
**Committee on Trade and Environment
Special Session**

**EXISTING FORMS OF COOPERATION AND INFORMATION EXCHANGE
BETWEEN UNEP/MEAS AND THE WTO**

Note by the Secretariat

Revision

This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO

1. In Paragraph 31 (ii) of the Doha Ministerial Declaration, Ministers agreed to negotiations, without prejudging their outcome, on "procedures for regular information exchange between MEA Secretariats and the relevant WTO committees, and the criteria for the granting of observer status."¹ Moreover, the Doha Ministerial Declaration contains a number of references to the importance of cooperation and information exchange. In the Preamble, Ministers welcomed "the WTO's continued cooperation with UNEP and other inter-governmental environmental organizations. [They encouraged] efforts to promote cooperation between the WTO and relevant international environmental and developmental organizations, especially in the lead-up to the World Summit on Sustainable Development to be held in Johannesburg, South Africa, in September 2002."

2. Delegations may recall that on the information exchange component of the paragraph 31(ii) mandate, the CTE in Special Session has identified a number of avenues for further exploration in the negotiations, which include: (1) formalizing MEA Information Sessions in the CTE, and organizing them on a regular basis; (2) holding MEA Information Sessions on specific themes by grouping the MEAs that share a common interest; (3) organizing meetings with MEAs in other WTO bodies, either together with the CTE or separately; (4) organizing WTO parallel events at the Conference of the Parties (COPs) of MEAs more systematically; (5) organizing joint WTO, UNEP and MEA technical assistance and capacity building projects; (6) promoting the exchange of documents, while respecting confidential information; (7) creating avenues for information exchange between government representatives from the trade and environment sides; and (8) establishing an electronic database on trade and environment.² Discussions on the criteria for the granting of observer status remain at a preliminary stage.

3. At the launch of the negotiations in 2002, the Secretariat was requested to prepare a note informing the participants of existing information exchange practices between the WTO and MEAs to assist the CTESS discussions on the information exchange component of paragraph 31 (ii) mandate.³ The note entitled "*Existing Forms of Cooperation and Information Exchange between the*

¹ WT/MIN(01)/DEC/1, 20 November 2001.

² These ideas were presented by Ambassador Yolande Bike, former Chairman of the CTE in Special Session, to the Trade Negotiations Committee (TNC) in document TN/TE/7.

³ Summary Report on the First Meeting of the CTE Special Session (TN/TE/R/1, 19 April 2002).

United Nations Environment Programme (UNEP)/Multilateral Environmental Agreements (MEAs) and the WTO" was prepared in response to that request. The present update of that note has been prepared in response to a further request at the October 2004 meeting of the CTESS.⁴

4. The note addresses the following topics:

I.	EXISTING FORMS OF COOPERATION BETWEEN UNEP/MEAS AND THE WTO.....	2
A.	ARRANGEMENT BETWEEN THE WTO AND UNEP SECRETARIATS	2
B.	RESPECTIVE SECRETARIATS' TECHNICAL COOPERATION ACTIVITIES	4
1.	WTO Trade and Environment Regional Seminars	4
2.	UNEP-UNCTAD Capacity Building Task Force (CBTF) and UNEP Meetings Back-To-Back with the CTE.....	5
II.	EXISTING FORMS OF INFORMATION EXCHANGE BETWEEN UNEP/MEAS AND THE WTO	6
A.	INFORMATION SESSIONS	6
1.	MEA Information Sessions in the CTE	6
2.	WTO Side Events in MEAs.....	9
B.	BACKGROUND NOTES ON MEAS	9
III.	OBSERVER STATUS	10
A.	MEA OBSERVERSHIP IN THE WTO	10
B.	WTO OBSERVERSHIP IN UNEP AND MEAS	11

I. EXISTING FORMS OF COOPERATION BETWEEN UNEP/MEAS AND THE WTO

A. ARRANGEMENT BETWEEN THE WTO AND UNEP SECRETARIATS

5. On 29 November 1999, a cooperation arrangement between the WTO and UNEP was concluded and its elements detailed in the following press release:

Elements of Cooperation between the WTO and UNEP

Press Release – Press/154 – 29 November 1999

A global arrangement between the Secretariat of the World Trade Organization and the United Nations as a whole was agreed between the two Secretariats in an exchange of letters between the Director-General of the WTO and the Secretary-General of the United Nations on 29 September 1995. In accordance with the mandate given to the Secretariat of the WTO and the mandate given to the Secretariat of the United Nations Environment Programme (UNEP), recognition is given to the importance of cooperation and

⁴ TN/TE/R/10, 3 December 2004

collaboration between the two Secretariats with respect to their work on issues of mutual interest.

Recalling the commitment of Members to continue to improve efforts towards the objective of sustainable development, the WTO and UNEP Secretariats have elaborated the following elements of cooperation between their respective organizations. This cooperation will take place in the context of our respective mandates and within our respective resources.

Building on the global arrangement between the UN and the WTO, consultations have been held between the Director-General of the WTO and the Executive-Director of UNEP to further effective cooperation between the two Secretariats in areas of mutual interest and to help achieve the aims of the Rio Declaration. It is understood that cooperation between the WTO and UNEP Secretariats should encompass practical measures which could assist in the smooth and efficient functioning of both organizations in areas where interaction could be of mutual benefit. The goal is to improve the working relationship at all levels in the two Secretariats, including with respect to technical cooperation and research initiatives.

