



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

February 24, 1998

Glenn Allard
Director General
Special Projects
Environmental Protection Service
351 St. Joseph Boulevard
Hull, Quebec
K1A 0H3

Dear Glenn Allard,

Re: Letter of Intent Trade and Environment Research Project

Thank you for discussing the potential for this small research proposal from The Canadian Environmental Law Association (CELA) with me. As we discussed, international trade and globalization is now influencing Canada's ability to carry out environmental protection. Those of us working to protect the environment now have to have a solid understanding of these complex issues and the new challenges they will continue to bring. We have designed this project to allow us to commit time to organizing our burgeoning collection on trade and the environment and to offer Environment Canada access to our unique and extensive collection on this important subject. We propose to; provide you with a comprehensive bibliography of our current holdings on trade and the environment; with other relevant electronic and printed sources for information; with periodic updates as our collection grows, with all of our own publications on the subjects to date, and copies of others publications upon request, and with future CELA publications as a standing order.

Background

In 1988, CELA was one of the first groups in the world to raise concerns about the emerging trade regimes and their impacts on environmental protection. Since then CELA has written extensively on many aspects of trade agreements and has built up a large and wide ranging collection of materials on trade. These materials reflect the recent history and development of various trade accords. They originate from trade negotiations and conferences CELA staff have attended and include commentaries prepared by the world-wide network of ENGOs we have worked with in Europe, Central and South America, Europe and Asia. These diverse materials encompass popular, legal, media and government positions on the environmental, economic, sociological significance of trade, as well as actual legal texts of agreements.

We estimate that we currently have in the neighbourhood of 600 to 1,000 documents housed in the offices of our researcher on trade, Ken Traynor and the Director of our new International Trade Program, lawyer Michelle Swenarchuk. As well, our Resource Library for the Environment and the Law houses other materials, books, government reports, magazine articles and videos. CELA also has a central filing system which has additional clipping files documenting newspaper articles on trade ranging over a decade. We are constantly finding new sources on the Internet and from our extensive networking on this issue. An outline of the deliverables you could expect from this project follows:

Bibliography Contents

The bibliography would cover the environmental implications of the following trade agreements:

- FTA (Canada - U.S. Free Trade Agreement)
- NAFTA (North American Free Trade Agreement)
- NAAEC (North American Agreement on Environmental Cooperation)
- CEC (Commission on Environmental Cooperation)
- GATT (pre-1994)
- GATT/World Trade Organization Agreement (1994)
- MAI (Multilateral Agreement on Investment)
- Inter-Provincial Agreement on Trade

The collection contains official documents related to these agreements, but also important materials on the evolution and development of the agreements, and on the response to the agreements from diverse constituencies, much of which is not available elsewhere. We expect that emerging agreements like Free Trade Area of the Americas, APEC, and OECD initiatives will generate other valuable materials.

Key issues which would be covered include:

- Biodiversity and trade
- Biosafety Protocol negotiations
- Intellectual property (TRIPs)
- Trade impacts on standard-setting and resource management
- Food safety and security (Beef hormone issue)
- History of Canadian trade & environment policy
- Forest trade / Sustainable forest certification
- Climate change
- Trade and the constitutional division of powers
- Trade and water issues
- Implications of trade law for ecological footprints

The bibliography would include the following types of material:

- official documents
- government publications
- periodical articles
- annotated list of relevant Internet sources
- topical subject files
- referral list of key organizations for different subjects
- books
- non-government organization publications
- legal materials: agreements, dispute panel decisions, legal commentary
- records of key written communications

Outline of Activities and Time Required

The bibliography will take approximately 6 months to complete, and the updates will then be provided on an ongoing basis.

Activity	Description	Time Required
Bibliography Research	Gathering the various information sources from within CELA and from external sources (referral information, Internet sources)	1 month
Cataloguing and indexing	Cataloguing and subject indexing of the collection	4 months
Bibliography preparation	Designing, formatting, and organizing the finished bibliography	1 month
Update service	Ongoing updating of the bibliography as new materials are received at CELA	Ongoing

Estimated Cost

The estimated cost of the project is approximately \$10,000, which includes the cost of carrying out the research, cataloguing, and bibliography preparation (\$9000, or \$1500/month for 6 months), along with a \$1000 administrative overhead charge to cover office equipment and supplies, photocopying, etc.

We appreciate your consideration of this proposal. We would be happy to discuss any modification or changes you would like or further information that we might provide.

Yours truly,
Canadian Environmental Law Association



Sarah Miller
Coordinator