

From the outset, Canada supported the inclusion of sustainable development and environmental protection provisions in the NAFTA. Discussions with the provinces during meetings of the Federal-Provincial Committee on the NAFTA confirmed the existence of a broad, national consensus on the objective of sustainable development. In their comments and submissions to the government, Canadian environmental organizations also placed a very high priority on an explicit commitment to sustainable development as a fundamental principle of the North American Free Trade Agreement.

The importance that was placed on sustainable development, and the related goals of environmental protection and conservation, is reflected by the incorporation of these concepts into several important chapters of the NAFTA. In the Preamble, the three countries make a commitment to "promote sustainable development" and to "strengthen the development and enforcement of environmental laws and regulations." Furthermore, it explicitly requires that all of the economic and commercial objectives of the Agreement be undertaken "in a manner consistent with environmental protection and conservation."

D. MULTILATERAL ENVIRONMENTAL AND CONSERVATION AGREEMENTS

A growing number of multilateral environmental and conservation agreements are being negotiated at the international level. Some of these agreements include trade obligations. A recent study undertaken through the GATT determined that 17 of the 127 international environmental agreements negotiated between 1933 and 1990 contain some trade-related obligations.¹³

Canada has signed several international environmental and conservation agreements that contain trade obligations. One of the most widely known examples of international environmental and conservation agreements that contain trade obligations is the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol). This agreement has as its objective the reduction and elimination of the production and consumption of ozone-depleting substances. Other well-known agreements include the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (the Basel Convention). Although the U.S. has yet to complete its ratification of the Basel Convention, Canada, the U.S. and Mexico are all signatories to the three agreements.

Nevertheless, the three countries are not, in all cases, parties to the same multilateral environmental and conservation agreements. Among the reasons for participation in different agreements are variations in local conditions, geography and fauna of the three countries. For example, Mexico does not have an Arctic region while Canada does not have a tropical region.

During the NAFTA negotiations, all three countries expressed the wish to retain their existing rights and obligations under those multilateral environmental and conservation agreements to which they have chosen to belong. The retention of these rights was also assigned a high priority by the Canadian environmental organizations in both their written

13. Secretariat of the General Agreement on Tariffs and Trade, "Trade and the Environment."