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TRADE AND AGRICULTURE DIRECTORATE
ENVIRONMENT DIRECTORATE

Joint Working Party on Trade and Environment

REPORT ON THE REGIONAL WORKSHOP ON "REGIONAL TRADE AGREEMENTS AND THE ENVIRONMENT"

This document provides a summary of the workshop held in Ha Noi, Viet Nam on 17-18 September 2014.

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REPORT ON THE REGIONAL WORKSHOP ON “REGIONAL TRADE AGREEMENTS AND THE ENVIRONMENT”

Background and purpose of the workshop

Since 2007, the OECD Joint Working Party on Trade and Environment (JWPTE) has been analysing the way in which bilateral and regional trade agreements (RTAs) deal with environmental issues (OECD 2007, 2008a, 2011a, 2014a). As part of that work, the JWPTE has regularly provided updates on environmental provisions in RTAs (OECD 2008b, 2009, 2010, 2011b, 2012, 2013, 2014b).

RTAs constitute a dynamic, fast-moving field.¹ As more agreements are being signed, and as the scope and reach of those agreements is broadening, experience in implementing environmental provisions in RTAs is building quickly. The JWPTE has asked for further work in the 2015-16 biennium looking at ways of evaluating the environmental effects of RTAs and their environmental provisions. In the context of that forthcoming work, a workshop was held in Hà Nội in September 2014. The workshop was organised in collaboration with, and kindly hosted by, the Việt Nam Ministry of Industry and Trade (MOIT). This report reviews the outcomes of this workshop.

The JWPTE had already organised a number of other workshops on RTAs in the past (OECD, 2008c, 2008d, 2011b). The Hà Nội workshop was the fifth in a series of regional workshops at which experts from both OECD and non-OECD countries discussed their experiences with the negotiation and implementation of environmental provisions in trade agreements. A first workshop was held in Paris in 2006, with subsequent regional workshops in Tokyo, Japan in 2007 (OECD, 2008c), in Santiago, Chile in 2008 (OECD, 2008d) and a further Paris workshop in 2010 (OECD, 2011c). The Hà Nội workshop took place over two days on 17-18 September 2014.

The workshop was attended by officials from OECD countries and countries in the Southeast Asia region, as well as a range of experts from non- and inter-governmental organisations and business. A full list of participants, as well as the presentations delivered, can be found on the event website.²

The workshop had multiple purposes: to encourage dialogue between RTA negotiators from OECD and Association of Southeast Asian Nations (ASEAN) countries and to help them understand each other's priorities and constraints concerning environmental co-operation and provisions in RTAs; to provide a forum for advancing technical discussions on issues such as impact assessment of environmental effects of RTAs; to provide capacity building for ASEAN officials in the form of a simulated mock negotiation; and to provide broader context for understanding the effects that RTAs have on the environment through discussion on the role of RTAs for promoting the global value chains of environmental goods and services.

The workshop was structured around an introductory session and four substantive discussion sessions including the simulated negotiation. The first substantive session explored the types of environmental provisions that have been used in RTAs and how those provisions can better support sustainable development objectives. The second session focused on evaluation of the environmental effects of RTAs, and was divided into separate discussions on ex ante and ex post evaluation. The third session comprised

¹ For the purposes of this report, the term RTA includes bilateral and regional trade agreements, free-trade agreements (FTAs), economic partnerships and other arrangements aiming at trade liberalisation between the Parties. Environmental concerns might be addressed through the provisions of the agreement itself or through complementary side agreements.

² www.oecd.org/tad/events/joint-working-party-trade-environment-workshop-vietnam-2014.htm/

the simulated negotiation session. The fourth session took a broader view of development trends in Southeast Asia and the challenges that these trends pose for sustainable development. In that context, the session explored the role of RTAs in facilitating Southeast Asian participation in global value chains for environmental goods and services, including a case study of the solar sector. The agenda of the workshop is provided in Annex I.

