

TREND 2.0 Dataset: Comprehensive Guide and Variable Schema

Dataset: Trade and Environment Database 2.0 (TREND 2.0)

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INTRODUCTION

What is TREND?

TREND 2.0 is a database that codes over 300 environmental variables in preferential trade agreements (PTAs) globally. The goal is to transform heterogeneous legal texts into structured data, enabling econometric analysis of the environmental effects of trade agreements.

Dataset Structure

- **Number of Agreements:** ~500+ bilateral and regional trade agreements
- **Time Period:** 1990 - 2022
- **Total Variables:** 319 columns
 - **Metadata:** 21 variables
 - **Environmental Variables:** 298 variables

Coding Format

All environmental variables are **binary (0/1)**:

- **1** = The norm is present in the agreement
- **0** = The norm is absent from the agreement

METHODOLOGY

What Counts as an Environmental "Norm"?

The TREND methodology is **inclusive and granular**:

Level of Commitment

- Includes both **binding obligations** ("shall", "must", "will")
- And **soft law commitments** ("may", "could", "best efforts", "encourage", "recognize")
- **Does not require a high degree of legal obligation**

Location of the Norm

A norm can be found in:

- The preamble of the agreement
- Main articles and specific chapters
- Annexes
- Side agreements
- Footnotes
- Exchanges of letters
- Reservations

Exclusivity

- **Norms are not mutually exclusive**: a single article can be coded into multiple variables
- **A norm can appear multiple times**: in different sections of the same agreement

What Counts as "Environment"?

Broad Definition

A norm is considered "environmental" if:

- Explicitly linked to environmental issues (biodiversity, climate change, etc.)
- Linked to "sustainable development," "green economy," "energy efficiency"
- Included in chapters or agreements dedicated to the environment

Important Exclusions

Are NOT considered environmental, unless otherwise specified:

- Sanitary and phytosanitary (SPS) measures without explicit reference to the environment
- Norms on agriculture, aquaculture, fisheries **without** reference to conservation/sustainable management
- Norms on human health (unless the objective is environmental protection)
- Norms on "fairness," "living standards," "economic development" without an explicit environmental link

Notable Inclusions

Are considered environmental:

- Biodiversity, endangered species, protected areas
- Climate change, mitigation, adaptation
- Hazardous waste, chemicals, pollution
- Renewable energy, energy efficiency
- Forests, fisheries, water resources (if with reference to conservation)
- Green economy, green goods
- Sustainable management of natural resources

METADATA VARIABLES

Description of Control Variables

Variable	Description
Trade.Agreement	Unique identifier for the trade agreement (e.g., "1_Afghanistan India_2003")
Dyads	Number of trade dyads (1 = bilateral; >1 = regional)
EC_Partners	Dummy = 1 if one party is the European Union
Language	Language of the agreement (1=English, 2=Spanish, etc.)
NorthSouth	Classification of partners (1=North-North, 2=South-South, 3=North-South)
Number	Sequential number of the agreement
NumberMS	Number of member states in the agreement
Sectoral	Dummy = 1 if the agreement is sectoral (limited to certain sectors)
TypeDepth	Depth of the agreement (1=Shallow, 2=Medium, 3=Deep)
TypeMemb	Type of member (1=Bilateral, 2=Regional, etc.)
US_Partners	Dummy = 1 if one party is the United States
WTOListed	Dummy = 1 if notified to the WTO
WTOTypeCode	Type code according to WTO classification
Year	Year the agreement was signed
reg_africa	Dummy = 1 if at least one partner is African
reg_americas	Dummy = 1 if at least one partner is American
reg_asia	Dummy = 1 if at least one partner is Asian
reg_europe	Dummy = 1 if at least one partner is European
reg_intercontinental	Dummy = 1 if the agreement is intercontinental

Variable	Description
<code>reg_oceania</code>	Dummy = 1 if at least one partner is from Oceania

ENVIRONMENTAL VARIABLES

Nomenclature Structure

All environmental variables follow the format:

X[SECTION].[SUBSECTION].[DETAILED_CODE].[Description]