Cooperation between the WTO and UNEP Secretariats will thus include the provision and exchange of relevant non-confidential information, including access to trade-related environmental databases, and reciprocal representation at meetings of a non-confidential nature, in accordance with the decisions of the competent bodies of the respective organizations. With respect to participation and representation, it is noted that the WTO Secretariat is an observer of the Governing Council of UNEP, and UNEP is an observer of the WTO Committee on Trade and Environment.

Building on past practice, the Secretariats of the two organizations will also continue, as appropriate, their cooperation and collaboration, in particular through informal staff meetings and information sessions, including where feasible with the participation of the Secretariats of Multilateral Environmental Agreements.

Capacity building for developing countries and countries with economies in transition is another form of cooperative activity between the two Secretariats which could usefully be continued and further strengthened, thus contributing to raising awareness on the linkages between trade, environment and sustainable development and the development of policies which integrate sustainable development considerations with trade policies. We agree to work for complementarity in technical cooperation with the aim of improving cooperation across the board and making better use of available resources.

B. RESPECTIVE SECRETARIATS' TECHNICAL COOPERATION ACTIVITIES

1. WTO Trade and Environment Regional Seminars

6. Regional Seminars on Trade and Environment for developing countries and economies in transition have been organized by the WTO Secretariat since 1998. The objective of these seminars is to raise awareness on the linkages between trade, environment and sustainable development and to further enhance the dialogue between trade and environment policy makers in WTO Members and acceding governments. Issues of relevance to trade and environment and the rules of the WTO, as well as specific concerns in each region, are addressed. In 1999, the WTO initiated the practice of inviting UNEP, the United Nations Conference on Trade and Development (UNCTAD) and MEAs to participate in these seminars, so as to benefit from their expertise.

Table 1: List of WTO Trade and Environment Regional Seminars in which UNEP, UNCTAD, and MEAs Participated or were Represented

Date	Region and Venue	MEA, UNEP and UNCTAD Participation
15-16 October 2004	Sub-Saharan African countries held in Geneva	UNEP, UNCTAD, Basel Convention
10-11 May 2004	Asia and Pacific countries held in Hanoi, Vietnam	UNCTAD
17-19 February 2004	Arab and Middle East countries held in Amman, Jordan	UNCTAD, Rotterdam Convention
9-11 December 2003	Central, Eastern European and Central Asian countries held in Budapest, Hungary	UNEP, UNCTAD
25-26 November 2003	Caribbean countries held in Kingston, Jamaica	UNEP, UNCTAD
19-21 May 2003	English-speaking African countries held in Cape Town, South Africa	UNEP, UNCTAD, Basel Convention
25-27 February 2003	Latin American countries held in Santa Cruz, Bolivia	UNCTAD, Basel Convention, CITES
26-28 November 2002	Pacific island economies held in Suva, Fiji	UNEP, UNCTAD
15-17 October 2002	French-speaking African countries held in Tunis, Tunisia	UNCTAD, CITES
10-12 September 2002	Central European and Central Asian countries held in Riga, Latvia	UNEP, UNCTAD, UNFCCC
8-10 July 2002	English-speaking African countries held in Windhoek, Namibia	UNEP, UNCTAD
13-15 May 2002	Asian countries held in Singapore	UNEP, UNCTAD
5-7 March 2002	Latin American countries held in Bogotá, Colombia	UNCTAD
28-30 January 2002	Caribbean countries held in Saint Lucia	UNEP, UNCTAD, CITES, Basel Convention, Montreal Protocol

Date	Region and Venue	MEA, UNEP and UNCTAD Participation
27-29 March 2001	Asian countries held in Chiang Mai, Thailand	UNEP, UNCTAD
6-8 November 2000	Latin American countries held in Buenos Aires	UNEP, UNCTAD
11-13 July 2000	French-speaking least-developed and developing sub-Saharan African countries held in Libreville, Gabon	UNEP, UNCTAD, Basel Convention
23-25 May 2000	Middle East countries and Malta held in La Valetta, Malta	UNCTAD, UNEP, Basel Convention
11-13 April 2000	English-speaking least-developed and developing African countries held in Cape Town, South Africa	UNCTAD
8-10 February 1999	English-speaking least-developed and developing African countries held in Harare, Zimbabwe	UNEP

7. The WTO Secretariat has scheduled three regional seminars for 2005, in which UNEP, UNCTAD, and a number of MEAs will be invited to participate. They will take place in the following regions: Asia and Pacific; Latin America and the Caribbean; and Central and Eastern Europe, Central Asia and the Caucasus.

2. UNEP-UNCTAD Capacity Building Task Force (CBTF) and UNEP Meetings Back-To-Back with the CTE

8. The WTO has collaborated closely with the activities of the CBTF.⁵ Annex 1 contains a list of CBTF activities that have involved the WTO Secretariat. In 2005, UNEP and UNCTAD may hold back-to-back CBTF activities with the WTO regional seminars on Trade and Environment.

