

Such population policies are not an alternative but a supplement to the many steps which will be needed to put farming on a foreseeably sustainable footing, but ultimately that footing will not be secure until the world's population stabilizes. Only then will farmers be able to turn away from the unrelenting drive to boost yields and towards conservation and restoration of soils and water supplies for tomorrow's use.

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GUEST EDITORIAL

Trade and the Environment

How do the liberalized trade policies, that have been catalysed by the recent technology-driven globalization, interact with those concerns which have emerged over the past ten years or so under the heading of global environmental governance? The 1992 Rio 'Earth Summit' addressed the interaction between (economic) development and the protection of the environment in Principle 4 of the 'Rio Declaration on Environment and Development' as follows:

'In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.'

In order to assess whether this fundamental principle is being respected in the negotiation of agreements concerning the international economy, the recently established World Trade Organization (WTO) is a revealing test-case. The environment has not been completely forgotten; the preamble of the WTO agreement endorses the notion of ecologically sustainable development, and it should now become easier to bring scientific evidence and advice to bear on the environment with the dispute-settlement panels. The fact of the matter is, however, that none of the key issues in the trade-environment relationship, such as full cost pricing reflecting environmental externalities, environmental trade measures, or cross-border environmental liability, have been seriously dealt with. Environmental issues have mostly been put aside until 1996, when the WTO's Committee on Trade and Environment is supposed to suggest a framework to the signatory parties specifying the WTO's responsibilities in this domain (Shaw & Cosbey, 1994).

In the meantime, nations will be trading with one another according to the new rules of the WTO, but with regard to the environment it will be largely 'business as usual'. As a consequence, one cannot escape from concluding that the dozens of governments which have signed both the Rio Declaration and the WTO Agreement, have not only violated the above-mentioned Principle 4, but have put the fledgling WTO from the beginning on a conflict course with the very notion of ecologically sustainable development.

The WTO Agreement is particularly inadequate in the area of trade in natural resources, which cannot sensibly be regulated by the same rules as trade in manufactured goods. The prohibition or restraints regarding subsidies and other support mechanisms to protect the environment — for instance in agriculture, forestry, fishing, or in the mining industry — has very wide-ranging negative environmental consequences. These include impediments on soil-erosion control, crop rotation techniques, integrated pest-management systems, and reforestation efforts or policies aimed at protecting small diversified farms from being merged into huge cattle-ranches with serious environmental problems (Bremond, 1993).

Perhaps the biggest new threat, however, looms from the integration into the trade regime of intellectual property rights governing the use of transgenic biocides. They have been made possible by genetic 'engineering', and they will further increase the push towards huge and ecologically fragile monocultures. At the same time, they increase the farmers' need for chemical supplies and their dependence on the biological engineering support-system. The suppliers of seed, fertilizer, and pesticides, and other components of the more and more invading agribusiness, are tightening their control of agriculture in both the North and South, with ecological consequences which are unknown and largely unpredictable.

It is natural that some environmentally progressive countries will want to protect their relatively high environmental standards against a watering-down due to pressures to abide by the 'lowest common denominator'. They will attempt to do this first and foremost through multilateral negotiations, and if a minimally acceptable consensus cannot be achieved in this way, they may have to resort to unilateral measures in exceptional cases — in spite of the fact that these are very unpopular in most diplomatic circles (Charnovitz, 1993).

I don't wish to imply that institutionalized trade liberalization is fundamentally incompatible with environmental priorities. On the contrary, a rather straightforward argument supporting the WTO can be made on theoretical grounds. The implementation of a linkage between the ecology and the economy at the policy level — which is what I call the *ecology* — is the core principle of the sustainable development notion.

It is also very clear that global environmental problems require global mechanisms to deal with them. Consequently, in order to implement global sustainable development policies, one needs to establish global instruments to manage both the environment and the international economy.

We should consider the present WTO situation as a pilot phase which needs to be followed by a restructuring phase, much as the process which reformed the Global Environment Facility after the Rio Conference. In particular, there is a need for greater openness for standard-setting bodies (on sanitary and phytosanitary standards, for example) and for the decision-making process of the dispute panels.

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GUEST COMMENT

Canada–EU Reach Agreement to Conserve and Protect Straddling Stocks*

Canada's Minister of Fisheries and Oceans, Brian Tobin, and Minister of Foreign Affairs, André Ouellet, on 15 April 1995 announced an agreement on the conservation and management of fish stocks that straddle Canada's 200-miles' limit. The agreement was negotiated by senior officials of the Government of Canada and of the European Commission.

The Ministers congratulated Canadian and European Union negotiators on their success in reaching an agreement to settle the dispute over the fishing of Greenland Halibut. 'This agreement is not just about providing immediate protection for Turbot† stocks', Minister Tobin said, 'It's also about rebuilding Cod [*Gadus morhua*] and flatfish stocks currently under moratoria.' Minister Ouellet said 'Our negotiators did a superb job in ensuring that conservation of fragile fish-stocks, and the strict enforcement of fishing rules, are now basic preconditions that must be met by all vessels and by all fishing fleets in advance of any harvesting activity', noting that Canada's bottom-line concerns about proper conservation and enforcement measures are central elements in the agreement.

THE NEW ENFORCEMENT AGREEMENT

Under the Canada–EU Control and Enforcement Agreement, a new mandatory enforcement regime will govern all Canadian and EU vessels fishing in specific areas regulated by the Northwest Atlantic Fisheries Organization (NAFO). 'This agreement reflects a bilateral commitment to introduce a better set of rules, and, for the first time, an effective system to enforce the rules and provide for more severe penalties for those who break them', Minister Ouellet said.

Major components of the new enforcement agreement include:

- independent, full-time observers on board vessels at all times;
- enhanced surveillance *via* satellite tracking;
- increased inspections and quick reporting of infractions;
- verification of gear and catch records;
- timely and significant penalties to deter violations;
- new minimum fish size-limits, and
- improved dockside monitoring.

Under the agreement, Canada will harvest 10,000 tonnes of Turbot, subject to further information about the health of the stock. The EU will limit further catches of Turbot by its vessels in 1995 to 5,013 tonnes from April 15.

'While Canada will harvest less Turbot than its February quota from NAFO, the 10,000 tonnes now available in 1995 is three times greater than last year's catch. While the EU will receive more than the NAFO quota recommended in February, its harvesting level is about five times less than what the EU harvested in 1994', Minister Tobin said. 'We have achieved a total enforcement regime. For the first time, we have a way of monitoring EU catches, controlling EU fleets, preventing the use of liners in nets, stopping the catch of undersized fish, and controlling the catches of fish under moratoria.' 'We can now put this dispute behind us, secure in the knowledge that we have a fair, workable and sensible agreement', Minister Ouellet said: 'We can also be pleased that our strong stand on conservation will contribute to the formulation of stronger international rules covering the harvesting of endangered fish-stocks elsewhere in the world.'

* Further to the Editorial (on page 3) and news item (on p. 77) in our preceding issue. We hereby express the ardent hope that countries and unions in all continents will conform, and that this splendid breakthrough will soon be followed by others — and not only covering the world's oceans and seas. — Ed.

† An alternative popular name for Greenland Halibut (*Reinhardtia hippoglossoides*). — Ed.