Four documents provided key background material for the workshop:

- An analysis of trends and policy drivers for environmental provisions in RTAs (OECD, 2014a)
- An overview of recent developments in RTAs with environmental provisions (OECD, 2014b)
- A report on the OECD workshop “Regional Trade Agreements and the environment: Monitoring implementation and assessing impacts” (OECD, 2011a)
- A checklist for negotiators of environmental provisions in RTAs (OECD, 2008a)

Introductory session and Session 1: Regional Trade Agreements, the Environment and Sustainable Development

Mr Luong Hoang Thai (Director General, Multilateral Trade Policy Department, MOIT) opened the Workshop. He welcomed the international participants and the opportunity for dialogue and mutual learning on countries’ different priorities. Mr Brett Longley (Ministry for the Environment, New Zealand) delivered opening remarks on behalf of the JWPTE. He outlined the role of the JWPTE in promoting the mutual compatibility of trade and environmental policies in practice, and introduced the agenda of the workshop. He stressed that the workshop intended to provide an opportunity for experts in the Southeast Asia region to engage with experts from OECD countries to share experiences in crafting environmental provisions in RTAs.

On behalf of the OECD Secretariat, Ms. Trudy Witbreuk gave a presentation to set the workshop in the broader context of trade in Southeast Asia, noting that the workshop formed part of the outreach strategy of the OECD’s new Southeast Asia Regional Programme. She summarised the rapid growth in numbers of RTAs in the region and the evolution of RTAs towards “mega-regional” agreements. She also introduced the importance of global value chains (GVCs) for the region and reflected on how RTAs can do more to stimulate participation of firms in GVCs. Andrew Prag (OECD Secretariat) then gave an overview of recent work of the JWPTE, setting the workshop in the context of further analysis that the group will carry out on RTAs in 2015-16.

The first discussion session of the workshop focused on how environmental provisions have been used in RTAs and how co-operation agreements can relate to countries’ sustainable development goals. Mr Brett Longley (Ministry for the Environment, New Zealand) gave an introductory presentation focusing on which environmental issues can be addressed in RTAs, what types of provision are used and what determines the scope of those provisions. He described the different types of provisions and obligations, and reflected on how the use of different provisions depends on what parties hope to achieve from including environmental provisions in an RTA. Mr Longley added that environmental provisions are the outcome of negotiations that depend on countries’ priorities, which are linked to their stage of development (and development goals) as well as their economic and environmental interests at stake. In conclusion he proposed a framework for considering how issues might be addressed, depending on whether the issues were domestic or global and whether parties were seeking to advance or promote something or to protect something.

Three discussants, acting in their personal capacity, delivered remarks to stimulate further discussion. A representative of Việt Nam noted that while newer RTAs include sustainable development and other issues as integral to the RTA, inclusion of binding environmental obligations can pose challenges for countries such as Việt Nam. Reasons cited included a lack of domestic legislative and enforcement capacity for environmental laws, a lack of general awareness of environmental issues and a lack of funds. However, she outlined a role for international co-operation to promote and raise public awareness of environmental issues and related business opportunities, to support the review of environmental policies and regulations, to increase financial resources investment in advanced environmental technologies and to enhance government capacity.

A representative of the European Commission began her remarks by noting that the EU addresses sustainable development — not just environment — in its RTAs so the list of possible issues to address tends to be even longer. The EU has been carrying out Sustainability Impact Assessments (SIA) since 2006, so has experience of completed as well as ongoing negotiations. While noting that sustainability provisions are important to limit the environmental impacts of increased trade, she pointed out the importance of seeking common principles between negotiating parties as a means to encourage increased consideration of environmental issues by the other party. She stressed that intra-government co-operation is important for the successful design of environmental provisions, bringing together trade people and environment people from different agencies, noting that the OECD has long provided a useful forum in this regard. She underscored also the importance of involving broader stakeholders early in the negotiations, in order to fully internalise the concerns of business, academia and other members of civil society. She then went on to discuss issues related to the EU's own experiences with implementing environmental provisions, noting that it provides an institutionalised forum for keeping parties up to date with each other's concerns and priorities. She concluded with the observation that it is important to manage parties' expectations in negotiations, including being clear about what is meant by "co-operation": some may see this is a one-way financial arrangement whereas others may see it as a two-way process involving trade, development and environmental officials.