9. To enhance developing and least-developed country engagement in trade and environment discussions at the international level, UNEP has also organized a number of meetings back-to-back with the CTE over the years, and funded the participation of capital-based environment officials. A list of these meetings is contained in Annex 2. Other UNEP activities that have involved the WTO have included a meeting on "Capacity Building for Integrated Policy Design and Implementation for

⁵ The UNEP-UNCTAD CBTF was conceived as a means of combining the technical expertise of UNCTAD and UNEP in implementing capacity building activities in developing countries and economies in transition (see document WT/CTE/W/138, dated 4 April 2000 on the *UNEP-UNCTAD Capacity Building Task Force on Trade, Environment and Development*). By enhancing synergies between UNEP and UNCTAD, the CBTF aims to ensure the efficient delivery of capacity building activities to a wide range of beneficiaries. CBTF capacity building activities fall into five major clusters: country projects, thematic research, training, policy dialogue and networking. The aim of the CBTF is to help countries, at their request, to effectively address trade, environment and development issues at the national level and to participate in deliberations at the international level. Due to the extra-budgetary nature of the CBTF, its capacity building activities have been launched in phases, based on the availability of financial resources. CBTF Phase I was completed in 2000-2003 and Phase II will run from 2004-2007. Phase II will pay particular attention to African countries and least-developed countries (LDCs).

Sustainable Development – Developing Mutually Supportive Trade and Environment Policies", that was held in Jeju Island, Korea, on 27-28 March 2004.⁶

II. EXISTING FORMS OF INFORMATION EXCHANGE BETWEEN UNEP/MEAS AND THE WTO

A. INFORMATION SESSIONS

1. MEA Information Sessions in the CTE

10. The CTE has invited a number of MEA Secretariats to participate in a total of eight Information Sessions from 1997 to date. MEA Secretariats presented background notes on their respective MEAs and responded to questions from Members on the trade-related aspects of their agreements. Since 1997, the following MEAs have participated in CTE Information Sessions:⁷ (see table 2 below)

1. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention)
2. The Convention on Biological Diversity (CBD) and its Biosafety Protocol
3. The Convention for the Conservation of Atlantic Marine Living Resources (CCAMLR)
4. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
5. The International Commission for the Conservation of Atlantic Tunas (ICCAT)
6. The Intergovernmental Forum on Forests (IFF)
7. The International Tropical Timber Organization (ITTO)
8. The Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol)
9. The Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
10. The Stockholm Convention on Persistent Organic Pollutants (POPs)
11. The United Nations Convention on the Law of the Sea (UNCLOS)
12. The United Nations Framework Convention on Climate Change (UNFCCC)
13. The United Nations Fish Stocks Agreement (UN Fish Stocks)
14. The United Nations Forum on Forests (UNFF)

⁶ A synthesis paper of the results of the meetings organized by UNEP on the MEA-WTO relationship can be found on the UNEP web site at www.unep.ch/etu. It is entitled *Enhancing Synergies and Mutual Supportiveness of Multilateral Environmental Agreements and the World Trade Organization*, and was issued in January 2002.

⁷ While not MEAs *per se*, the Global Environmental Facility (GEF) and the Multilateral Fund for the Implementation of the Montreal Protocol have also participated.

Table 2: MEA Information Sessions in the CTE

Date	MEAs Participating	Documents Circulated by MEAs
22-24 September 1997 (WT/CTE/M/15)	<ul style="list-style-type: none"> • Basel Convention • CBD • CITES • GEF • Montreal Protocol • Multilateral Fund for the Implementation of the Montreal Protocol • UNCLOS • UNEP Chemicals on PIC and POPs Conventions • UNEP 	<ul style="list-style-type: none"> • Basel Convention (WT/CTE/W/55) • CBD (WT/CTE/W/64) • CITES (WT/CTE/W/63) • GEF (WT/CTE/W/58) • Montreal Protocol (WT/CTE/W/57) • Multilateral Fund for the Implementation of the Montreal Protocol (WT/CTE/W/60) • UNCLOS (WT/CTE/W/62) • UNEP Chemicals on PIC and POPs Conventions (WT/CTE/W/59) • UNFCCC (WT/CTE/W/61)
23-24 July 1998 (WT/CTE/M/18)	<ul style="list-style-type: none"> • Basel Convention • CBD • ECE POPs Protocol • ICCAT • IFF • ITTO • UNEP Chemicals on PIC and POPs Conventions • UNFCCC • UNEP 	<ul style="list-style-type: none"> • Basel Convention (WT/CTE/W/90) • CBD (WT/CTE/W/92) • ECE POPs Protocol (WT/CTE/W/88) • ICCAT (WT/CTE/W/87) • IFF (WT/CTE/W/84) • ITTO (WT/CTE/W/89) • UNEP Chemicals on PIC and POPs Conventions (WT/CTE/W/91) • UNFCCC (WT/CTE/W/74) • UNEP (WT/CTE/W/94)
29-30 June 1999 (PRESS/TE/029)	<ul style="list-style-type: none"> • CITES • IFF • ITTO • Montreal Protocol • UNFCCC 	<ul style="list-style-type: none"> • CCAMLR (WT/CTE/W/113 and Corr.1) • CBD (WT/CTE/W/116) • CITES (WT/CTE/W/119) • IFF (WT/CTE/W/122) • ITTO (WT/CTE/W/120) • Montreal Protocol (WT/CTE/W/115) • UNFCCC (WT/CTE/W/123)

