

# RECENT DEVELOPMENTS

## INTERNATIONAL

### WTO Committee on World Trade & Environment

The Marrakesh Ministerial Meeting in April 1994 which concluded the Uruguay Round on multilateral trade negotiations agreed to establish a Trade and Environment Committee within the World Trade Organisation. The Committee's mandate requires it to undertake a work program examining the relationship between trade and environmental measures, but without exceeding the competence of the multilateral trading system. The Committee is due to submit a report to the first meeting of the WTO's major policy-making body, the Ministerial Conference (in Singapore in December 1996).

Issues which the Trade and Environment Committee is currently examining include:

- \* the relationship between the WTO rules and the use of trade measures in multilateral environment agreements;
- \* the relationship between WTO rules and environmental measures which may affect trade, including eco-labelling, packaging and recycling requirements;
- \* the effects of environmental measures on market access;
- \* environmental benefits of removing trade restrictions and distortions.

In July 1996, Australia formally tabled in the Committee a paper entitled "Trade Liberalisation, the Environment and Sustainable Development". The paper proposes that the Trade and Environment Committee's report to the Ministerial Conference should:

- \* reject perceptions that there is a conflict between the pursuit of trade, liberalisation and protection of the environment;
- \* highlight the role of complementary and effective environmental policies in addressing any environmental concerns raised by trade liberalisation;
- \* acknowledge the consistency and complementarity between a strong multilateral trading system and effective action at the national level, and in appropriate international fora to promote environmental objectives;

- \* recommend a continuing work program examining the relationship between trade liberalisation and the environment for a broad set of trade restrictions and distortions and a range of trade sectors.

*The paper is available from the NELA National Secretariat.*

### Climate Change

The Ad Hoc Group on the Berlin Mandate and the Second Conference of the Parties (COP-2) met in Geneva in July 1996. The meetings were attended by an Australian delegation led by the Minister for the Environment, Senator Hill.

During negotiations Australia argued strongly against any move towards legally binding emission reduction targets. However, a powerful alliance including the United States and the European Union ensured the Ministerial declaration passed at the Geneva meeting agreed to "accelerate negotiations of a legally binding protocol or another legal instrument to be completed in due time for adoption at the third session of the conference with the parties". With the likely re-election of President Clinton, it is highly likely that COP-3, to be held at Kyoto in Japan in 1997, will authorise a binding protocol setting out further emission reduction targets.

Australia currently opposes uniform emission reduction targets on the basis that they are:

- \* inequitable; imposing high costs on Australia, but low costs on European nations;
- \* environmentally ineffective; imposing onerous costs on graduating developing countries and hence acting as a bar to developing country involvement over the longer term.

So far as the Department of Foreign Affairs is concerned the policy challenge for Australia is how best to ensure any protocol agreed to in Kyoto takes into account the different characteristics of different countries.

### APEC Ministerial Meeting on Sustainable Development

Ministers from APEC countries had a meeting on sustainable development in Manila from July 11-12, 1996. The Ministers reviewed the results of the Leaders' meeting

in Osaka and noted in particular the following principles which provide the basis for APEC's commitment to sustainable development:

- \* the Asia Pacific's regions fast expanding population and rapid economic growth will produce a sharply increased demand for food and energy and pressures on the environment. There is therefore a need to put these related issues on the long term agenda and consult further on ways to initiate joint action to ensure the region's economic prosperity is sustainable;
- \* APEC efforts to attain sustainable development must recognise the diverse character of APEC;
- \* free and open trade and intensified development co-operation is essential to attain sustainable growth;

The Ministerial Meeting released a declaration and an action program on three key sustainable development themes:

- \* Sustainable City/Urban Management: Ministers reiterate their commitment to the Habitat Agenda adopted at the Second United Nations Conference on Human Settlements held in Istanbul in June 1996;
- \* Clean technology and Clean Production: Ministers recognised the essential role of clean technologies and cleaner production methods and called for the initiation of an APEC Cleaner Production Strategy;
- \* Sustainability of the Marine Environment: Ministers agreed to recommend to the APEC leaders at the Subic Bay meeting that APEC economies agree to make dramatic progress towards clean oceans and seas in the APEC region.

The Ministers also recommended that APEC's senior officials meet annually to review sustainable development within APEC. The next ministerial meeting is scheduled for 1997 in Canada.

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## Convention on Biological Diversity

From November 14-15 1996, the third meeting of the Conference of Parties (COP) to the Convention on Biological Diversity will take place at the Golden Centre, Buenos Aires, Argentina. During this meeting, it is expected that the COP will discuss a number of issues including:

- \* The options for developing national legislative, administrative or policy measures for access to genetic resources; and
- \* The impact of intellectual property rights on the conservation and sustainable use of biological diversity and the equitable sharing of benefits derived from its use.

If you have an interest in these issues and you would like NELA to raise certain matters with Australian Government officials involved with the COP, please send your comments or views to the National Office.

## Asia-Pacific Defence Environmental Conference

On September 9-13 1996, representatives from the Department of Defence and the Australian Environmental Management industry attended the inaugural Asia-Pacific Defence Environmental Conference in Honolulu, Hawaii. One of the sessions of this conference included military involvement in international treaties and issues.

For further information regarding the outcomes of the conference, contact the Director of Environment and Heritage, Department of Defence (Canberra) on 06 265 9111

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## FEDERAL

### Environmental Management of Commonwealth Land: Recommendations for Agencies and Departments

Recently the Australian National Audit Office ("ANAO") released a Performance Audit examining the environmental management mechanisms and procedures of a number of Commonwealth Departments involved in land management (including Defence, DAS, DEST, Communications and the Arts and Transport and Regional Development). The Audit identifies a number of strengths and weaknesses and makes several recommendations applicable to all Commonwealth organisations involved in managing Commonwealth land.

Environmental land management at the Commonwealth level is not subject to specific Commonwealth environmental legislation (either pollution prevention or site contamination). Important Commonwealth environmental legislation such as the *Environment Protection (Impact of Proposals) Act 1974* has as noted by the ANAO "rarely been applied for site assessment and remediation activities". The activities of the Commonwealth in the States are also not generally subject to State environmental legislation.

The Audit concludes that significant improvements can be made by Commonwealth agencies in their environmental land management performance particularly by adopting international developments in