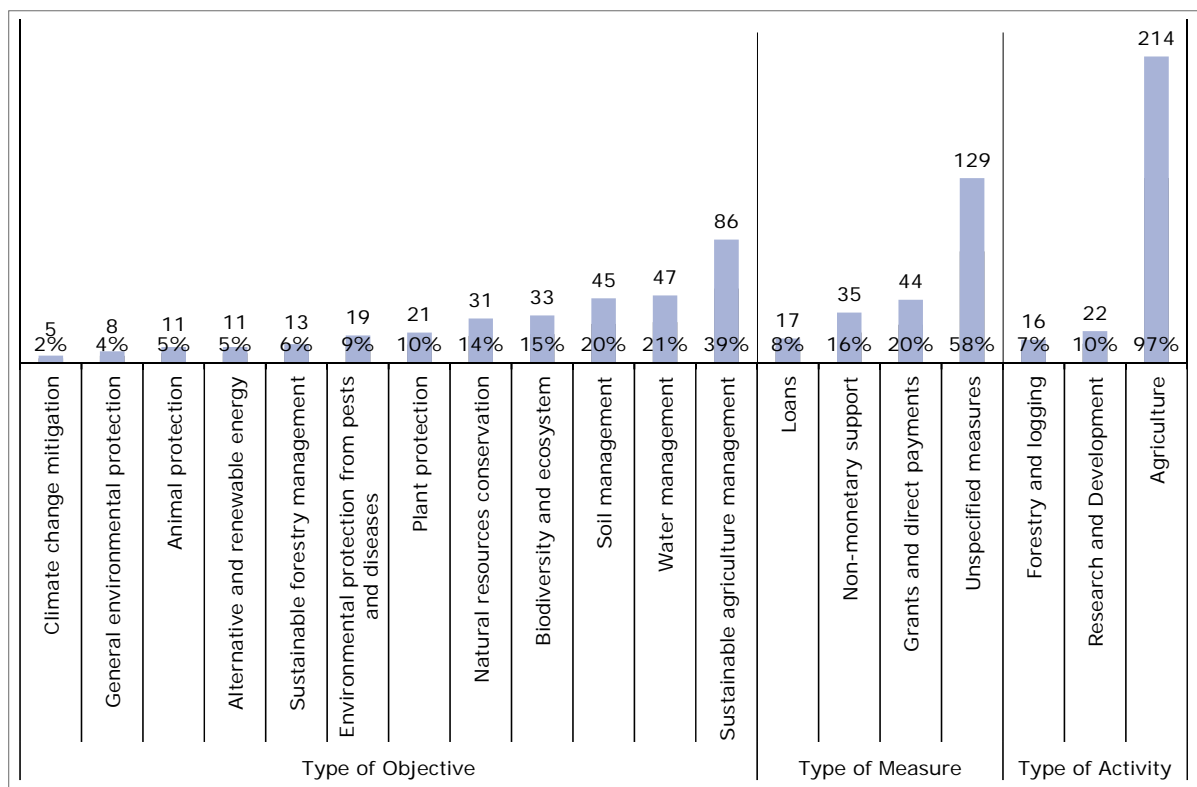
Chart 1.16: Environment-related Agriculture Notifications (2003 - 2012)

1.40. In addition to the agriculture sector, found in 97% of all the environment-related notifications, a number of other activities, including research and development (10%) and forestry (8%) were also mentioned.

1.41. Specified domestic support associated with the environment-related notifications to the Agreement on Agriculture encompassed mainly grants and direct payments (20%), non-monetary support, such as training and advisory services and research programs (16%), and loans (8%).

1.42. Sustainable agriculture management was explicitly mentioned in 39% of all environment-related measures notified under the Agreement on Agriculture in 2012. Other objectives included the conservation of water (21%), soil (20%), biodiversity (15%), and natural resources (14%), as well as plant protection (10%), protection of the environment from diseases (9%), sustainable forestry management (6%), promotion of alternative and renewable energy (5%), animal protection, and climate change mitigation (2%).

1.43. In 2012, developed countries made 38% of the environment-related notifications under the Agreement on Agriculture, while 62% were made by developing countries. Although the European Union (6 notifications), Honduras (3), Panama (3) and Costa Rica (3) submitted the most environmental-related notifications under the Agreement on Agriculture, the notifications made by Canada (2), Costa Rica and the United States (2) encompassed the highest number of environment-related programmes, with 27, 23 and 20 measures, respectively.

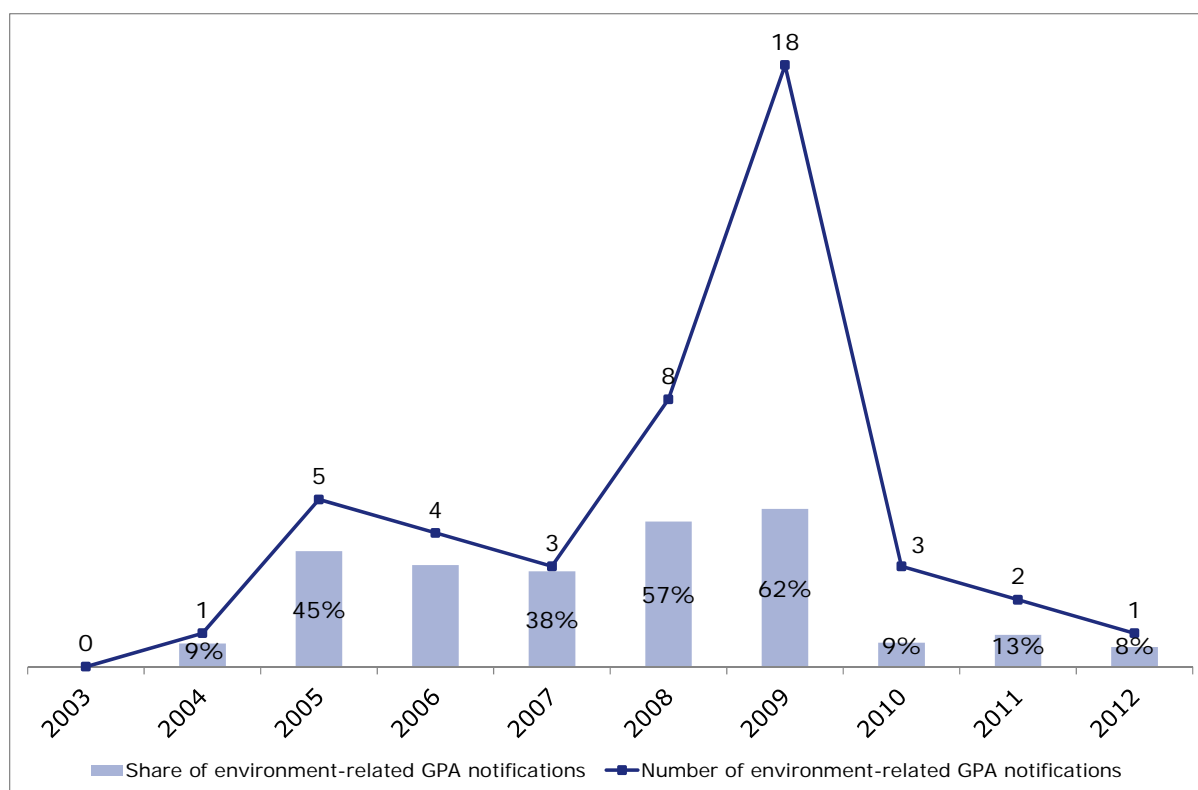
Chart 1.17: Types of Environment-related Agriculture Notifications (2012)²³

1.2.3 Plurilateral Agreement on Government Procurement (GPA)

1.44. In 2012, of the 13 notifications²⁴ submitted under the Agreement on Government Procurement, one, notified by Japan, reported a policy for promoting the procurement of eco-friendly goods to enhance energy efficiency and rational use, solar power energy use, hazardous chemicals management, waste management and recycling, water conservation and volatile organic compounds reduction, amongst other environment-related objectives.

