

What does the NAFTA do for the environment?

Specifically, there are numerous clauses in the NAFTA that involve environmental considerations:

The PREAMBLE explicitly identifies sustainable development and environmental protection and enforcement as fundamental objectives;

CHAPTER 1 (Objectives) acknowledges the general primacy of trade restrictions taken to enforce environmental obligations in international environmental and conservation agreements that deal with endangered species, ozone-depleting substances and hazardous wastes;

CHAPTER 7 (Sanitary and Phytosanitary Measures) permits NAFTA countries to take measures they consider appropriate to protect human, animal and plant life or health within their respective territories;

CHAPTER 9 (Standards-Related Measures) explicitly protects the rights of Canada's federal, provincial and local governments to determine the level of environmental protection that they consider appropriate for their own circumstances;

CHAPTER 11 (Investment) recognizes that NAFTA countries should not lower health, safety or environmental standards as a means of attracting an investment;

CHAPTER 17 (Intellectual Property) allows NAFTA parties to exclude from patentability plants, animals or inventions that could cause serious prejudice to biodiversity or to the environment; and

CHAPTER 20 (Dispute Settlement) provides a specific mechanism for the submission of environmental concerns to dispute settlement panels so that panels take such concerns into account when making a decision.