

VII. CONCLUSIONS

A. ENVIRONMENTAL REVIEW PROCESS AND METHOD

Since 1990, the federal government has required that all new policy or program initiatives having potentially significant environmental implications undergo an environmental review. The environmental review process can be used to develop an understanding of the general nature of the possible environmental effects of a policy, and to provide a framework for addressing environmental concerns that could arise when subsequent decisions are being taken relative to the implementation of the policy.

In the case of a trade agreement, the potential environmental effects are not directly attributable to the agreement proper. Rather, they will depend on the collective impact of a multitude of individual decisions that will be taken by Canadian and foreign businesses in future years.

The NAFTA is the first trade agreement to undergo an environmental review. Two fundamental responsibilities were assigned to the interdepartmental NAFTA Environmental Review Committee charged with undertaking the review. The initial responsibility of the Committee was to ensure that environmental considerations would be taken into account throughout the negotiations. Its second responsibility was to document the environmental review.

Close and continuous consultations between the NAFTA Environmental Review Committee and the negotiators of the Agreement constituted the key element in ensuring that environmental considerations would be taken into account during all stages and at all levels of the negotiations. Numerous written and verbal communications from environmental organizations, the provinces and individual Canadians greatly facilitated the development of a comprehensive appreciation of environmental concerns and priorities related to the NAFTA.

B. ENVIRONMENTAL PROVISIONS

The draft NAFTA is a trade policy framework. Hence, the Agreement is well suited to undergo an analysis for environmental sensitivity from a policy perspective.

Environmentally relevant provisions have been fully integrated throughout the draft NAFTA. Certain of these are particularly noteworthy. The Preamble identifies the commitment of the three NAFTA countries to realize the economic and trade objectives of the Agreement in a manner consistent with environmental protection and conservation. As proposed by environmental organizations, the Preamble also calls on the parties to promote sustainable development and to strengthen the development and enforcement of environmental laws and regulations.

The NAFTA would not only incorporate the environmental exceptions contained in the General Agreement on Tariffs and Trade; it would clarify that these include environmental measures necessary to protect human, animal and plant life and health and measures related to the protection of living and non-living exhaustible natural resources.