²³ Since more than one product/measure/objective can be mentioned in a notification, the total number may exceed 100 per cent.

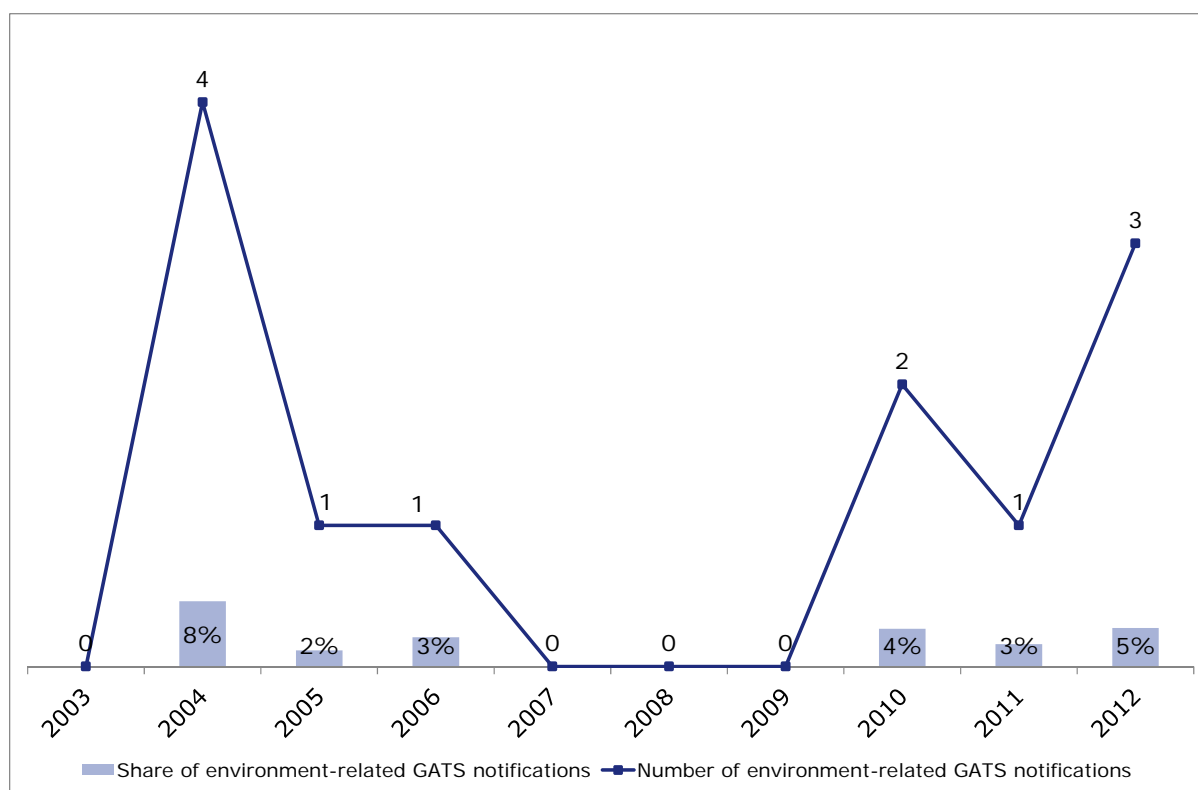
²⁴ This number includes regular notifications as well as addenda, corrigenda and revisions.

Chart 1.18: Environment-related GPA Notifications (2003 - 2012)

1.3 Other Measures

1.3.1 General Agreement on Trade in Services (GATS)

1.45. In 2012, of the 66 notifications to the GATS, three (5%) contained environment-related issues. Hong Kong, China submitted a notification referring to, amongst other things, the registration requirements for local fishing vessels in order to protect marine and fisheries resources. The other two notifications, submitted by Thailand, cited the regulations related to permits for breeding preserved or protected wildlife, and rules related to cinematography in national parks in order to ensure the protection of wildlife.

Chart 1.19: Environment-related GATS Notifications (2003 – 2012)

1.3.2 Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS)

1.46. In 2012, of the 139 notifications submitted by Members under Article 63.2 of the TRIPS Agreement, five (4%) contained environment-related provisions referring to non-patentability exception and protection of undisclosed information necessary to protect the environment. The remaining environment-related provisions cited in the TRIPS notifications referred to regulations aimed at fostering the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising from the utilization of genetic resources in compliance with the Convention on Biological Diversity.

1.3.3 Agreement on Customs Valuations

1.47. For the first time since 2005, of the 13 Customs Valuations notifications²⁵ submitted in 2012, three (23%), notified by Cabo Verde, Nicaragua and the Russian Federation, referred to environment-related provisions in their customs code authorising the prohibition and control of exports and imports of goods in order to protect the environment and life of animals and plants.

²⁵ This number includes regular notifications as well as addenda, corrigenda and revisions.

Chart 1.20: Environment-related TRIPS Notifications (2003 – 2012)