Date	MEAs Participating	Documents Circulated by MEAs
24-25 October 2000 (WT/CTE/M/25) ⁸	<ul style="list-style-type: none"> • Basel Convention • CBD • CITES • IFF • UNEP Chemicals on PIC and POPs Conventions • UNFCCC • UNEP 	<ul style="list-style-type: none"> • Basel Convention (WT/CTE/W/163 and Corr.1) • CITES (WT/CTE/W/165) • IFF (WT/CTE/W/164) • ITTO (WT/CTE/W/169) • UNEP Chemicals on PIC and POPs Conventions (WT/CTE/W/166) • UNFCCC (WT/CTE/W/174) • UNEP (WT/CTE/W/179)
27-28 June 2001 (WT/CTE/M/27)	<ul style="list-style-type: none"> • Basel Convention • Biosafety Protocol • CBD • CITES • Montreal Protocol • UNEP Chemicals on PIC and POPs Conventions • UNFCCC • UN Fish Stocks • UNEP 	<p>The following MEAs contributed to a background paper jointly prepared by the WTO and UNEP Secretariats on <i>Compliance and Dispute Settlement Provisions in the WTO and in MEAs – Note by the WTO and UNEP Secretariats</i> (WT/CTE/W/191):</p> <ul style="list-style-type: none"> - Basel Convention - Biosafety Protocol - CBD - CCAMLR - CITES - ICCAT - Montreal Protocol - UNEP Chemicals on PIC and POPs Conventions - UNFCCC - UN Fish Stocks
13 June 2002 (WT/CTE/M/30)	<ul style="list-style-type: none"> • UNEP • CITES • PIC • POPs • UNFCCC • CBD • Basel Convention • ITTO • UNFF • UN Fish Stocks • UNCLOS 	<p>The following MEAs contributed to a background paper prepared for this Information Session on Technical Assistance, Capacity Building and Enhancing Information Exchange (WT/CTE/W/209):</p> <ul style="list-style-type: none"> - UNEP - CITES - Basel Convention - UNFCCC - CBD - ITTO - UNCLOS <p>Other documents:</p> <ul style="list-style-type: none"> • UNEP (WT/CTE/W/213)
12 November 2002	<ul style="list-style-type: none"> • UNFCCC 	<ul style="list-style-type: none"> • UNEP (TN/TE/INF/2 and 3)

⁸ Opening statements were made by the Director-General of the WTO, Mr. Mike Moore (WT/CTE/W/178) and the Executive Director of UNEP, Dr. Klaus Töpfer (WT/CTE/W/179) at this Information Session.

Date	MEAs Participating	Documents Circulated by MEAs
(TN/TE/R/4)	<ul style="list-style-type: none"> • CBD • UNEP • PIC • POPs • ITTO • UNFF • Basel Convention 	

2. WTO Side Events in MEAs

11. The WTO Secretariat organizes technical assistance workshops ("side events") in parallel to some of the main MEA Conference of the Parties' meetings. The objective of such events is to enhance understanding of WTO rules, and to create a forum for information exchange between the WTO Secretariat and MEAs.

12. Since 2002, nine side events have been held at the margins of:

- The Second Session of the UNFF (March 2002, New York);
- the Sixth Meeting of the Conference of the Parties to the CBD (April 2002, The Hague);
- the Twelfth Meeting of the Conference of the Parties to the CITES (November 2002, Santiago);
- the Sixth Meeting of the Conference of the Parties to the Vienna Convention for the Protection of the Ozone Layer and the Fourteenth Meeting of the Parties to the Protocol of Montreal (November 2002, Rome);
- the Sixth Meeting of the Conference of the Parties to the Basel Convention (December 2002, Geneva);
- the Thirty-Fourth Session of the International Tropical Timber Council (May 2003, Panama City);
- the Third Session of the UNFF (June 2003, Geneva);
- the First Meeting of the Conference of the Parties to the Rotterdam Convention (September 2004, Geneva); and
- the Seventh Meeting of the Conference of the Parties to the Basel Convention (October 2004, Geneva).

13. The Doha Development Agenda was discussed at the side events, with a focus on paragraphs 31 and 32 of the Doha Ministerial Declaration. In addition, the WTO rules on areas of specific interest to the MEAs in question were addressed. For instance, at the UNFF side event, WTO rules relevant to certification and labelling were presented.

B. BACKGROUND NOTES ON MEAS

14. In 2001, the WTO prepared a Background Note on *Compliance and Dispute Settlement Provisions in the WTO and in MEAs* together with UNEP and a number of MEA Secretariats (WT/CTE/W/191, 6 June 2001). The Note served as background material for an MEA Information Session held in the context of the CTE on the theme of compliance and dispute settlement.

15. In 2002, in preparation for the Information Session with MEAs, the WTO, UNEP and selected intergovernmental organizations prepared a note on trade-related technical assistance and capacity building activities, as well as on enhancing cooperation and information exchange between UNEP, MEAs and the WTO (WT/CTE/W/209, 5 June 2002).