Example: X1.01.Preamble.refers.to.the.environment

14 Main Sections:

1. **Principles** (1.xx)
2. **Level of Environmental Protection** (2.xx)
3. **Law-making and Policy-making** (3.xx)
4. **Interaction between Environment and Non-Environmental Issues** (4.xx)
5. **Enforcement of Environmental Measures** (5.xx)
6. **Means to Encourage Environmental Protection** (6.xx)
7. **Environmental Cooperation** (7.xx)
8. **Specific Trade-Related Measures** (8.xx)
9. **Assistance** (9.xx)
10. **Specific Environmental Issues** (10.xx)
11. **Implementation of the Agreement** (11.xx)
12. **Institutions Created** (12.xx)
13. **Dispute Settlement Mechanisms** (13.xx)
14. **Relations with International Institutions** (14.xx)

SECTION 1: ENVIRONMENTAL PRINCIPLES

These variables code the fundamental principles stated in the agreements.

X1.01 - Preamble refers to the environment

Description: The preamble of the main trade agreement contains explicit references to environmental protection, sustainable development, or international environmental agreements (e.g., Stockholm Declaration 1972, Rio 1992).

X1.02 - Common but differentiated responsibilities principle

Description: The agreement recognizes the common responsibility of States to protect the environment, but also acknowledges different circumstances (e.g., different contributions to the problem, different mitigation capacities). Mere recognition of a development gap is not sufficient.

X1.03 - Prevention principle

Description: States have a duty to ensure that activities under their jurisdiction do not cause environmental damage, either within their territory or abroad. Different from the precautionary principle (1.04), which concerns scientific uncertainty.

X1.04 - Precautionary principle

Description: The agreement recognizes that a lack of scientific certainty cannot be used as a reason to postpone or reject environmental measures. The norm addresses scientific uncertainty (not risk).

X1.05 - Polluter pays principle

Description: The polluter should bear the costs of their pollution. Also includes mentions of "extended producer responsibility."

X1.06 - Damage rectified at source

Description: Environmental damage should be corrected at the place of origin before it spreads elsewhere. Different from prevention (1.03), which aims to avoid damage altogether.

X1.07.01 - Sovereignty over natural resources in general

Description: Reaffirmation of the sovereign right of States over their natural resources. Always considered environmental even without explicit reference to the environment.

X1.07.02 - Sovereignty over genetic resources

Description: The sovereign right over genetic resources, in line with the Convention on Biological Diversity.

X1.07.03 - Sovereignty over hydrobiological and fishery resources

Description: The sovereign right over fishery and hydrobiological resources in waters under national jurisdiction. Different from the protection of fishery resources (10.04.01).

X1.07.04 - Sovereignty over other specific resources

Description: Sovereign right over other specific natural resources not covered by the previous nodes.

X1.08.01 - Sovereignty in determining its own environmental policies

Description: The right of each State to establish its own levels of environmental protection and to modify its environmental laws and policies. Includes the right to set higher levels than the required minimum.

X1.08.02 - Sovereignty in the enforcement of environmental measures

Description: The right of States to decide how to enforce environmental measures, including how to allocate resources to enforcement. Discretion over investigative, prosecutorial, and regulatory matters.

X1.08.03 - Sovereignty or independence of national tribunals

Description: The independence of national tribunals in the application of environmental measures. National courts should not be subject to external scrutiny on their correct application.

X1.08.04 - Other norms on regulatory sovereignty

Description: Other norms on regulatory sovereignty not coded in the previous nodes.

X1.09.01 - No extraterritorial enforcement activities

Description: The authorities of one Party cannot carry out environmental enforcement activities in the territory of the other Party.

X1.09.02 - No right of action under domestic law

Description: A Party cannot allow domestic legal actions against the other Party for violation of the agreement.

X1.10.01 - Environmental protection as a precondition for trade or development

Description: The agreement states that environmental protection is essential, contributes to, or is a condition for growth, trade, liberalization, or economic development.

X1.10.02 - Reference to mutual supportiveness between environment and trade

Description: The agreement recognizes that environmental protection and trade/development policies are mutually supportive (causal statement, not normative).

X1.11 - Recognition of development gap or different capabilities

Description: Recognition of the development gap between partners or the "special needs" of developing countries on environmental issues. Does not coincide with the principle of common but differentiated responsibilities.

X1.12 - Cost-benefit analysis

Description: The agreement requires considering costs and benefits when designing environmental measures. Includes mentions of "cost-effective" measures.

X1.13 - Business actors contribute to environmental protection

Description: The private sector (companies, entrepreneurs) plays an important role in environmental protection. NGOs and civil society are NOT considered part of the private sector for this variable.