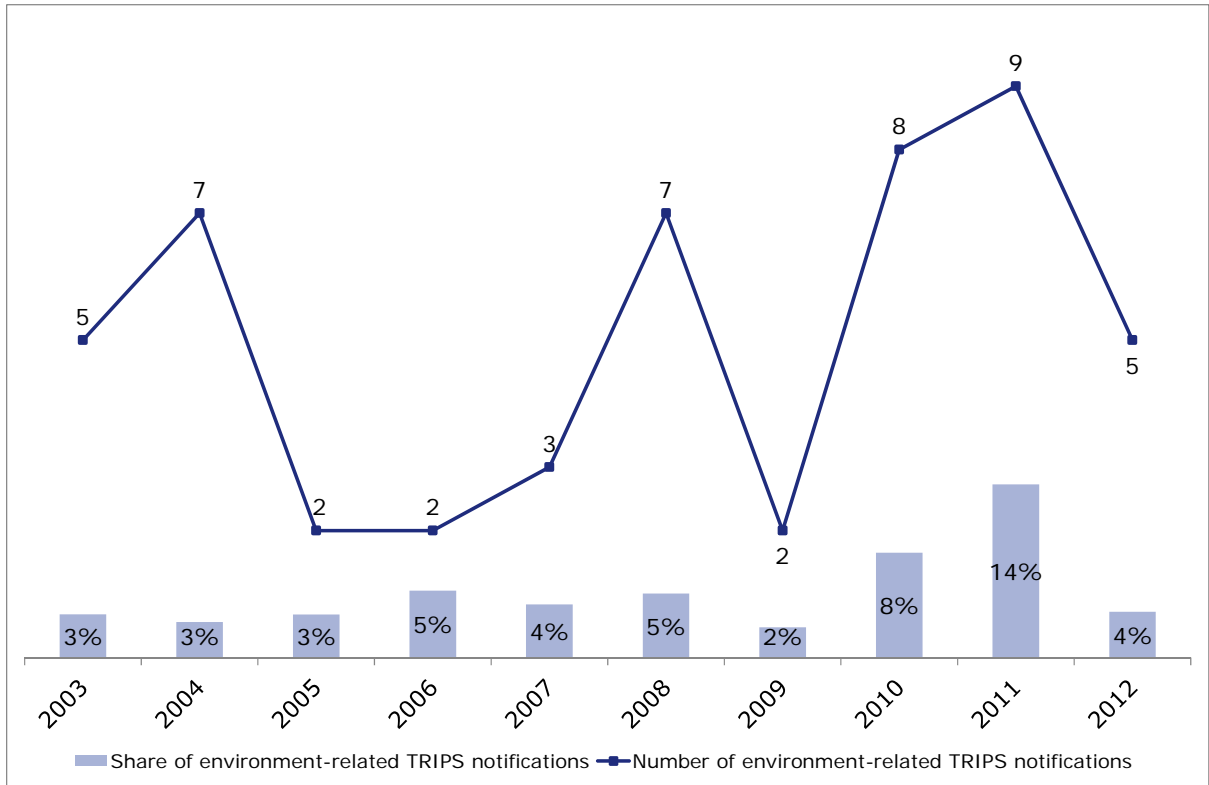
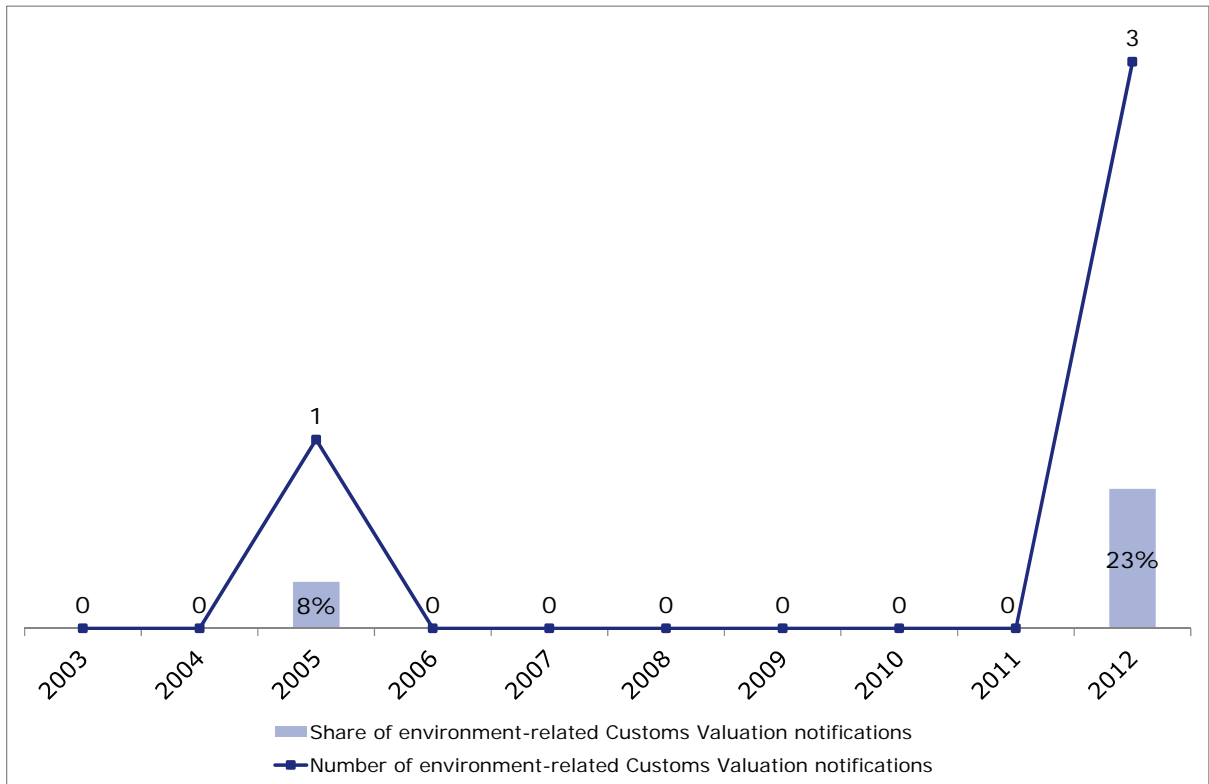


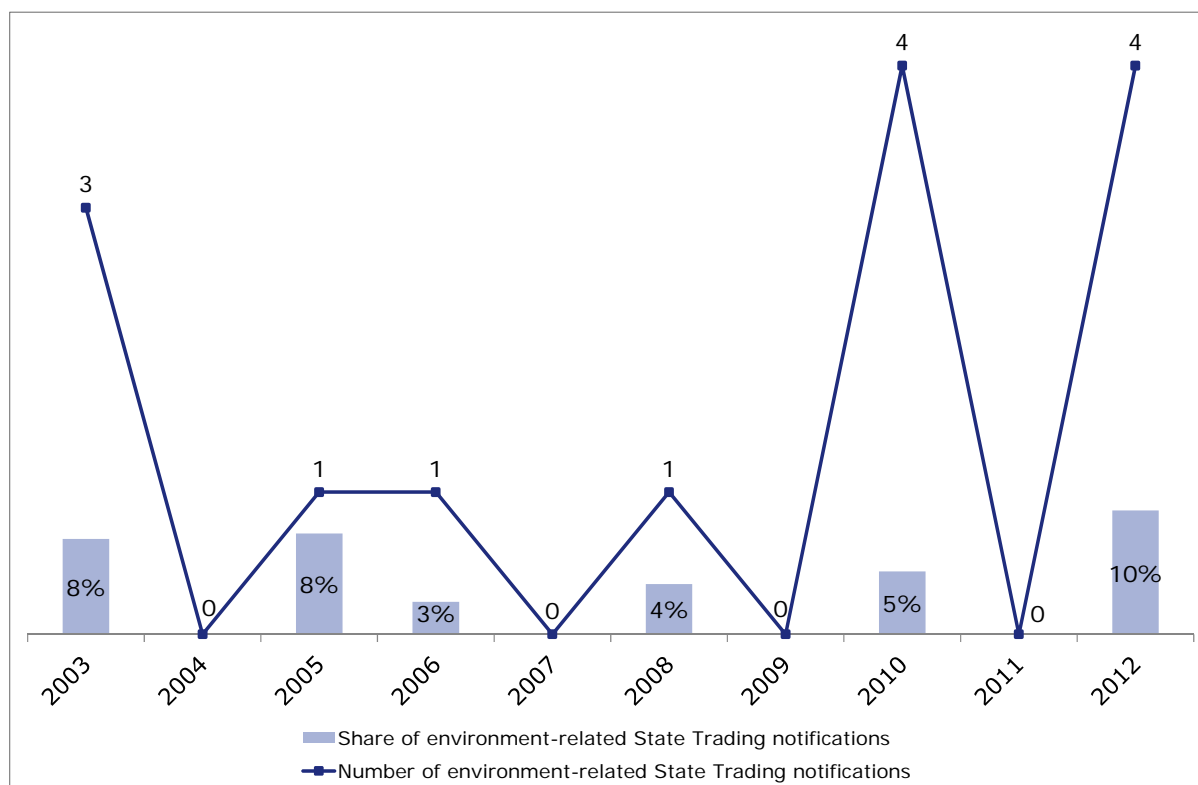
Chart 1.21: Environment-related Customs Valuations Notifications (2003 - 2012)



1.3.4 Agreement on State Trading

1.48. In 2012, of the 39 notifications submitted under the Agreement on State Trading, four (10%) were environment-related. The United States submitted a notification referring, amongst other things, to quantitative restrictions on the production of hydroelectric in order to manage water and conserve and enhance fish and wildlife. The other three notifications, submitted by India, cited export restrictions in order to conserve and use properly exhaustible natural resources, namely mineral and ores.