16. In addition, in 2001, 2003 and 2005, the WTO updated its *Matrix on Trade Measures Pursuant to Selected MEAs* in cooperation with the following MEAs:⁹ the Basel Convention; the Biosafety Protocol; the CBD; CCAMLR; CITES; ICCAT; the ITTO; the Montreal Protocol; POPs; UNEP Chemicals on the PIC and POPs Conventions; the UNFCCC; and UN Fish Stocks. The Matrix provides information on the trade measures contained in 14 environmental conventions and protocols. Furthermore, a number of documents on MEAs have been circulated in the CTE by the WTO and by the MEA Secretariats, a full list of which is contained in Annex 3.

III. OBSERVER STATUS

A. MEA OBSERVERSHIP IN THE WTO

17. A number of international intergovernmental organizations have been granted observer status in the CTE.¹⁰ Among them are UNEP and the following MEAs: the CBD, CITES, ICCAT, and the UNFCCC. At its 4 October 2001 meeting, the CTE agreed to postpone its discussion of requests by inter-governmental organizations for observer status in the CTE pending discussions on observer status in the General Council.¹¹ At present, two MEAs' requests for observer status in the CTE are pending, those of the ITTO¹² and the Montreal Protocol on Substances that Deplete the Ozone Layer.¹³

18. At its meeting of 12-13 February 2003, agreement was reached in the CTE Special Session to invite a number of organizations on an ad hoc, meeting-by-meeting basis.¹⁴ These organizations include UNEP and the following seven MEAs:¹⁵ the Basel Convention, the CBD, CITES, the Montreal Protocol, the Rotterdam Convention, the Stockholm Convention, and the UNFCCC.¹⁶

19. In terms of other WTO bodies, while UNEP has observer status in the Committee on Trade and Development (CTD), its request for such status in the General Council and the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS) are pending. The CBD's requests for observer status in the TRIPS Council, the Committee on Agriculture, the Committee on Sanitary and Phytosanitary Measures and the Committee on Technical Barriers to Trade are also pending.

20. Observer status in the WTO entitles international organizations to receive WTO documents. According to General Council Rules of Procedure, "Observer organizations shall receive copies of the main WTO documents series and of other documents series relating to the work of the subsidiary bodies which they attend as observers. They may receive such additional documents as may be specified by the terms of any formal arrangements for cooperation between them and the WTO".¹⁷

⁹ WT/CTE/W/160/Rev.3 and TN/TE/S/5/Rev.1, 11 February 2005.

¹⁰ WT/CTE/INF/6/Rev.1, 31 August 2004.

¹¹ WT/CTE/M/28.

¹² WT/CTE/COM/9, 9 July 2001.

¹³ WT/CTE/COM/10, 4 September 2002.

¹⁴ TN/TE/R/5.

¹⁵ TN/TE/R/9. UNCTAD, the Organization for Economic Cooperation and Development (OECD) and the World Customs Organization (WCO) are also amongst the ad hoc invitees of the CTE in Special Session.

¹⁶ The ITTO was invited to the 1-2 May 2003 and 8 July 2003 CTESS meetings (TN/TE/R/6 and 7).

¹⁷ Rule 9 of Annex 3 on *Observer Status for International Intergovernmental Organizations in the WTO* (WT/L/161, 25 July 1996).

B. WTO OBSERVERSHIP IN UNEP AND MEAS

21. In addition to the WTO's observer status in the UNEP Governing Council¹⁸, the WTO attends, on a regular basis, the main meetings of MEAs which contain trade-related measures. Most MEAs address the issue of the observership of international organizations in their statutes. MEAs allow international organizations to attend meetings as observers by those who have expressed an interest. The statutes of certain MEAs, for instance, state the following:

Basel, Article 15.6:

The United Nations, its specialized agencies, as well as any State not Party to this Convention, may be represented as observers at meetings of the Conference of the Parties. Any other body or agency, whether national or international, governmental or non-governmental, qualified in fields relating to hazardous wastes or other wastes which has informed the Secretariat of its wish to be represented as an observer at a meeting of the Conference of Parties, may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

CBD, Article 23.5:

The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to this Convention, may be represented as observers at meetings of the Conference of the Parties. Any other body or agency, whether governmental or non-governmental, qualified in fields relating to conservation and sustainable use of biological diversity, which has informed the Secretariat of its wish to be represented as an observer at a meeting of the Conference of the Parties, may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

¹⁸ See the 4th paragraph of WTO Press Release 154 (29 November 1999), on the *Elements of Cooperation between the WTO and UNEP*, which is reproduced in this Note.

Stockholm Convention (POPs Agreement), Article 19.8:

The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to this Convention, may be represented at meetings of the Conference of the Parties as observers. Any body or agency, whether national or international, governmental or non-governmental, qualified in matters covered by the Convention, and which has informed the Secretariat of its wish to be represented at a meeting of the Conference of the Parties as an observer may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