SECTION 2: LEVEL OF ENVIRONMENTAL PROTECTION

These variables concern the levels and standards of environmental protection in the agreements.

X2.01.01 - Inappropriate to encourage trade by relaxing environmental measures

Description: It is forbidden to encourage trade by relaxing environmental measures. May include investment but should not be specific to it.

X2.01.02 - Inappropriate to encourage investment by relaxing environmental measures

Description: It is forbidden to encourage foreign investment by lowering domestic environmental standards.

X2.01.03 - Maintain existing level of environmental protection

Description: The agreement requires maintaining at least the current level of environmental protection (non-regression).

X2.02.01 - Laws should provide for high levels of environmental protection

Description: Passive commitment/recognition that national environmental measures should ensure high levels of protection.

X2.02.02 - Commitment to enhance, strengthen, improve levels of environmental protection

Description: Active commitment to change and improve measures to achieve higher levels of protection.

X2.03 - Definition of environmental law, environmental governance

Description: The agreement provides a definition of "environmental law" or "environmental governance." Includes definitions of environmental measures.

X2.04 - Not for protectionist purposes

Description: Environmental measures cannot be used as protectionist non-tariff barriers. The prohibition of discrimination is the main focus.

SECTION 3: LAW-MAKING AND POLICY-MAKING

Variables on the design, adoption, and transparency of environmental measures.

X3.01.01 - Scientific knowledge when designing environmental measures

Description: Parties have an obligation to use scientific knowledge and data when designing, preparing, adopting, or implementing environmental measures. Different from the precautionary principle, which concerns uncertainty.

X3.01.02 - Scientific knowledge when conducting environmental assessment

Description: The use of scientific information and evidence when conducting environmental risk assessments.

X3.02.01 - Public participation in adoption of environmental measures

Description: Participation of the public, NGOs, citizens, or stakeholders in the adoption of national environmental measures. Includes mandatory public consultations.

X3.02.02 - Public participation in environmental impact assessment

Description: Public participation in the environmental impact assessment (EIA) procedures of projects.

X3.03.01 - Publication of environmental laws, regulations, administrative rulings

Description: Environmental measures must be published and made available to the public. Includes transparent development and prior notification.

X3.03.02 - Identification of measures in terms of tariff

Description: Measures, restrictions, or prohibitions for environmental reasons must be identified in terms of tariff classification.

X3.04 - Commitment to monitor the state of the environment

Description: Obligation to regularly prepare and publish reports on the general state of the environment (not on specific issues).

X3.05 - Requirement to conduct environmental assessment

Description: Obligation to conduct environmental impact assessments of projects that could have significant effects.

X3.06 - Commitment to invest in environmental research and science

Description: State investment in its own environmental research capacity. Different from joint research (7.02.01) or one-way assistance (9.01).

X3.07 - Establish or support national standards bodies

Description: Establishment or support of national standardization bodies for environmental issues.

SECTION 4: INTERACTION BETWEEN ENVIRONMENT AND NON-ENVIRONMENTAL ISSUES

Variables on the mainstreaming of the environment into sectoral policies (energy, agriculture, tourism, etc.).

X4.01 - Coherence in general

Description: General commitment to integrate environmental considerations into economic activities, development, cooperation. Includes "green growth."

X4.02 - Coherence with domestic trade or investment policies

Description: Normative commitment to design trade/investment policies that support environmental protection. Different from the causal statement that trade and environment are already mutually supportive.

X4.03 - Interaction between energy policies and the environment

Description: Consideration of environmental protection in the design of general energy policies. Different from specific renewable energy (10.15.01).

X4.04 - Interaction between mining and the environment

Description: Inclusion of environmental management measures in mining activities.

X4.05 - Interaction between tourism and the environment

Description: Environmental protection in relation to tourism. Includes sustainable tourism and ecotourism.

X4.06 - Interaction between gender policies and the environment

Description: Link between gender policies and environmental protection.

X4.07 - Interaction between social issues and the environment

Description: Link between social issues (poverty, labor, living standards) and the environment.

X4.08 - Interaction between rural development and the environment

Description: Sustainable rural development and environmental considerations.

X4.09 - Interaction between urban development and the environment

Description: Sustainable urban development, urban pollution, green cities.

X4.10 - Interaction between land-use planning and the environment

Description: Land-use planning and environmental protection.

