

A Situation Analysis on Trade and Biodiversity From Knowledge to Action

DRAFT, November 2004

IUCN – The World Conservation Union
Policy, Biodiversity and International Agreements Unit

Executive Summary

...Another challenge arises from goods that are harmful to biodiversity. WTO rules require sound scientific evidence to allow restriction of trade in these goods. A precautionary approach to regulation might face a defeat in WTO's dispute settlement.

The Doha Development Agenda mandates negotiations on enhanced market access for "environmental goods and services". While there is substantial disagreement about the definition of this term, it is most likely that these goods and services incorporate biodiversity conservation and the use of biological resources.

...Certification and labelling schemes are an important means to promote sustainably managed products, most prominently for forest, agriculture and marine products. Their compatibility with international trade rules remains unclear, and many countries fear that these instruments might limit their access to foreign markets.

...An increasing number of Multilateral Environmental Agreements (MEAs) includes trade measures to achieve their objectives. The outcome of a legal dispute on the relationship between WTO and MEAs is unclear, and the WTO's Doha Agenda includes the clarification of some related issues.

(Pages 5 and 6).

...VII. Summary of Recommendations

...A. Strengthen environmental policies

International environmental regimes are often perceived as relatively weak in comparison to the trade regime and only cover parts of the environmental agenda. It is essential that effective multilateral measures are taken to control and influence the international marketplace so as to promote conservation of biodiversity and sustainable use of biological resources.

...B. Improve understanding of the link between trade and biodiversity

...Lastly, there is a considerable need to contribute scientific expertise to help defining “environmental goods and services” and to develop markets for sustainably produced goods and services.

...C. Voice conservation concerns in trade forums

...To start integrating trade and biodiversity, the conservation community needs to get involved in trade, presenting its analysis and recommendations in policy formulation and implementation. It can establish itself as a resource to be called upon during dispute settlement and submit *amicus briefs* where appropriate.

...The conservation community also needs to consider the trade policy aspects of its work on the precautionary principle, convene stakeholders to resolve conflicts and promote the use of the principle in multilateral contexts.

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