The third discussant, from the Economic Research Institute for ASEAN and East Asia (ERIA), described an "implementation deficit" as environment and sustainability provisions in RTAs look good on paper, but impacts can be difficult to identify. Regarding RTAs in the ASEAN region, he noted that negotiating periods vary considerably and this has implications for environmental provisions: shorter timespans make it harder to get strong environmental provisions. He suggested that one way to improve implementation is through better communication between government institutions and by identifying institutional roles, domestically and in regional groups, as well as at the local level. He also placed emphasis on co-operation agreements and the sharing of best practice as a step towards harmonising standards more formally, with RTAs as a useful tool for helping this internationally. Finally, he mentioned the importance of financing as part of co-operation agreements, including the need to have finance ministries involved from both sides.

A lively discussion followed with interventions from most countries represented at the meeting. Delegates explained that it is important to be realistic about environmental provisions — most are not obligations, and many developing country negotiators are quite focused on market-access issues. One participant noted a recent business survey in the ASEAN region suggesting that only 47% of businesses have heard about RTAs, and most of those thought that RTAs were only about import-export barriers. Awareness of environmental provisions in existing RTAs was low. Other participants countered by pointing out that RTAs can be a very powerful tool for influencing policy, in particular with a push towards more regulatory harmonisation, and this can lead to economic growth that is less polluting. Some developing-country participants pointed to environmental co-operation agreements as a key way to include environmental concerns in RTAs, in particular with funding from developed countries. Other delegates

pointed to direct trade-related drivers for pursuing environmental provisions, such as providing a level playing field for investment and countering the “pollution haven” effect.

One delegate suggested that to build support for environmental aspects of RTAs it will be necessary to “mainstream” environmental considerations outside of specific environmental chapters (for example environmental benefits of services trade liberalisation). Others observed that environmental provisions proposed by OECD countries have evolved as countries gain experience — e.g. moving towards text stipulating high levels of environmental protection and effective enforcement, also seeking enhanced engagement with key stakeholders. Finally, delegates pointed out that RTAs involve a complex negotiation process involving many other issues. This necessitates a balance between country priorities across a number of areas of which environment is only one. An important part of a negotiation is to explore where each other’s flexibilities lie. Finding a balance between varying interests can become increasingly difficult as the number of parties (and their different local circumstances) increases.

Session 2. Part I: Ex-ante Evaluation of the Environmental effects of RTAs

This session looked at how countries have conducted ex-ante analysis of the likely environmental effects of their RTAs and aimed to explore how such assessment might be improved. A representative of the OECD opened the session by giving an overview of Dr Clive George’s analytical work on existing efforts to carry out ex-ante evaluations of the effects of RTAs.³ A key theme of the overview was that ex-ante evaluation focuses on potential risks and benefits of RTAs — and how they could be mitigated or enhanced — rather than trying to precisely predict all the impacts of RTAs. The goal is to identify where the draft RTA can be modified, or where negotiating parties’ policy can be influenced, in a way that lessens likely environmental impacts. Lessons learned from Dr George’s experience with these assessments include not to strive for predictions but only at possible impacts, and to ensure that countries have suitable systems in place to monitor and respond to impacts. Finally, experience suggests that it is not always necessary to try to attribute specific ex-post impacts to the drivers of risks that were identified ex-ante. If real impacts are identified, a policy response should ensue without trying to tie the impact to the ex-ante assessment – the response is merited even if it cannot be shown to be solely caused by an RTA.

Three discussants, acting in their personal capacity, delivered remarks to stimulate further discussion. A representative of the EU provided more detail on the EU’s ex-ante evaluation process which is carried out before negotiations begin and aims to provide an overview of potential economic, social and environmental effects. SIA is the next step and is carried out when negotiations are underway, often involving external expert consultants. SIA looks at a wider range of impacts in more detail, including scale and composition effects, technological spill-overs, greenhouse gas emissions modelling (including sectoral studies), and trade and economic impacts. The discussant stressed that SIA seeks a balance between the social, environmental and economic aspects of sustainability and that processes are designed to ensure early involvement of negotiators themselves, as well as external stakeholders. A key objective is to ensure that stakeholders’ concerns are understood at an early stage.