X4.11 - Interaction between construction and the environment

Description: Construction activities and environmental protection. Includes energy efficiency in buildings.

X4.12 - Interaction between agriculture and the environment

Description: Sustainable agriculture and environmental considerations. Excludes pesticides (10.25), GMOs (10.21.02), organic foods (10.26).

X4.13 - Interaction between indigenous communities/traditional knowledge and environment

Description: Link between indigenous communities, traditional knowledge, and biodiversity conservation.

X4.14 - Interaction between human health and the environment

Description: Protection of human health from environmental pollution and environmental risks.

X4.15 - Interaction between industrial activities and the environment

Description: Environmental protection with respect to industrial pollution and industrial plant safety.

X4.16 - Interaction between transport and the environment

Description: Environmental protection in the transport sector. Excludes vehicle emission standards (10.17).

X4.17 - Interaction between other non-environmental issues and the environment

Description: Link between environment and other sectors (transition to market economy, food security, culture, etc.).

SECTION 5: ENFORCEMENT OF ENVIRONMENTAL MEASURES

Variables on the identification and sanctioning of environmental violations.

X5.01.01 - Binding obligations

Description: Binding obligation of the State to effectively enforce its environmental laws ("shall", "must", "have to").

X5.01.02 - Non-binding obligations

Description: Non-binding commitment to enforce environmental laws ("best efforts", "resolve", "shall endeavor").

X5.02 - Specific governmental action for enforcement

Description: Commitment to specific governmental actions: appointing inspectors, monitoring, investigations, voluntary agreements, releasing information, audits, maintaining records, mediation, judicial proceedings.

X5.03 - Private access to remedies, procedural guarantees, sanctions

Description: Right of private parties to sue for environmental damage, seek remedies, obtain injunctions. Includes determination of appropriate sanctions.

X5.04.01 - Commitment to consider alleged violation brought by citizens

Description: Right of citizens to file complaints about poor enforcement of domestic environmental laws. Can be done directly to the State or to an international body.

X5.04.02 - Commitment to consider alleged violation brought by foreigners

Description: Right of foreigners to request investigations into violations of a State's environmental laws.

X5.05 - Cooperation on enforcement

Description: Joint and cooperative enforcement activities between partners.

X5.06 - Factual report on enforcement

Description: Ability of a commission or secretariat to conduct independent factual reports on enforcement failures.

SECTION 6: MEANS TO ENCOURAGE ENVIRONMENTAL PROTECTION

Variables on tools to promote environmental protection regardless of mandatory enforcement.

X6.01 - Education or public awareness

Description: Efforts to educate the public on environmental issues, environmental degradation, environmental laws.

X6.02.01 - Promotion of unspecified voluntary measures

Description: Promotion of generic voluntary and incentive-based mechanisms. Includes promotion of best practices.

X6.02.02 - Promotion of specific voluntary measures

Description: Promotion of specific voluntary measures: ISO standards, certifications, codes of conduct, corporate stewardship, CSR, eco-labelling, audits, public-private partnerships.

X6.03.01 - Unspecified economic or market instruments

Description: Generic commitment to use economic instruments: cap-and-trade, trading permits, green taxes, market incentives.

X6.03.02 - Specific economic or market instruments

Description: Specific economic instruments: e.g., creation of carbon markets.

SECTION 7: ENVIRONMENTAL COOPERATION

Variables on scientific cooperation, harmonization, and information exchange between partners.

X7.01.01 - Encourage production of environmental goods and services

Description: Promotion of the production of environmental goods and services (renewable energy, eco-friendly goods).

X7.01.02.01 - General encouragement of trade/investment in environmental goods

Description: General commitment to facilitate trade in environmental goods and services.

X7.01.02.02 - Encouragement for specific environmental goods and services

Description: Promotion of specific environmental goods (e.g., elimination of tariffs on bicycles, solar panels).

X7.02.01 - Conduct joint scientific research

Description: Joint research, joint development of green technologies, eco-innovation.

X7.02.02 - Specific means to conduct scientific cooperation

Description: Exchange of experts and researchers, visits, seminars, conferences, technical assistance.

X7.02.03 - Creation of joint research institutions

Description: Establishment of research centers, laboratories, joint research institutions for the environment.

X7.02.04 - Joint environmental assessment and monitoring

Description: Joint environmental impact assessment, monitoring of environmental problems, development of joint environmental indicators.