Chart 1.22: Environment-related State Trading Notifications (2003 – 2012)



2 NOTIFICATIONS OF TRADE AGREEMENTS

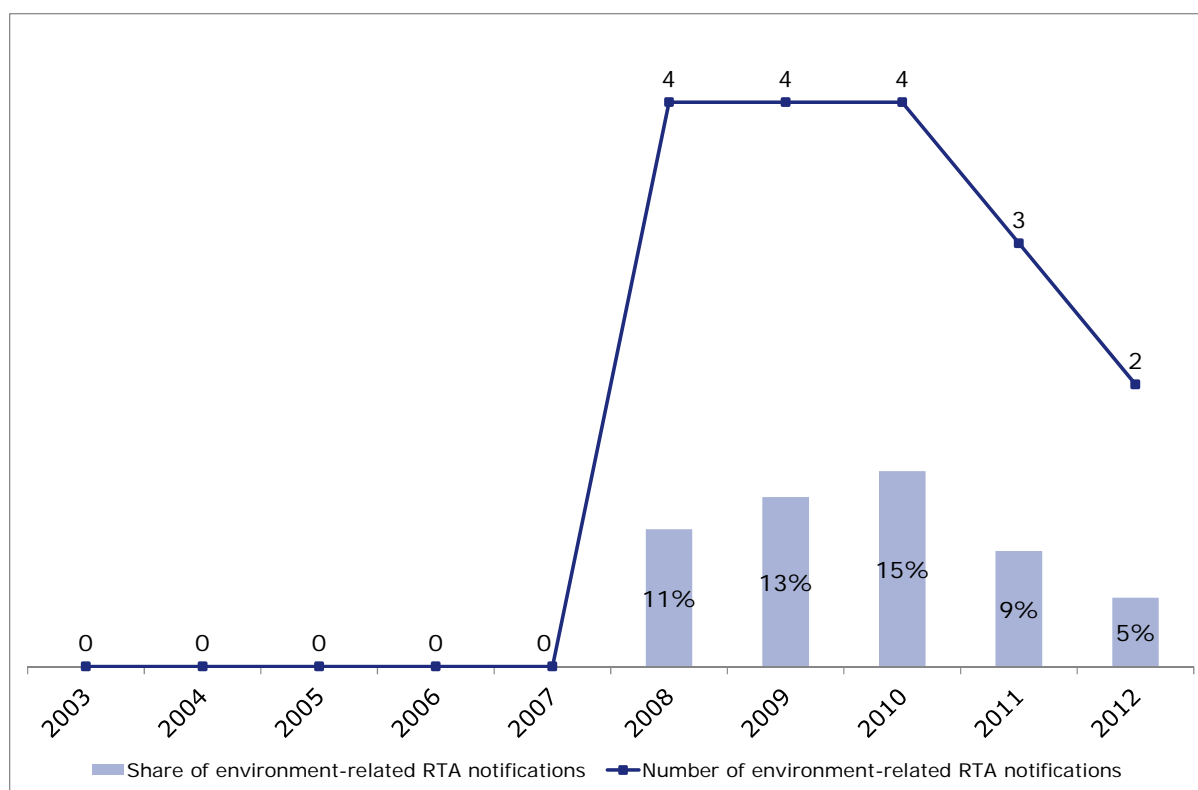
2.1.1 Regional Trade Agreements (RTAs) including the Understanding on the Interpretation of Article XXIV of the GATT 1994

2.1. In 2012, of the 37 notifications²⁶ submitted under the RTAs Understanding, two (5%) mentioned an environment-related topic, in particular specific chapters related to trade and sustainable development or trade and the environment.²⁷

2.2. The two environment-related notified RTAs involved both developed and developing countries, namely the European Free Trade Association (EFTA) with Montenegro, and EFTA with Hong Kong, China.

²⁶ This number includes regular notifications as well as addenda, corrigenda and revisions.

²⁷ The statistics only reflects keywords used in the text of the notification. Therefore, it is not excluded that additional notified RTAs not considered here contain environment-related provisions. Relevant information on environment-related provisions can be found in the report prepared by the WTO Secretariat for each notified RTA.

Chart 2.1: Environment-related RTAs Notifications (2003 - 2012)

3 INFORMATION CONTAINED IN TRADE POLICY REVIEWS

3.1. The EDB contains information concerning environment-related measures, provisions or programmes contained in both Secretariat and government Trade Policy Reviews (TPR) reports. The information has been summarized under the following three headings: trade policy frameworks; trade policies and practices; and trade policies by selected sector. In general, trade policy frameworks include government environmental policies, plans, programmes and investment policies. Environment-related trade policies and practices include quantitative restrictions (e.g. bans and prohibitions, import and export restrictions, quotas, controls, licenses and permits); technical requirements (e.g. standards, technical regulations and conformity assessment procedures); taxes, levies, subsidies and other government support. The environment-related sectors include agriculture, industry, services, energy, fisheries, forestry, transport, mining and tourism.

3.2. In 2012, all 19 TPRs²⁸ included environment-related measures or programmes, representing 479 entries.²⁹ The most frequently found search words were environment (60% of the 479 entries), energy (22%), sustainable (19%), bio (16%) and natural resources (12%) (see Annex V on TPR search word frequency).

3.3. The highest number of environment-related measures or programmes were found in the TPRs of the East African Community (81 entries), encompassing Burundi, Kenya, Rwanda, Tanzania and Uganda, as well as the TPRs of Côte d'Ivoire, Guinea-Bissau, Togo (41) and China (33).

²⁸ TPRs of Bangladesh; China; Colombia; Côte d'Ivoire, Guinea-Bissau and Togo; East African Community (Burundi, Kenya, Rwanda, Tanzania, Uganda); Iceland; Israel; Republic of Korea; State of Kuwait; Nepal; Nicaragua; Norway; Philippines; Singapore; Trinidad and Tobago; Turkey; United Arab Emirates; United States; and Uruguay.

²⁹ The number of environment-related Trade Policy Reviews entries corresponds to the number of times environment-related measures or programmes are mentioned in the Secretariat and government TPR Reports.