ANNEX 1

CBTF ACTIVITIES IN WHICH THE WTO SECRETARIAT HAS BEEN INVOLVED¹⁹

- Launching workshop of the CBTF training modules on trade, environment and development, Havana, Cuba, 10-14 December 2001.
- Brainstorming meeting for interested developing countries on the post-Doha discussions and negotiations and related capacity-building needs, organized by UNEP, UNCTAD and the Agency for International Trade Information and Co-operation (AITIC), Geneva, 25 February 2002.
- Workshop on post-Doha negotiating issues on trade and environment in paragraph 31, held back-to-back with the WTO Regional Seminar on Trade and Environment for Asian countries, Singapore, 16 May 2002.
- Workshop on post-Doha issues on trade and environment in paragraphs 31 and 32, held back-to-back with the WTO Regional Seminar on Trade and Environment for English-speaking African countries, Windhoek, Namibia, 10-11 July 2002.
- Workshop on Post-Doha Issues on Trade and Environment, held back-to-back with the WTO Regional Seminar on Trade and Environment for Pacific countries, Suva, Fiji, 29 November 2002.
- Workshop on Post-Doha Issues on Trade and Environment, held back-to-back with the WTO Regional Seminar on Trade and Environment for African countries, Cape Town, South Africa, 22 May 2003.
- Workshop on Trade, Environment and Sustainable Development, held back-to-back with the WTO Regional Seminar on Trade and Environment for Caribbean countries, Kingston, Jamaica, 27-28 November 2003.

¹⁹ Information on the above CBTF activities is accessible on the CBTF web site at www.unep-unctad.org/cbtf.

ANNEX 2

UNEP MEETINGS ORGANIZED BACK-TO-BACK WITH THE CTE²⁰

- "Workshop with the Secretariats of UNEP Administered Conventions and the Secretariat of WTO", Geneva, 28 June 1999.
- "Enhancing Synergies and Mutual Supportiveness of MEAs and the WTO", Geneva, 23 October 2000.
- "Fisheries Subsidies Workshop", Geneva, 12 February 2001.
- "Compliance, Enforcement and Dispute Settlement in MEAs and the WTO", Geneva, 26 June 2001.
- "Workshop on the Impacts of Trade-Related Policies on Fisheries and Measures for Sustainable Fisheries Management", Geneva, 15 March 2002.
- "Workshop on Capacity Building on Environment, Trade and Development", Geneva, 19-20 March 2002.
- "UNEP/MEA Meeting on Enhancing MEA and WTO Information Exchange", Geneva, 11 November 2002.
- "Workshop on Fisheries Subsidies and Sustainable Fisheries Management", Geneva, 26-27 April 2004 (back-to-back with a meeting of another WTO body).

²⁰ Chairman's summaries of the meetings are accessible on the UNEP web site at www.unep.ch/etu.

ANNEX 3

BACKGROUND DOCUMENTS ON MEAS CIRCULATED IN THE CTE

1. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Symbol	Date Issued	Topic
WT/CTE/W/163 and Corr.1	12 October 2000	The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal – <i>Communication from the Secretariat of the Basel Convention</i>
WT/CTE/W/130 and Corr.1	9 February 2000	Recent Developments in MEAs (Montreal Protocol and the Basel Convention) – <i>Note by the Secretariat</i>
WT/CTE/W/90	20 July 1998	The Basel Convention: Recent Developments – <i>Communication from the Secretariat of the Basel Convention</i>
WT/CTE/W/86	8 July 1998	Recent Developments in the Basel Convention, the PIC Convention, and the Convention on Biological Diversity – <i>Note by the Secretariat</i>
WT/CTE/W/55	25 August 1997	Recent Trade-Related Developments in the Basel Convention – <i>Communication from the Secretariat of the Basel Convention</i>
WT/CTE/W/12	10 October 1995	Recent Developments in the Montreal Protocol and the Basel Convention – <i>Note by the Secretariat</i>

2. The Biosafety Protocol

Symbol	Date Issued	Topic
WT/CTE/W/235	8 June 2004	Decisions of the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Parties to the Cartagena Protocol on Biosafety of relevance to the WTO - <i>Note by the Executive Secretary of the CBD</i>
WT/CTE/W/190	1 May 2001	Cartagena Protocol on Biosafety – <i>Note by the Secretariat</i>
WT/CTE/W/136	30 March 2000	Cartagena Protocol on Biosafety to the Convention on Biological Diversity: Text of the Protocol – <i>Communication from the Secretariat of the CBD</i>
WT/CTE/W/124	9 August 1999	Convention on Biological Diversity: Draft Protocol on Biosafety – <i>Note by the Secretariat</i>
WT/CTE/W/117	28 June 1999	Convention on Biological Diversity – Draft Protocol on Biosafety: – Recent Developments – <i>Note by the Secretariat</i>