A discussant from the United States began by explaining that the ex-ante environmental reviews carried out by the US have broadly the same scope as the environmental part of the EU process. A key aim of the reviews is to ensure that adequate safeguards are worked into the RTA for environmental risks that are identified in the reviews. The reviews, which are managed by an inter-agency committee within the federal government, aim for extensive civil society engagement early on in the process. Examples of specific issues covered in recent reviews include effluent from ships and invasive alien species in the US-Korea agreement and impacts on wildlife and migratory birds in the US-Peru agreement. The discussant

³ Dr George was unable to attend in person due to last-minute travel difficulties.

concluded by noting that all countries, including the US, face financial resource constraints when designing and implementing ex-ante evaluation of RTA effects.

A discussant from Malaysia noted that while his country carries out cost-benefit analysis of its RTAs to identify potential economic and other impacts, environmental chapters are relatively new in Malaysia's agreements. The environmental chapter negotiations are led by the environment ministry, but in general there is a lack of in-house specialists and they usually do not have sufficient financial resources to engage external international consultants. The discussant pointed out that methods for impact evaluation tend to be quite country-specific, making it difficult to take a "cut and paste" approach with existing methods used in other countries. He also stressed that data limitations are a key constraint, and that making key assumptions on possible impacts with insufficient data is challenging. He concluded by saying that when multiple RTAs are being negotiated, there can be a need for multiple parallel environmental assessments, leading to resources being spread more thinly.

The ensuing discussion focused on a range of topics including the difficulty of making assumptions about impacts when faced with insufficient data, the pros and cons of using in-house versus external consultants for impact assessments and the timing of assessments with respect to the negotiation process. Delegates also stated the importance of finding a balance between social and environmental impact assessments and between conducting assessments that are sufficiently technical yet aware of political sensitivities. Communication of impact assessments was also raised as an important consideration, both with external stakeholders and within government, notably when engaging finance ministries and getting support of subnational government bodies. One participant also pointed out the additional complication of trying to assess impacts of interactions between numerous trade deals that a particular country be simultaneously negotiating. Delegates generally agreed that while ex-ante impact assessments form an important part of RTA negotiations, financial resources are generally limited and it is important to use those resources in the most effective manner.

Session 2. Part II: Ex-post Evaluation of the Environmental effects of RTAs

This session sought to explore possible ways to evaluate the effects of environmental provisions in RTAs on an ex post basis, and how such evaluation can help environmental provisions evolve over time. The session was opened by a presentation from Matias Pinto (Chile Ministry of Foreign Affairs) who gave an overview of Chile's RTAs to date and explained the country's approach to carrying out ex-post assessment of their effects. The environmental provisions of Chile's RTAs range from a note in the preamble to specific environment chapters, with an evolution over time towards more substantive provisions. Specific examples of the approach to ex-post assessment within some of Chile's RTAs were given, including those with the Canada, EU and US, as well as the P-4 agreement.⁴

Discussants were asked to consider how environmental provisions in RTAs can be adapted over time, and how ex-post evaluation can help with this process. Initial remarks were given by individuals in their personal capacity from the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the United States and New Zealand, in a discussion format. Discussants noted a need to be clear about what is meant by ex-post evaluation, drawing a distinction between evaluating the effects of environmental provisions in RTAs, evaluating the effectiveness of environmental co-operation agreements linked to RTAs, and assessing the overall environmental impacts of RTAs. It is important to be clear on definitions, and to ensure that commitments included in RTAs are worded clearly so that evaluation programmes can subsequently be designed to assess their effectiveness.