Chart 3.1: Environment-related Measures, Provisions or Programmes in TPRs (2012)

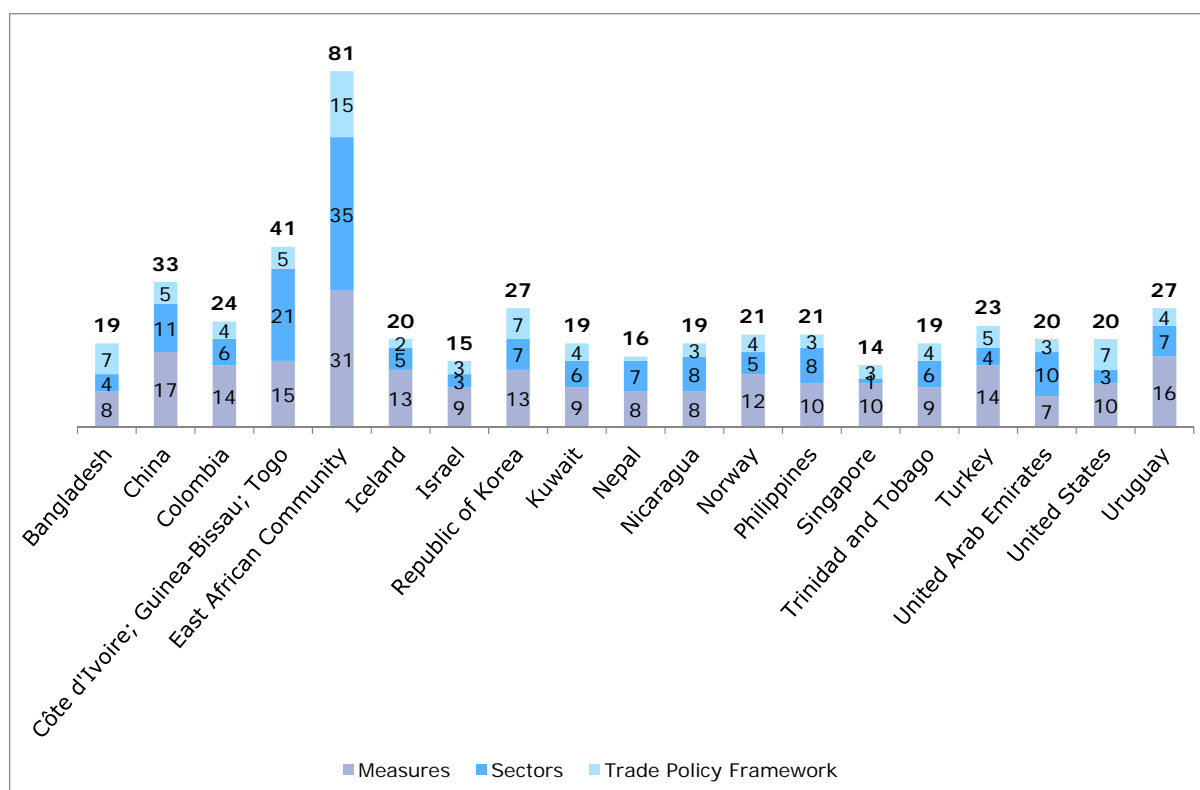
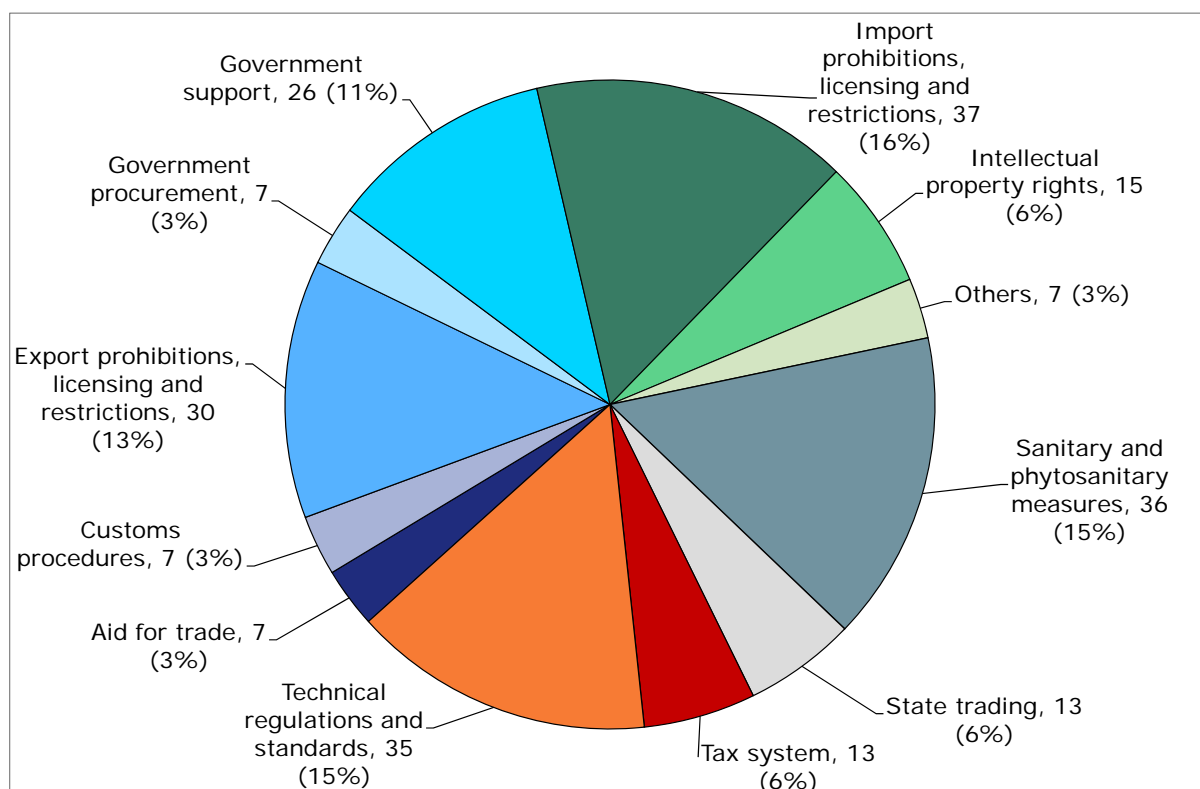


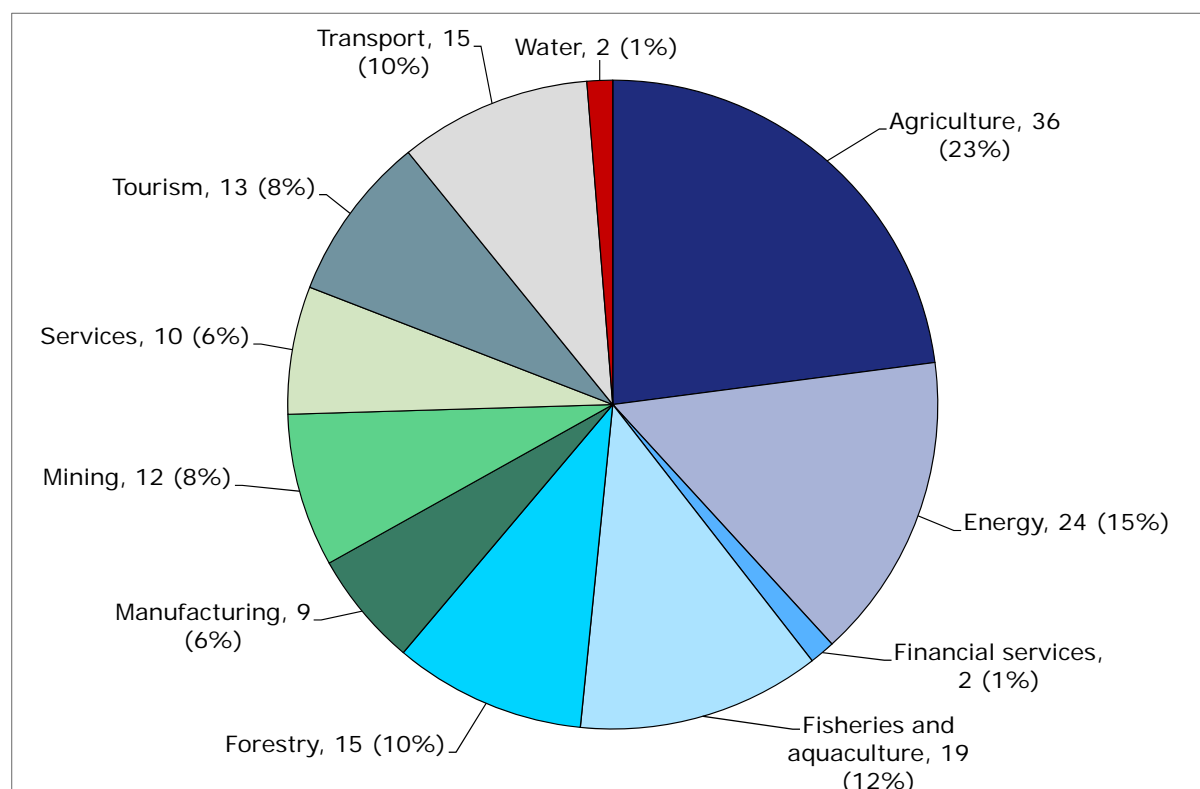
Chart 3.2: Type of Environment-related Measures Mentioned in TPRs (2012)



