



**Submission to the Public Hearing of the High Level Panel of System Wide Coherence,
Geneva, 2nd July 2006**

Trade

The World Trade Organization (WTO) is increasingly acting as a global governance organisation, and has extended its work programme to new areas of competence, thereby frustrating bodies that possess more appropriate expertise, including some Multilateral Environmental Agreements (MEAs). The development and enforcement of existing and new environmental legislation should not be hindered by subordinating these policies to free trade and competition rules. It is critical that legislation to ensure sustainable development is not overruled by trade experts or international trade panels working in isolation from other concerns. Governments must grant the UN environment body and MEAs with trade-related provisions, objectives, or obligations, observer status at the WTO and must make it clear that the WTO does not have a mandate to set rules or criteria that might in any way define or restrict the use or national implementation of any trade measures agreed to in MEAs. Ultimately, it should fall to an independent forum outside the WTO to examine the WTO-MEA relationship, as part of a coherent approach to addressing global challenges. In our view., the International Court of Justice and the United Nation's International Law Commission are the most suitable existing fora for clarifying the WTO/MEA relationship because of their broad expertise, the transparency of their process and their independence from particular interests.

The WTO agreements contain review clauses that should be used to analyse whether existing rules support and promote the development of sustainable societies, and conform with existing international law and obligations. National independent sustainability impact assessments are crucial in this regard.

The attitude of developed country governments, to demand market access to developing country markets, while refusing developing countries access to their *own* markets, is deeply hypocritical. However, Greenpeace remains extremely concerned about the social and environmental impacts of trade liberalization, especially as UNEP's country studies of trade liberalization show that the environment often loses in the process of trade liberalization. Greenpeace therefore believes that a blind pursuit of the Doha Round of trade negotiations will not deliver more equity or sustainability. The current negotiation texts on the table at the WTO are biased towards developed country

interests and, in particular, endanger the process of industrialization in the developing world through the inclusion of an unbalanced Non Agricultural Market Access (NAMA) negotiation text. Trade liberalization of forest and fishery sectors under NAMA is likely to result in an even speedier and more comprehensive destruction of forests and fish stocks – key natural resources on which many poor communities in the developing world depend for their livelihoods¹. A complete **review of the social and environmental consequences of the trade policies** implemented so far is urgently required. **To ensure that sustainable development is at the heart of the future governance model to be built through the process of UN reform**, a clear picture of the true impacts of the multilateral trade regime is needed. The rush to further trade liberalization without first considering the complete impacts must be halted.

Further reading:

Adelphi Research, Friends of the Earth Europe, Greenpeace International, *Is the WTO the only way?*, available at: <http://www.greenpeace.org/raw/content/international/press/reports/is-the-wto-the-only-way.pdf>

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¹ Compare e.g. http://www.sia-trade.org/wto/ForestDraftFinalReport_v1_2_270205.pdf and Greenpeace International, Trading away our last ancient forests, <http://www.greenpeace.org/raw/content/international/press/reports/Tradingawayancientforests.pdf>