⁴ The Trans-Pacific Strategic Economic Partnership (P4) Agreement between Brunei Darussalam, Chile, Singapore, and New Zealand

Discussants generally agreed that monitoring and evaluation of environmental co-operation agreements is often well advanced, with reporting and follow-up to ensure that programmes are having positive impacts. A few formal reviews have been carried out, such as the 10-year review of the North American Commission for Environmental Cooperation (CEC). Discussants also broadly concurred that in general countries have made good progress in building on ex ante evaluation to assess qualitatively where RTAs may be having positive or negative environmental impacts. However, quantitative assessment of impacts, and specific attribution of impacts to individual RTAs, remains a challenging area of analysis. One discussant drew parallels with quantitative evaluation of economic and other effects of RTAs, including countries' economic self-interest calculations carried out within RTA negotiations, which are generally quite well developed. However, on the environmental side, assessment is often currently based on qualitative methods. It was noted that the lack of quantitative evidence on the effectiveness of environmental provisions can make it harder to encourage developing countries to agree on the stronger environmental provisions sought by some OECD countries in their RTAs.

In the ensuing floor discussion, participants stressed that, as with ex-ante evaluation, methods for ex-post evaluation are evolving as experience with environmental provisions increases over time. Further, it was pointed out that evaluation is not a one-off exercise and that a time-series focusing on the development of impacts over time is important. Delegates suggested that such sequential evaluation is what matters for influencing how environmental measures are integrated into forthcoming agreements, and that there is some evidence for this having occurred for specific environmental issues identified in later agreements. On the challenges of quantitative assessment of impacts, it was noted that regression analysis relies on the existence of appropriate data and accurate modelling of the interrelationship between variables. If important explanatory variables are not included, the results should be read cautiously, particularly in relation to the direction of causation.

Speaking about the EU's experience, one participant explained that successive implementation reviews have helped to better identify which categories of impacts could be linked to implementation of the agreement, but that identifying causality — even for co-operation agreements — remains difficult. Another participant expressed the view that impact assessment of RTAs is harder for developing countries, because of issues of establishing robust baselines for comparisons; in many cases developing countries had little or no environmental legislation in the past. However, existing evaluation reports, such as those carried out by the US Government Accountability Office, suggest that RTAs did in part contribute to significant institutional development within governments that were parties to RTAs.

Several delegates also suggested that interactions between different RTAs also make ex-post evaluation harder; this includes a country agreeing multiple RTAs with different partners but also cases in which a country may have more than one RTA with the same partner, for example one regional and one bilateral arrangement. Finally, participants noted the importance that effective ex-post evaluation can have for communicating on RTAs both within governments and with the broader public, to build a case that trade liberalisation is not necessarily bad for the environment. Documenting effects such as institution building within government — an effect not wholly attributable to RTAs but nevertheless influenced by RTA provisions — is important for influencing future deals and negotiations.

Session 3: Simulation Exercise – Mock Negotiation of Environmental Provisions in a Regional Trade Agreement

This session aimed to give a more practical learning experience to trade and environmental officials and an opportunity for participants to better understand their negotiating partners' concerns in crafting environmental provisions in RTAs. The simulation exercise consisted of a mock negotiation focusing on particular aspects of a typical environment chapter in an RTA. The OECD Secretariat was extremely grateful to the Canadian Department of Foreign Affairs, Trade and Development, and in particular Mr Christopher O'Toole, for designing and moderating this session.

Each participant was assigned to a negotiating team for a fictive country engaged in negotiating environmental provisions in an RTA with two other parties. Each country had differing economic characteristics, environmental governance frameworks and institutions and approaches towards the incorporation of trade and environmental provisions in RTAs. Economy A was the most developed and largest of the three parties, with a strong domestic environmental governance framework. Economy B was described as a fast-growing, middle-income developing economy with a government that has embraced environmental protection policies as a means to ensure sustainable economic growth in the face of increasing domestic stakeholder demands for a better environment. Economy C was described as the least developed economy of the three parties, having experienced significant economic growth in recent years but with limited financial and human resources to address the environmental challenges of growth.

The objective of the mock negotiation was to reach an "in principle" agreement between the negotiating teams about three environmental provisions that were described as being still outstanding in an otherwise well-advanced RTA negotiation: a commitment to effectively enforce domestic environmental laws; the dispute settlement procedure that will be used to examine questions of non-compliance on issues in the chapter; and commitments related to environmental co-operation supported by the developed country partner.

