INTERNATIONAL TRADE REGULATION AND THE MITIGATION OF CLIMATE CHANGE

World Trade Forum

Edited by
THOMAS COTTIER
OLGA NARTOVA
and
SADEQ Z. BIGDELI

^m CAMBRIDGE UNIVERSITY PRESS

CONTENTS

Contributors page viii			
List of figures x			
List of tables xi			
List of abbreviations xii Preface xvii			
Treface Avii			
PART i Climate change mitigation: scientific, political and international and trade law perspectives 1			
Earth in the greenhouse — a challenge for the twenty-first century 3 THOMAS STOCKER			
A survey of Kyoto tools for greenhouse gas reductions: speculations on post-Kyoto scenarios 13 JOSE ROMERO AND KARINE SIEGWART			
International environmental law and the evolving concept of 'common concern of mankind' 21 THOMAS COTTIER AND			
S O F Y A MATTEOTTI - BERKUTO V A			
Domestic and international strategies to address climate change: an overview of the WTO legal issues 48			
ROBERT HOWSE AND ANTONIA I. ELIASON			
PART ii Climate change mitigation and trade in goods 95			
How to think about PPMs (and climate change) 97			
DONALD H. REGAN			
/Tilting at conventional WTO wisdom 124 DANIEL C. CROSBY			

VI CONTENTS

7	Private climate change standards and labelling schemes		
	under the	WTO Agreement on Technical Barriers	
	to Trade	131	
	ARTHUR	E APPLETON	

PART in Trade in renewable energy sources 153

8 Incentive schemes to promote renewables and the WTO law of subsidies 155

SADEQ Z. BIGDELI

- 9 The WTO and climate change 'incentives' 193
- 10 Certifying biofuels: benefits for the environment, development and trade? 197

 SIMONETTA ZARRILLI AND JENNIFER BURNETT

PART iv Climate change mitigation and trade in services 229

- 11 GATS, financial services and trade in renewable energy certificates (RECs) just another market-based solution to cope with the tragedy of the commons? 231
- 12 Assessment of GATS' impact on climate change mitigation 259OLGA NARTOVA
- 13 GATS' commitments on environmental services: 'hover through the fog and filthy air'? 274

RUDOLF ADLUNG

- PART v Climate change and technology transfer, investment and government procurement: legal issues 281
- International transfer of technologies: recent developments in the climate change context 283
 FELIX BLOCH

CONTENTS VU

15 TRIMS and the Clean Development Mechanism potential conflicts RECHSTEINER. CHRISTA PEISTER AND

FA 151 AN MARTENS

Balancing investors' interests and global policy objectives 16 in a carbon constrained world: the interface of international economic law with the Clean Development Mechanism 319 JACOB D. WERKSMAN

17 Procurement policies, Kyoto compliance and the WTO Agreement on Government Procurement: the case of the EU green electricity procurement and the PPMs debate 328 GARBA I. MALUMFASHI

18 Procurement and the World Trade Organization: purchase power or pester power? 351 GEERT VAN CALSTER

Institutional challenges and the way PART vi forward 369

19 Institutional challenges to enhance policy co-ordination how WTO rules could be utilised to meet climate 371 objectives? MIREILLE COSSY AND GABRIELLE MARCEAU

20 Environmental goods and services: the Environmental Area Initiative approach and climate change 395

THOMAS COTTIER AND DONAH BARACOL-PINHAO

Index 420