

WTO: Trading the environment?

BY KIP KEEN

The World Trade Organization (WTO) has been in the news a lot lately. It is the subject of much talk among activists, especially when the conversation turns to how it will effect the environment. But before we jump into that messy soup, here's a little background info for those who don't know much about the WTO.

The WTO is an organization that regulates trade. In its own words it is "a forum for countries to thrash out their differences on trade issues." Although the WTO did not come into existence until the early 1990s, the basic trade laws it enforces are those that were adhered to by a previous trade umbrella known as the General Agreement on Tariffs and Trade (GATT). Now over a hundred countries abide by these trade rules.

What makes the WTO so revolutionary compared to any of its predecessors is its structure and power.

Every two or so years it has a Ministerial Conference where all the members attend to discuss new agreements on trade, such as they did at the recent and notorious

Seattle conference. Beneath this general governing body lies the General Council, the backbone of the organization. From this council stems all the other committees, and where countries, as previously mentioned "thrash out their differences" through the Dispute Settlement Body.

Nations can bring forward a complaint to this body if they think that another WTO member's trade policies are unfair. Three unelected trade experts hear the case and decide on whether or not the accused's trade policies are fair. If they believe those policies to be unfair, they penalize that country with very costly fines, making it in their best interest to change those trade practices deemed unfair.

How does this affect the environment? According to the WTO, part of its mandate is "to identify the relationship between trade measures and environmental measures in order to promote sustainable development." It outlines one of its ruling parameters in respect to the environment as being the following:

"WTO competency for policy coordination in this area is limited to trade and those trade related aspects of environmental policies

which may result in significant trade effects for its members. In other words, it is not intended that the WTO should become an environmental agency. Nor should it get involved in reviewing national environmental priorities, setting environmental standards or developing global policies on the environment. That will continue to be the task of national governments and other inter-governmental organizations better suited to the task."

However it goes on to say that in matters concerning trade:

"Non discrimination is the cornerstone of secure and predictable market access and undistorted competition...Subject to that requirement being met, WTO rules place essentially no constraints on the policy choices available to a country to protect its own environment."

Non discrimination is key in WTO directives. All trade must be fair. This is where warning lights start flashing for some.

The International Institute for Sustainable Development comes up with this example. If you had two different types of paper, one produced with bleach and the other without, under WTO rules you

could not accept the importation of only the non bleached paper (which is better for the environment). The institute writes that "the inability to discriminate on the basis of how a good is produced is one of the fundamental conflicts between the GATT law and sustainable development." The same would go for non shade grown coffee, and shade grown coffee, among many other products.

So does the WTO jeopardize a nation's ability to set their own environmental policy? In theory the WTO does not. Among its many legal clauses lies article twenty, which according to the WTO allows a "member legitimately to place its public health and safety and national environmental goals ahead of its general obligations not to raise trade restrictions or to apply discriminatory trade measures." The article specifically says a country may do what is "necessary to protect human, animal, or plant life" and to further protect non renewable resources, even, in theory, if it gets in the way of trade. However, the matter is not so straightforward.

For example, a few years ago the United States was brought to the Dispute body by Thailand, Malaysia, and other countries over its ban on the importation of shrimp that were not caught with TEDs (Turtle Excluder Devices). The U.S. had initiated the ban because certain sea turtles on the endangered species list were being seriously jeopardized by the shrimping industry's catching methods. Under the ban, the States outlined that it would only import

shrimp from countries that they certified as compliant with U.S. standards. At the hearings the US tried to defend themselves under article twenty, but were rejected by the panel for several reasons, among which was that the article was only to be used if absolutely "necessary." Furthermore, because the U.S. was partially biased in the countries it had certified, having excluded some countries who were up to crack, the panel felt that ich the U.S. was being unfair. As a result, they said that article twenty "only allows members to derogate (deviate) from Gatt provisions so long as, in doing so, they do not undermine the WTO multilateral trading system." Other cases have subsequently been decided similarly.

Some say that the WTO still needs to play a crucial, but limited, role in the world. At a recent forum on the WTO and Seattle, Elizabeth May, environmentalist, writer, activist and lawyer, eluded to just that. She is adamant that the WTO needs to undergo some serious changes as its current structure gives it too much power. May outlines the major problems with the WTO to include the following; that decisions are made behind closed doors, that experts on trade law are making decisions on scientific issues outside of their field, and that the world is subjected to the rule of trade law.

If nations are to have sovereignty over environmental issues, than the WTO needs to stick to the forum of trade, or as Elizabeth put it, "play in their own sandbox and stop grabbing everyone else's toys."

ASK

GREEN GIRL

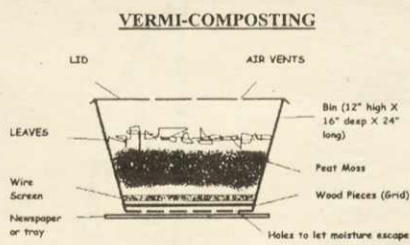
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These worms transform soil and decaying plant material into an excellent plant fertilizer. Your food waste will disappear while your worms produce soil.

To start recycling your food waste with worms, you need to buy or construct a worm bin and get a few pounds of red worms. The number of worms you need depends on how many pounds of worm food your house generates each week. If you stock your worm bin with two pounds of worms (about 2000), it should be able to process a pound of food scraps a day.

You can feed your worms small amounts every few days or their whole week's food supply at one time. Be careful not to overfeed the worms. They can be fed manure, compost, kitchen waste (fruit, vegetable, pasta, coffee grinds with filters, tea bags) paper (cardboard, newspaper, craft paper, paper towels, etc.) but not meat, dairy, or dog doo-doo. Large items, such as broccoli stalks, should be cut up. To feed the worms move some bedding aside, add your food waste and then cover it back up. Each time you feed the worms bury the food scraps in a different part of the bin. Worms will eat both the food and the bedding, producing a dark, crumbly soil — usually in one to four months. Now it is time to harvest your vermicompost. The soil contains a wealth of soil nutrients that are great for indoor gardens — check out the center spread for more information! Ha ha.



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