Each team had a different negotiating brief outlining their country's position on the three provisions and indicating where they might be able to compromise. Teams had one hour to prepare their briefs, followed by an initial negotiation session during which country positions were stated and clarifying questions were asked. Economy A was seeking a strong environment chapter involving a commitment that parties "shall" effectively enforce environmental regulations and including a robust dispute settlement mechanism. Economy B was seeking a robust environment chapter but with a co-operation approach to dispute settlement and a formal co-operation agreement with support from Economy A. Economy C, due to economic and capacity concerns, was not seeking a strong commitment to uphold environmental laws, nor inclusion of any type of dispute-settlement mechanism. Economy C had a strong interest in a co-operation agreement, funded by Economy A, given its need to strengthen its environmental governance framework and institutions.

Participants conducted two negotiating sessions with a further team conferral session in between the two. By the end of the session, teams had reached an in-principle agreement, having negotiated compromises on all three provisions. After the session participants said that they found the exercise to be a very useful learning experience. Suggestions for future sessions included elaborating the negotiation briefs to be more complex, involving a longer time-scale and circumstances that change once the negotiation is already underway (e.g. new information being provided "from capital" during the mock negotiation). It was suggested that this would make the negotiation more realistic.

Session 4: Global Value Chains and Environmental Goods and Services in Southeast Asia: The Role of RTAs

The workshop returned to a seminar-style discussion format for its final substantive session. This session took a broader view of development trends in Southeast Asia and the challenges that these trends pose for sustainable development. In that context, the session aimed to explore the role of RTAs in increasing Southeast Asian participation in global value chains for environmental goods and services.

The session began with a presentation from Magnus Bengtsson (Institute for Global Environmental Strategies, IGES) highlighting key economic, demographic and trade-related trends affecting the Southeast Asia region. Stable economic growth has combined with increasing importance of trade as a percentage of regional GDP. At the same time, material consumption is soaring globally, with the Asia-Pacific region becoming *less* resource-efficient over time; social challenges, such as inequality and youth unemployment, remain prevalent in Southeast Asia. Within that context, the presentation also charted a rapid increase in South-South trade and therefore invited discussion on how Asian RTAs can influence those trends, including whether countries will pursue environmental provision and whether RTAs will be particularly influential for facilitating the growth of value chains for environmental goods.

A presentation by Mr Rajan Ratna of UN ESCAP then delved into more detail on how RTAs can influence the development of GVCs, and in particular what that may mean for environmental goods firms in the Southeast Asia region. Mr Ratna reminded delegates that whilst finding a common definition for environmental goods is challenging, in most cases tariffs are already quite low for the goods usually considered to be environmental. Addressing non-tariff measures through RTAs is therefore important. He also suggested that RTAs can facilitate regional — as well as global — value chains, starting with intra-regional trade of components and intermediate goods. He pointed out that rules of origin, if used, should be designed carefully to apply via cumulative value. Regarding trade in services, he explained that strong co-operation provisions in RTAs are important. Finally, he called on countries to rationalise trade liberalisation efforts and to avoid seeking more than one RTA with each trading partner.

A third presentation was delivered by Mr Jacob Maimon, CEO of Star.8, a solar firm with manufacturing operations in Cambodia. He provided a vivid picture of the realities of operating an environmental goods firm in the region, pointing out a number of challenges as well as benefits linked to the firm's location in Cambodia. He noted that high import tariffs in the country are a problem, but also spoke about the good market opportunities for solar products in the region.

The subsequent discussion focused on a range of issues, including the relative importance of tariff and non-tariff measures for developing GVCs for environmental goods, the challenges related to the regulation of services and the impacts it has on international trade in services — which can be important for the environmental sector — and the nature of environmental goods. For the latter point, the transformational nature of environmental goods was compared to information technology; the Information Technology Agreement was conceived not only for IT manufacturers but also for the potential broader benefits arising for users of the technology.