3. The Convention on Biological Diversity

Symbol	Date Issued	Topic
TN/TE/INF/9/Rev.1	13 October 2004	Statement by the Secretariat of the Convention on Biological Diversity (CBD) at the Committee on Trade and Environment Special Session of 12-13 October 2004 - Paragraph 31 (i) - Revision
TN/TE/INF/9	12 October 2004	Statement by the Secretariat of the Convention on Biological Diversity (CBD) at the Committee on Trade and Environment Special Session of 12-13 October 2004 - Paragraph 31 (i)
WT/CTE/W/235	8 June 2004	Decisions of the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Parties to the Cartagena Protocol on Biosafety of relevance to the WTO - <i>Note by the Executive Secretary of the CBD</i>
WT/CTE/W/210-IP/C/W/347/Add.1	10 June 2002	Review of the Provisions of Article 27.3(b), Relationship Between the TRIPS Agreement and the Convention on Biological Diversity and Protection of Traditional Knowledge and Folklore – <i>Information from the Secretariat of the CBD</i>
WT/CTE/W/158	28 July 2000	Recent Developments in the Convention on Biological Diversity (CBD) – <i>Note by the Secretariat</i>
WT/CTE/W/149	28 June 2000	Response of the Executive Secretary of the CBD to the Chair of the CTE – <i>Communication from the Secretariat of the CBD</i>
WT/CTE/W/116	28 June 1999	Response of the Executive Secretary of the Convention on Biological Diversity to the Request of the Chair of the CTE – <i>Communication from the Secretariat of the CBD</i>
WT/CTE/W/92	22 July 1998	The Convention on Biological Diversity – <i>Communication from the Secretariat of the CBD</i>
WT/CTE/W/86	8 July 1998	Recent Developments in the Basel Convention, the PIC Convention, and the Convention on Biological Diversity – <i>Note by the Secretariat</i>
WT/CTE/W/64	29 September 1997	The Convention on Biological Diversity and its Relation to Trade – <i>Communication from the Executive Secretary of the CBD</i>
WT/CTE/W/44	20 March 1997	Recent Developments in the Convention on Biological Diversity and the Montreal Protocol – <i>Note by the Secretariat</i>
WT/CTE/W/18	12 January 1996	Recent Developments in the Convention on Biological Diversity – <i>Note by the Secretariat</i>

4. The Convention for the Conservation of Atlantic Marine Living Resources

Symbol	Date Issued	Topic
WT/CTE/W/148	30 June 2000	The Commission for the Conservation of Antarctic Marine Living Resources – <i>Communication from the Secretariat of the CCAMLR</i>
WT/CTE/W/113 and Corr.1	28 May 1999	The Commission for the Conservation of Antarctic Marine Living Resources – <i>Communication from the Secretariat of the CCAMLR</i>

5. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Symbol	Date Issued	Topic
WT/CTE/GEN/7	11 February 2003	Decision on Economic Incentives and Trade Policy – <i>Communication from the Secretariat of the CITES</i>
WT/CTE/GEN/6	20 November 2002	Economic Incentives and Trade Policy – <i>Communication from the Secretariat of the CITES</i>
WT/CTE/GEN/5	20 November 2002	Regular Session of the CTE of 8 October 2002 – <i>Statement from the Secretariat of the CITES</i>
WT/CTE/W/165	13 October 2000	The Relationship between the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the WTO – <i>Communication from the Secretariat of the CITES</i>
WT/CTE/W/151	29 June 2000	Recent Developments in MEAs (CITES and POPs Convention) – <i>Note by the Secretariat</i>
WT/CTE/W/119	25 June 1999	Background note on the Convention on International Trade in Endangered Species of Wild Fauna and Flora and WTO – <i>Communication from the Secretariat of the CITES</i>
WT/CTE/W/71	21 November 1997	Recent Developments in the Convention on International Trade in Endangered Species of Wild Fauna and Flora – <i>Note by the Secretariat</i>
WT/CTE/W/63	17 September 1997	The Convention on International Trade in Endangered Species of Wild Fauna and Flora – <i>Communication from the Secretariat of the CITES</i>

6. The International Commission for the Conservation of Atlantic Tunas

Symbol	Date Issued	Topic
WT/CTE/W/152	29 June 2000	Conservation Measures Taken by the International Commission for the Conservation of Atlantic Tunas – <i>Communication from the Secretariat of the ICCAT</i>
WT/CTE/W/87	16 July 1998	Stock Management Measures taken by the International Commission for the Conservation of Atlantic Tunas in relation to trade measures – <i>Communication from the Secretariat of the ICCAT</i>

7. The Intergovernmental Forum on Forests

Symbol	Date Issued	Topic
WT/CTE/W/164	12 October 2000	Intergovernmental Policy Deliberations on Forests: Trade and Environment – <i>Communication from the Secretariat of the IFF</i>
WT/CTE/W/140	20 June 2000	Recent Developments in the International Forum on Forests – Full Text of the Programme Element of the Intergovernmental Forum on Forests – <i>Note by the Secretariat</i>

Symbol	Date Issued	Topic
WT/CTE/W/122	29 June 1999	The Intergovernmental Policy Dialogue on Forests: the Intergovernmental Forum on Forests of The United Nations Commission on Sustainable Development – <i>Communication from the Secretariat of the IFF</i>
WT/CTE/W/84	1 July 1998	Trade and Environment in Relation to Forest Products and Services: an Overview of the Intergovernmental Panel on Forests and the Intergovernmental Forum on Forests deliberations – <i>Communication from the Secretariat of the IFF</i>
WT/CTE/W/48	14 May 1997	Results of the Ad Hoc Intergovernmental Panel on Forests – <i>Note by the Secretariat</i>

8. The International Tropical Timber Organization

Symbol	Date Issued	Topic
WT/CTE/W/169	17 October 2000	The International Tropical Timber Agreement – <i>Communication from the Secretariat of the ITTO</i>
WT/CTE/W/120	29 June 1999	Background Note on the International Tropical Timber Organization – <i>Communication from the Secretariat of the ITTO</i>
WT/CTE/W/89	20 July 1998	Recent Trade-Related Developments in the International Tropical Timber Agreement – <i>Communication from the Secretariat of the ITTO</i>