X7.03.01 - General obligation to exchange information

Description: General commitment to exchange information on environmental laws, policies, standards, measures, practices.

X7.03.02 - Specific means to exchange information

Description: Policy dialogues, study visits, meetings, exchanges of officials, video conferences.

X7.03.03 - Early notification in case of disasters

Description: Early notification and information exchange in case of natural disasters, environmental catastrophes, accidents.

X7.03.04 - Provision of information when taking protective measures

Description: Notification to the other partner when adopting an urgent environmental protection measure.

X7.03.05 - Communication between customs authorities

Description: Communication between customs authorities on environmental offenses.

X7.04.01 - Harmonization of environmental measures

Description: Two-way harmonization of environmental measures. Both partners adjust their measures.

X7.04.02 - Alignment of Party's legislation to the other Party's

Description: One-way harmonization: only one Party adjusts its legislation.

X7.04.03 - Avoid exceptional national environmental standards

Description: Avoid exceptional standards to facilitate harmonization.

X7.04.04 - Mutual recognition of environmental measures

Description: Acceptance of the other Party's environmental measures as equivalent to one's own.

X7.04.05 - Harmonization not to obstacle environmental protection

Description: Harmonization of non-environmental measures cannot be used as an obstacle to environmental protection.

X7.04.06 - Possibility to opt out of harmonized norms

Description: Right of a Party to not adopt harmonized environmental norms for environmental reasons.

X7.04.07 - Not Party's intention to harmonize standards

Description: Explicit statement that the partners do not intend to harmonize their environmental standards.

X7.05 - Negotiation of environmental agreements

Description: Commitment to cooperate in bilateral, regional, multilateral environmental negotiations.

X7.06 - Prohibit export of harmful goods whose use is prohibited domestically

Description: Prohibition to export environmentally harmful goods (pesticides, toxic substances) whose import is prohibited domestically.

X7.07 - Prohibit import of harmful goods

Description: Prohibition to import harmful goods from the other Party where their use/export is prohibited.

X7.08 - Cooperate in prevention of deceptive practices

Description: Cooperation in the prevention of deceptive practices in environmental matters.

X7.09 - Vague commitments to cooperate

Description: Vague and general commitments to cooperate on environment, sustainable management, ecology. Excludes specific sectors.

SECTION 8: SPECIFIC TRADE-RELATED MEASURES

Variables on trade exceptions, TBT, investment, intellectual property, public procurement, subsidies, and services.

X8.01.01.01 - Life/health of animal/plant - Necessary

Description: Exception to free trade to protect the life/health of animals or plants, when "necessary." Reference to GATT art. XX (b).

X8.01.01.02 - Life/health of animal/plant - Not necessary

Description: Exception to protect life/health of animals or plants, even when not strictly "necessary" (e.g., "justified").

X8.01.02 - Conservation of natural resources

Description: Exception for the conservation of exhaustible natural resources. Reference to GATT art. XX (g).

X8.01.03 - Protection of the environment

Description: General exception for environmental protection, ecosystem integrity, pollution control.

X8.02.01 - Right to conduct risk assessment

Description: Right to conduct risk assessments before adopting environmental TBT measures.

X8.02.02 - Right to prepare and adopt TBT measures related to environment

Description: Right to adopt technical barriers to trade (TBT) measures for environmental protection.

X8.02.03 - Right to derogate from TBT procedures in case of emergency

Description: Right to adopt environmental TBT measures in an emergency without following ordinary procedures.

X8.03.01 - General on investment

Description: General investment exception for environmental protection.

X8.03.02 - Specific on establishment

Description: Restrictions on the right of establishment of investments in environmentally sensitive sectors.

X8.03.03 - Specific on performance requirements

Description: Right to impose performance requirements on investments for environmental protection.

X8.03.04 - Specific on expropriation

Description: Exception to investor protection from expropriation for legitimate environmental measures.

X8.03.05 - Foreign investment ban from specific sectors

Description: Prohibition of foreign investment in environmentally sensitive sectors.

X8.03.06 - Right to maintain any measures regarding investment in specific sector

Description: Right to maintain/adopt any measure on investments in specific environmental sectors.

X8.03.07 - Exclusion of ISDS

Description: Exclusion of the Investor-State Dispute Settlement (ISDS) mechanism for environmental disputes.