The workshop concluded with remarks from Ms. Pham Quynh Mai, Deputy Director General of the Multilateral Trade Policy Department, Ministry of Industry and Trade, Việt Nam. She expressed her appreciation of the workshop, emphasising in particular the benefits of information sharing, understanding each other's priorities for environmental provisions and the important role of capacity building. She noted the value of the simulated negotiation and expressed a desire for future workshops. On behalf of the JWPTE and the OECD Secretariat respectively, Mr Rob Wing (US Department of State) and Mr Andrew Prag (OECD) thanked the Government of Việt Nam for its excellent hospitality as well as thanking all participants for their active contributions throughout the event.

ANNEX 1. WORKSHOP AGENDA

Day 1 — Wednesday 17 September 2014	
8:45	REGISTRATION
9:15	<p>OPENING REMARKS AND INTRODUCTION</p> <p>Moderator: Vu Lien Huong, <i>Ministry of Industry and Trade, Việt Nam</i></p> <ul style="list-style-type: none"> • Welcome from Mr Luong Hoang Thai, Director General, Multilateral Trade Policy Department, MOIT, Government of Việt Nam (TBC) • Opening remarks on behalf of the JWPTE <ul style="list-style-type: none"> ○ Brett Longley, <i>Ministry for the Environment, New Zealand</i> • Keynote speech: Trade-and-environment within the broader context of global trade, value chains and the increasing importance of Southeast Asia <ul style="list-style-type: none"> ○ Trudy Witbreuk, <i>Head of Division, OECD Secretariat</i> • Introductory presentation: Key issues at the interface of trade and environment <ul style="list-style-type: none"> ○ Andrew Prag, <i>Policy Analyst, OECD Secretariat</i>
10:00	<p>Session 1: REGIONAL TRADE AGREEMENTS, THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT</p> <p>This session aims to explore what types of environmental provisions are used in RTAs and how those provisions can better support sustainable development objectives</p> <p>Moderator: Trudy Witbreuk, <i>Head of Division, OECD Secretariat</i></p> <p>Introductory presentation:</p> <ul style="list-style-type: none"> ○ Brett Longley, <i>Ministry of Environment, New Zealand</i> <p>Panel Discussion:</p> <ul style="list-style-type: none"> • How can environmental provisions help to link RTAs more closely to countries' sustainable development programmes? • How can co-operation be structured to support sustainable development objectives? <ul style="list-style-type: none"> ○ LLM. Tran Thi Minh Ha, <i>Senior Official, Former Director General of International Co-operation Department, Ministry of Environment and Natural Resources of Việt Nam</i> ○ Silvia Formentini, <i>European Commission</i> ○ Venkatachalam Anbumozhi, <i>Economic Research Institute for ASEAN (ERIA)</i>.
11:30	BREAK
12:00	Session 1 continued

Day 1 — Wednesday 17 September 2014	
13:00	LUNCH
14:30	<p>Session 2, part I: EX-ANTE EVALUATION OF THE ENVIRONMENTAL EFFECTS OF RTAs</p> <p>The first part of this session aims to review how countries go about conducting ex-ante analysis of the likely environmental effects of RTAs and to explore how such assessment might be improved.</p> <p>Moderator: Andrew Prag, <i>OECD Secretariat</i></p> <p>Presentations:</p> <ul style="list-style-type: none"> • Methods for ex ante evaluation of the environmental effects of RTAs <ul style="list-style-type: none"> ○ Clive George, <i>University of Manchester</i> • EU experience of ex-ante analyses in practice <ul style="list-style-type: none"> ○ Silvia Formentini, <i>European Commission</i> <p>Panel Discussion:</p> <ul style="list-style-type: none"> • The challenges such evaluation may involve • What previous ex-ante analyses got right and where they failed to predict outcomes, and the communication of environmental inclusions in RTAs <ul style="list-style-type: none"> ○ Rob Wing, <i>US Department of State</i> ○ Muralitharan Paramasua, <i>Ministry of Environment, Malaysia</i>
16:00	BREAK
16:30-18:00	<p>Session 2, part II: EX-POST EVALUATION OF THE ENVIRONMENTAL EFFECTS OF RTAs</p> <p>The second part of this session will discuss possible ways to evaluate the effects of environmental provisions in RTAs on an ex post basis, and how such evaluation can help environmental provisions to evolve over time.</p> <p>Moderator: Christopher O’Toole, <i>Department of Foreign Affairs, Trade and Development Canada</i></p> <p>Ex-post evaluation of environmental effects:</p> <ul style="list-style-type: none"> • Presentation on Chile’s efforts to assess environmental provisions’ implementation and outcomes on specific RTAs <ul style="list-style-type: none"> ○ Matias Pinto, <i>Legal Adviser on environment and trade, International Economic Affairs Bureau, Chile</i> <p>Panel Discussion:</p> <ul style="list-style-type: none"> • How can environmental provisions in RTAs be adapted over time and can ex-post evaluation help with this process? <ul style="list-style-type: none"> ○ Clive George, <i>University of Manchester</i> ○ Rob Wing, <i>US Department of State</i>
END OF DAY 1	