3.4. The most frequently reported environment-related measures were import prohibitions, restrictions, controls and licensing (16% of all environment-related measures entries), technical regulations, conformity assessment and standards (15%), sanitary and phytosanitary measures (15%), and export prohibitions, restrictions, controls and licensing (13%). Other environment-related measures mentioned in the TPRs related to government support, including tax incentives (11%), intellectual property rights (6%), tax system (e.g. export and import taxes, charges, and levies) (6%), state trading (6%), government procurement (3%), aid for trade (3%), customs procedures (3%) and other measures such as tariffs (3%).

3.5. Regarding environment-related trade policies by sector, the most frequently mentioned sectors were agriculture (23% of the environment-related sector entries), followed by energy (15%), fisheries and aquaculture (12%), transport, including air and maritime transport (11%), and forestry (10%). Other sectors subject to environment-related measures and programmes included mining (8%), tourism (9%), and services, including financial services (8%), manufacturing (6%), and water (1%).

Chart 3.3: Sectors Covered by Environment-related Measures Mentioned in TPRs (2012)



4 ANNEXES

Annex I: Environment-related Search Words as Agreed by Members in 1999³⁰

Basel Convention	HCFCs
Bio	Indigenous
Carbon	Kyoto Protocol
Cartagena	Modified organism
CFCs	Marking
CITES	Montreal Protocol
Clean	Natural resources
Climate	Novel
Conserv(ation)	Organic
Desertification	Ozone
Diversity	Package(ing)
Eco-label	Pollution
Ecology	Preservation
Emissions	Preserve
Endangered	Recycle
Energy	Renewable
Environment	Saving
Extinct	(Soil) erosion
Fauna	Species
Fish	Sustainable
Flora	Toxic
Forest	Tree
Genetic	Waste
GHGs	Wildlife
Green (house)	Wood
Hazardous	

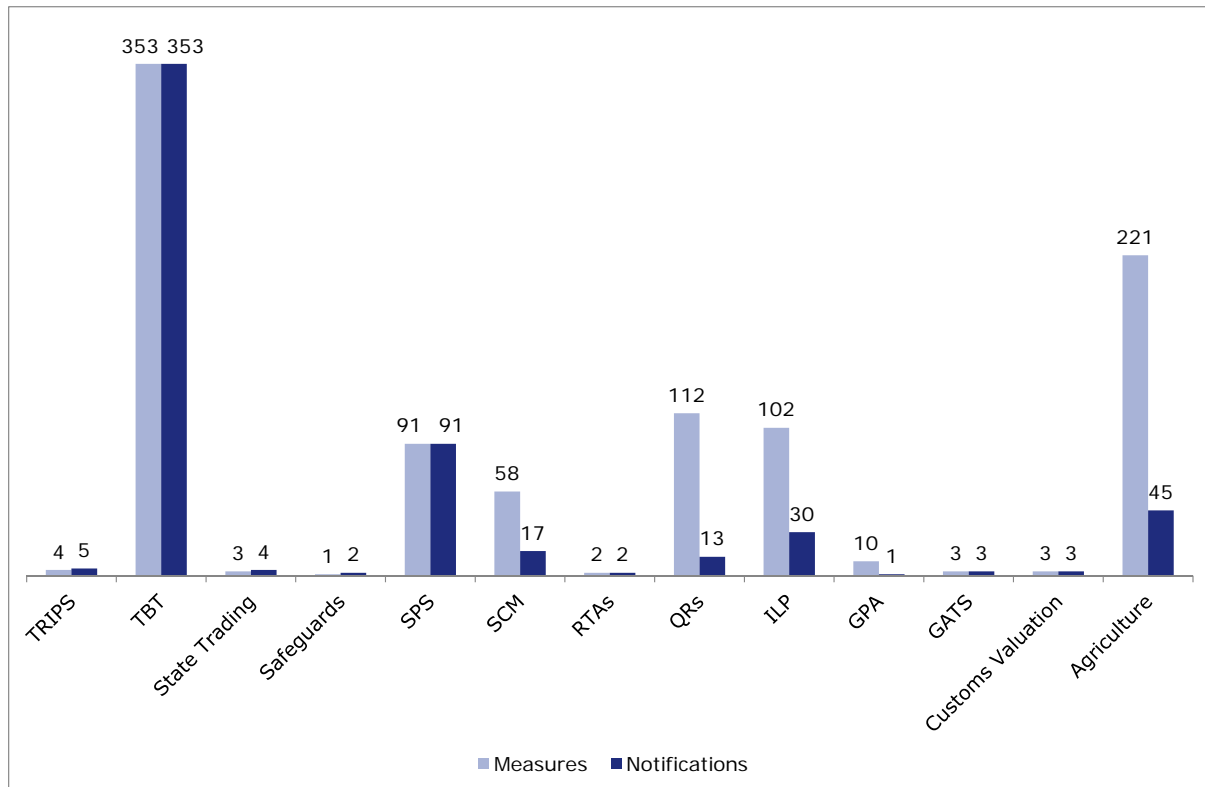
³⁰ See also the following documents containing information on search words: WT/CTE/W/46, WT/CTE/W/78 and WT/CTE/W/102

Annex II: Number of Environment-related Notifications³¹ (2003-2012)