9. The Montreal Protocol on Substances that Deplete the Ozone Layer

Symbol	Date Issued	Topic
WT/CTE/W/142	19 June 2000	Trade-Related Developments in the Montreal Protocol on Substances that Deplete the Ozone Layer – <i>Communication from the Secretariat of the Vienna Convention and the Montreal Protocol, UNEP</i>
WT/CTE/W/130 and Corr.1	9 February 2000	Recent Developments in MEAs (Montreal Protocol and the Basel Convention) – <i>Note by the Secretariat</i>
WT/CTE/W/115	25 June 1999	<i>Communication from the Secretariat of the Vienna Convention and the Montreal Protocol, UNEP</i>
WT/CTE/W/104	28 January 1999	Recent Developments in the Montreal Protocol – <i>Note by the Secretariat</i>
WT/CTE/W/68	14 November 1997	The Montreal Protocol on Substances that Deplete the Ozone Layer: Recent Developments – <i>Note by the Secretariat</i>
WT/CTE/W/60	8 September 1997	Nature and Extent of Projects Supported by the Multilateral Fund – <i>Communication from the Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol</i>
WT/CTE/W/57	28 August 1997	The Montreal Protocol and Trade Measures – <i>Communication from the Secretariat of the Vienna Convention and the Montreal Protocol</i>
WT/CTE/W/44	20 March 1997	Recent Developments in the Convention on Biological Diversity and the Montreal Protocol – <i>Note by the Secretariat</i>
WT/CTE/W/19	23 January 1996	Recent Developments at the Seventh Meeting of the Parties to the Montreal Protocol – <i>Note by the Secretariat</i>
WT/CTE/W/12	10 October 1995	Recent Developments in the Montreal Protocol and the Basel Convention – <i>Note by the Secretariat</i>

10. The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants

Symbol	Date Issued	Topic
WT/CTE/W/193	19 June 2001	Recent Developments in MEAs – Stockholm Convention on Persistent Organic Pollutants (POPs) – <i>Note by the Secretariat</i>
WT/CTE/W/166	16 October 2000	Draft Persistent Organic Pollutants (POPs) Convention and the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade – <i>Communication from UNEP Chemicals</i>
WT/CTE/W/151	29 June 2000	Recent Developments in MEAs (CITES and POPs Convention) – <i>Note by the Secretariat</i>
WT/CTE/W/128	29 November 1999	Recent Developments in MEAs (PIC and POPs Conventions) – <i>Note by the Secretariat</i>
WT/CTE/W/112	10 May 1999	Draft International Legally Binding Instrument for Implementing International Action on Certain Persistent

Symbol	Date Issued	Topic
		Organic Pollutants (POPs) – Recent Developments – <i>Note by the Secretariat</i>
WT/CTE/W/91	20 July 1998	Background Paper on the Draft PIC Convention and the Ongoing Negotiations for a Global POPs Treaty – <i>Communication from the Secretariat of UNEP Chemicals on PIC and POPs Conventions</i>
WT/CTE/W/86	8 July 1998	Recent Developments in the Basel Convention, the PIC Convention, and the Convention on Biological Diversity – <i>Note by the Secretariat</i>
WT/CTE/W/59	3 September 1997	The Proposed Prior Informed Consent (PIC) and Persistent Organic Pollutants (POPs) Conventions – <i>Communication from UNEP Chemicals Secretariat</i>

11. The United Nations Convention on the Law of the Sea

Symbol	Date Issued	Topic
WT/CTE/W/62	16 September 1997	The 1994 Agreement Relating to the Implementation of Part XI of the 1982 UN Convention on the Law of the Sea – <i>Communication from the UN Division for Ocean Affairs and the Law of the Sea</i>

12. The United Nations Framework Convention on Climate Change

Symbol	Date Issued	Topic
WT/CTE/W/201	2 October 2001	United Nations Framework Convention on Climate Change (UNFCCC) – Recent developments – <i>Note by the Secretariat</i>
WT/CTE/W/174	23 October 2000	United Nations Framework Convention on Climate Change – <i>Communication from the Secretariat of the UNFCCC</i>
WT/CTE/W/153	29 June 2000	Developments in the United Nations Framework Convention on Climate Change – <i>Communication from the Secretariat of the UNFCCC</i>
WT/CTE/W/123	8 July 1999	United Nations Framework Convention on Climate Change (UNFCCC) – <i>Communication from the Secretariat of the UNFCCC</i>
WT/CTE/W/74	3 March 1998	Recent Developments in the United Nations Framework Convention on Climate Change: The Kyoto Protocol – <i>Note by the Secretariat</i>
WT/CTE/W/61	16 September 1997	The United Nations Framework Convention on Climate Change – <i>Communication from the Secretariat of the UNFCCC</i>

13. Others

Symbol	Date issued	Topic
WT/CTE/W/88	20 July 1998	The Protocol to the 1979 UN/ECE Convention on Long-Range Transboundary Air on Pollution Persistent Organic Pollutants – <i>Communication from the Secretariat of the UN/ECE Convention on Long-Range Transboundary Air Pollution</i>
WT/CTE/W/58	2 September 1997	Nature and Extent of GEF Projects in Assisting in the Implementation of MEAs – <i>Communication from the Secretariat of the GEF</i>
WT/CTE/W/15 and Corr.1	1 December 1995	Recent Developments in the FAO Code of Conduct for Responsible Fisheries – <i>Note by the Secretariat</i>