Day 1 — Wednesday 17 September 2014

THE MINISTRY OF INDUSTRY AND TRADE OF THE SOCIALIST REPUBLIC OF VIỆT NAM

invites all participants to a dinner to be held at

Sen Restaurant, 614 Lạc Long Quân street, Hà Nội

Day 2 Thursday 18 September 2014

9:00

Session 3: SIMULATION EXERCISE – MOCK NEGOTIATION OF ENVIRONMENTAL PROVISIONS IN A REGIONAL TRADE AGREEMENT

This session intends to give a more practical learning experience to trade and environmental officials in crafting environmental provisions in RTAs. The simulation exercise will consist of a mock negotiation focusing on one or two particular aspects of a typical environment chapter in a RTA. This mock simulation may allow participants to better understand their negotiating partners' concerns, as developing country participants could take the role of developed country negotiators, and vice versa. Each participant will be part of a fictive country with specific economic characteristics and environmental policy frameworks. The objective of the mock negotiation will be to reach an agreement between the negotiating teams.

After an introductory presentation by the moderators, each team will have one hour to prepare for the mock negotiation and 1.5 hours to undertake the negotiation. This will be followed by concluding remarks from the moderators, summarising the exercise and highlighting lessons for participants. Participants will also be invited to share what they learned during the exercise.

Coffee break will be taken at some point during the discussions.

Moderator:

- **Christopher O'Toole**, *Department of Foreign Affairs, Trade and Development Canada*
(Co-Chair of the Environment Working Group in the Trans-Pacific Partnership negotiations and an experienced negotiator for environment provisions in RTAs)

13:00

LUNCH

14:30

Session 4: GLOBAL VALUE CHAINS AND ENVIRONMENTAL GOODS AND SERVICES IN SOUTHEAST ASIA: THE ROLE OF RTAs

This session aims to take a broader look at development trends in Southeast Asia and the challenges that these trends pose for sustainable development. In that context, the session will explore the role of RTAs in increase Southeast Asian participation in global value chains for environmental goods and services, including a case study of the solar sector.

Moderator: Hezri Adnan, *ISIS Malaysia*

Presentations:

- **Development trends in Southeast Asia:** Economic, demographic, trade and environmental trends and challenges for sustainable development
 - Magnus Bengtsson, *IGES, Japan*
- **Global value chains for environmental goods and services in Southeast Asia:** case study on **solar photovoltaic technologies**
 - Jacob Maimon, *CEO, Star-8 Cambodia*

	<ul style="list-style-type: none"> • The role of RTAs to increase participation in GVCs for environmental goods and services <ul style="list-style-type: none"> ○ Rajan Sudesh Ratna, <i>UN ESCAP</i> <p>Discussion</p>
16:30	<i>BREAK</i>
17:00-17:30	<p>SUMMING UP AND NEXT STEPS</p> <ul style="list-style-type: none"> • Summing up and next steps for JWPTE work in RTAs and environment: <i>Andrew Prag, OECD</i> • Concluding remarks on behalf of JWPTE: <i>Rob Wing, US Department of State</i> • Concluding remarks on behalf of the Government of Việt Nam
<i>END OF WORKSHOP</i>	

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