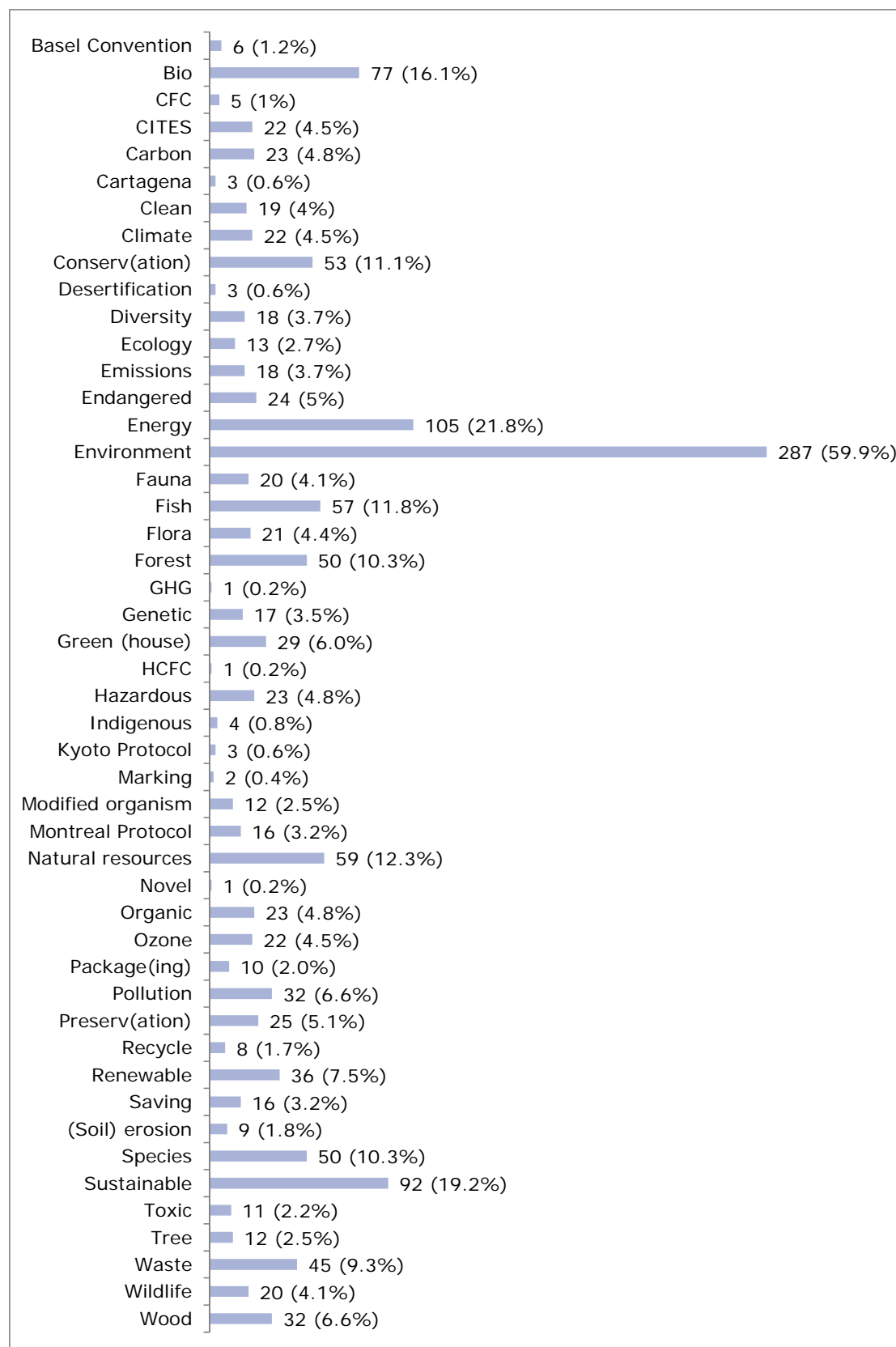
WTO Agreements	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
TBT	100(794)	107(638)	121(771)	155(874)	168(1032)	238(1265)	274(1490)	270(1413)	268(1216)	353(1551)
SPS	50(687)	57(612)	105(1298)	140(901)	98(849)	84(889)	81(737)	83(1051)	76(1007)	91(856)
SCM	34(171)	13(122)	27(168)	8(97)	33(164)	5(99)	40(181)	8(117)	47(140)	17(108)
Agriculture	34(173)	29(157)	25(148)	24(126)	32(119)	24(137)	36(210)	49(195)	44(182)	45(203)
Anti-Dumping	2(155)	3(134)	0(127)	0(112)	0(118)	0(134)	0(157)	0(164)	0(127)	0(133)
ILP	16(57)	12(40)	20(45)	19(62)	13(65)	20(51)	23(82)	21(72)	23(78)	30(85)
Safeguards	1(147)	3(75)	1(80)	0(86)	0(59)	0(73)	0(171)	0(106)	2(64)	2(89)
Customs Valuation	0(11)	0(17)	1(13)	0(1)	0(9)	0(12)	0(6)	0(4)	0(4)	3(13)
State Trading	3(38)	0(43)	1(12)	1(37)	0(20)	1(24)	0(29)	4(77)	0(8)	4(39)
RTAs	0(56)	0(70)	0(63)	0(30)	0(25)	4(37)	4(30)	4(26)	3(33)	2(37)
TRIPS	5(147)	7(251)	2(59)	2(38)	3(72)	7(139)	2(84)	8(97)	9(66)	5(139)
GATS	0(41)	4(52)	1(53)	1(29)	0(41)	0(49)	0(68)	2(45)	1(38)	3(66)
QRs	2(8)	7(10)	1(6)	2(8)	3(6)	4(12)	2(8)	1(6)	2(8)	13(14)
TRIMs	0(13)	0(12)	0(14)	0(14)	0(13)	0(9)	0(21)	0(18)	0(4)	0(4)
BoP Provisions	0(0)	0(1)	0(1)	0(0)	0(1)	0(0)	0(9)	0(6)	0(0)	0(0)
Preship. Inspection	0(0)	0(1)	0(0)	0(0)	0(0)	0(1)	0(0)	0(2)	0(2)	0(4)
Rules of Origin	0(4)	0(3)	0(2)	0(1)	0(7)	0(4)	0(5)	0(4)	0(8)	0(14)
GPA	0(8)	1(11)	5(11)	4(10)	3(8)	8(14)	18(29)	3(32)	2(16)	1(13)
Info. Technology	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)	0(0)
Other notifications	0(3)	1(7)	1(3)	1(2)	0(5)	0(8)	0(4)	0(6)	0(9)	0(6)
Total environment-related notifications	247(2513)	244(2256)	311(2874)	357(2428)	353(2613)	395(2957)	481(3321)	453(3441)	477(3010)	569(3374)
Share of environment-related notifications	9.8%	10.8%	10.8%	14.7%	13.5%	13.4%	14.5%	13.2%	15.8%	16.9%

³¹ Figures in parenthesis represent the total number of notifications, including addenda, corrigenda and revisions (except for TBT and SPS notifications), made under each relevant WTO Agreement.

Annex III: Number of Environment-related Notifications and Measures³² (2012)



³² In many cases, notifications can contain more than one measure.

Annex V: Search Words Frequency in TPRs in 2012³⁴

³⁴ Figures in parenthesis correspond to the percentage of environment-related TRP entries mentioning a given search word with respect to all environment-related TRP entries mentioned in the TPR.

Annex VI: Abbreviations

Basel Convention	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
Cartagena Protocol	Cartagena Protocol on Biosafety to the Convention on Biological Diversity
CFCs	Chlorofluorocarbons
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
GHG	Greenhouse Gas
HCFCs	Hydro Chloro Fluoro Carbons
IPPC	International Plant Protection Convention
Kyoto Protocol	Kyoto Protocol to the United Nations Framework Convention on Climate Change
MEAs	Multilateral environmental agreements
Montreal Protocol	Montreal Protocol on Substances that Deplete the Ozone Layer
R&D	Research and development
Stockholm Convention	Stockholm Convention on Persistent Organic Pollutants
SPS	Sanitary and phytosanitary
Rotterdam Convention	Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
TBT	Technical Barriers to Trade
TPR	Trade Policy Review

Annex VII: Electronic EDB User's Guide

A. What information is available in the Electronic EDB?

1. The electronic EDB compiles all environment-related notifications made under the various WTO Agreements and environment-related measures/activities reported in the TPRs in an Excel Workbook.³⁵ It allows users to search through the EDB environment-related information according to specific criteria, for instance by Member, Agreement, type of measure, product, activity, or environmental objective.
2. The Excel Workbook is divided into two main worksheets: "Notifications", listing all the environment-related notifications; and "TPRs", providing the environment-related information mentioned in TPRs. In addition, a third worksheet entitled "Summary" is included to allow users to retrieve pre-defined summary tables and graphs.

A.1. "Notifications" worksheet

3. The "Notifications" worksheet displays the following information:
 - Agreement: the WTO Agreement being notified;
 - Document symbol: the symbol of the notification document (when available);
 - Document link: the Web link to the notification document through WTO Documents Online website (<http://docsonline.wto.org/>);
 - Notifying Member: the Member notifying the environment-related measure;
 - Region group: the region of the notifying Member;
 - Development status: the development status of the notifying Member;
 - Year: the year of notification;
 - Notification pursuant to: the provisions of the relevant Agreement under which the notification is made;
 - Measure description: a description of the measure as indicated in the notification;
 - Type of measure: the type of measure stated in the notification;
 - Subject to the measure: products/activities subject to the notified measure;
 - ICS - HS code: ICS or HS classification of the relevant products (when available);
 - Implementation period: the implementation period or date of the entry into force of the notified measure;
 - Environment-related objective: the environment-related objective of the measure; and
 - Keywords: the environment-related keyword search included in the notification (see Annex II).
4. Three harmonized categories have also been created to facilitate research:
 - Category of environment-related objectives;
 - Category of measures; and
 - Category of products/activities.

A.2. "TPRs" worksheet

5. The "TPRs" worksheet displays the following information:
 - Type of TPR: TPR reports prepared by either the Secretariat (S) or the Member (M);
 - Document symbol: the symbol of the TPR document;

³⁵ WT/CTE/EDB/12/Add.1

- Document link: the web link to the TPR document through WTO Documents Online website (<http://docsonline.wto.org/>);
- Document reference: the reference made to the paragraph number "S" of the original TPR document;
- Member: the Member subject to the TPR;
- Region group: the region of the Member;
- Development status: the development status of the Member;
- Year: the year of publication of the TPR;
- Type of information: the type of environment-related information found in the TPR;
- Type of measures or sectors: the measure or sector associated with the environment-related information;
- Relevant information: a description of the environment-related measure, provision or programme; and
- Keywords: the keyword search included in the TPR reports (See Annex II).

A.3. "Summary" worksheet

6. The "Summary" worksheet provides pre-defined information and graphs on environment-related notifications to each WTO Agreement and measures mentioned in TPRs.

B. How to use the electronic EDB?

7. The Excel Workbook allows searches through all the variables mentioned above by using the filter function. Users can, by clicking on the right-bottom arrow icon of the heading of the selected variable, either select the information on a drop-down list (see left column of Chart 4.1) or type in the relevant information (see right column of Chart 4.1).

8. Multiple criteria search is also possible, for instance, to search all notifications made by a given country or region/development status group with a specific environment-related objective or a specific type of measure.

9. Retrieving all TBT notifications that contain performance/efficiency specification measures to promote energy conservation and efficiency, can be done as follows:

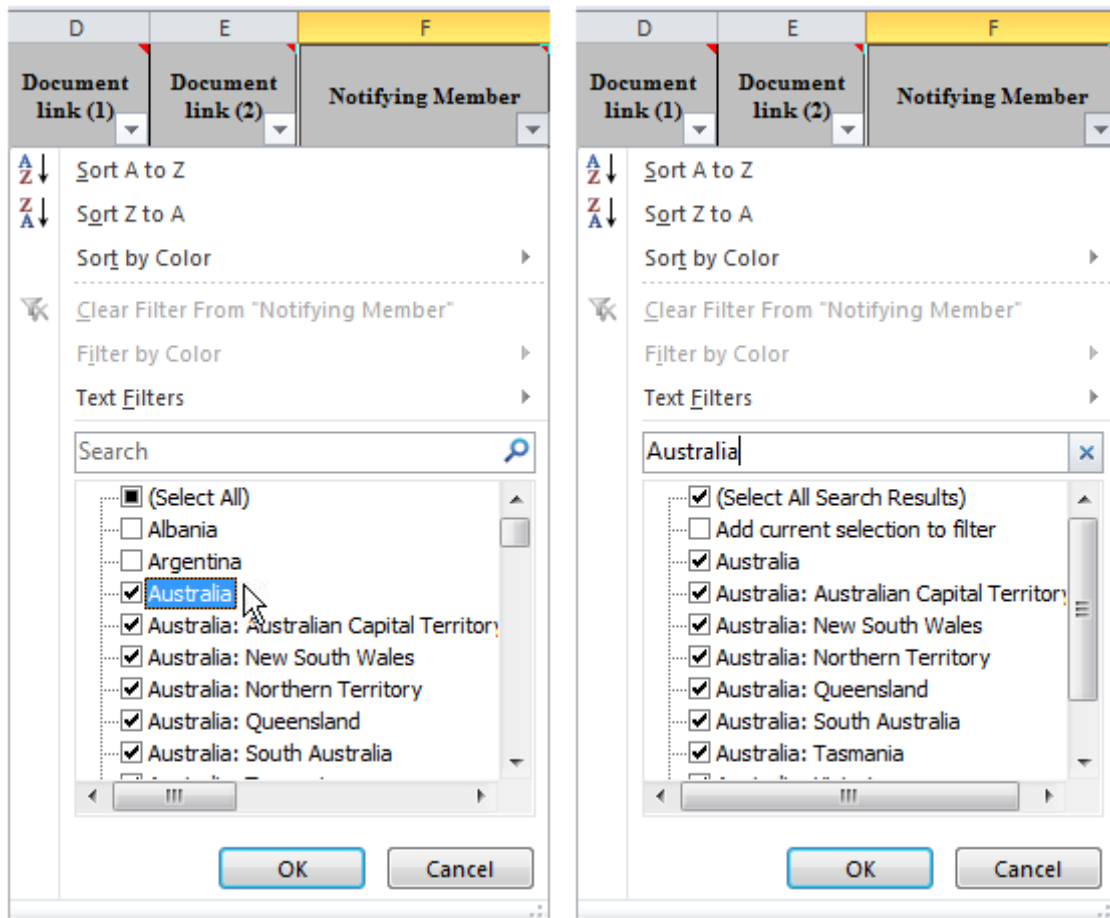
- a. select the "Notifications" spreadsheet;
- b. select the TBT Agreement in the column "Agreement" by clicking on the bottom-right arrow icon and typing "TBT" in the search box;
- c. select the type of measure in the column "Category of type of measure" by clicking on the bottom-right arrow icon of the heading and typing "performance/efficiency specification" in the search box;
- d. select the type of measure in the column "Category of environment-related objective" by clicking on the bottom-right arrow icon of the heading and typing "energy conservation and efficiency" in the search box.

10. After the search, to go back to the full database, it is important to follow the reverse order of the selection:

- a. click on the bottom-right arrow icon of the heading of the variable "Category of environment-related objective" and select the "Select All" box;
- b. click on the bottom-right arrow icon of the heading of the variable "Category of type of measure" and select the "Select All" box; and

- c. click on the bottom-right arrow icon of the heading of the variable "Agreement" and select the "Select All" tick box.

Chart 4.1 Search function



11. Once the data is selected through the filter, the user can print the records by hiding the variables of no interest (select the column, right-click and select "hide" option). In addition, the user can apply the scaling option available, through their printer driver, to fit all the selected columns on one page.