X8.04.01 - Exclusion of environmentally harmful inventions from patentability

Description: Exclusion from patentability of environmentally harmful inventions.

X8.04.02 - Use of geographical indications to protect environment

Description: Use of geographical indications for environmental protection (e.g., organic products).

X8.04.03 - Other norms on intellectual property and environment

Description: Other norms on intellectual property and environment.

X8.05.01 - General exceptions for government procurement

Description: General exceptions to public procurement systems for environmental protection.

X8.05.02 - Technical specification in tender procedure

Description: Green technical specifications in public tender procedures.

X8.05.03 - Exclusion of specific sectors from procurement liberalization

Description: Exclusion of environmental sectors from public procurement liberalization.

X8.05.04 - Cooperation on green public procurement

Description: Cooperation on green public procurement.

X8.06.01.01 - Exceptions allowing agricultural subsidies

Description: Exceptions allowing agricultural subsidies (for environmental protection).

X8.06.01.02 - Other norms allowing subsidies

Description: Other exceptions allowing green subsidies or for environmental research.

X8.06.02 - Prevention of environmentally harmful subsidies

Description: Commitment to avoid environmentally harmful subsidies.

X8.07 - Safeguard measures on environmental grounds

Description: Trade safeguard measures for environmental reasons.

X8.08 - Obligation to respect environment in outward processing zones

Description: Obligation to respect environmental norms in outward processing zones (OPZs).

X8.09.03 - Services on protection of environment

Description: Inclusion of environmental services in the liberalization of trade in services.

X8.10 - SPS measures and environment

Description: Obligation to consider the environment when designing sanitary/phytosanitary measures.

X8.11 - Exception to free movement of persons

Description: Exception to the free movement of persons for environmental reasons.

SECTION 9: ASSISTANCE

Variables on technical assistance, capacity building, technology transfer, financing.

X9.01.01 - Technical assistance to another Party

Description: One-way transfer of expertise/knowledge on environment from a privileged (usually developed) to a disadvantaged State.

X9.01.02 - Technical assistance to non-state actors

Description: Technical assistance provided to non-state actors (companies, NGOs, local communities).

X9.02 - Technology transfer

Description: Transfer of environmental technologies (e.g., clean energy).

X9.03.01 - Funding of capacity building, training, technical assistance

Description: Funding of capacity building, training, technical assistance activities.

X9.03.02 - Funding of cooperation activities

Description: Funding of environmental cooperation activities.

X9.03.03 - Each Party funds its own implementation

Description: Each Party finances its own implementation of the agreement.

X9.03.04 - Funding provided to non-state actors

Description: Funding provided directly to non-state actors.

X9.04 - Emergency assistance in case of disaster

Description: Emergency assistance in case of natural disasters.

X9.05 - Assistance to third countries

Description: Assistance on environment, capacity building, technology transfer to third countries.

SECTION 10: SPECIFIC ENVIRONMENTAL ISSUES

Variables on specific environmental issues: water, forests, fisheries, energy, climate change, biodiversity, pollution, etc.

X10.01.XX - Water Issues

Description: Variables on water (seas, oceans, coral reefs, rivers, lakes, wetlands, coastal areas, groundwater, marine pollution).

X10.02 - Wetlands

Description: Protection of wetlands.

X10.03 - Contaminated land

Description: Remediation of contaminated land.

X10.04.XX - Fishery Resources

Description: Fisheries: conservation, sustainable trade, illegal fishing, pollution prevention, bycatch, harmful subsidies.

X10.05.XX - Forest Resources

Description: Forests: conservation, sustainable trade, illegal logging.

X10.06 - Endangered species and illegal trade

Description: Endangered species and illegal trade.

X10.07 - Wildlife trafficking as serious crime

Description: Wildlife trafficking considered a serious crime.

X10.08 - Whale and seals

Description: Protection of whales and seals.

X10.09 - Migratory species

Description: Migratory species.

X10.10 - Invasive, alien or exotic species

Description: Invasive or alien species.

X10.11 - Shared species

Description: Species shared between Parties.

X10.12.XX - Genetic Resources

Description: Genetic resources: access, informed consent, benefit sharing.

X10.13 - Protected areas, parks, reserves

Description: Protected areas, natural parks, reserves.

X10.14 - Biodiversity

Description: Biodiversity and conservation.

X10.15.01.XX - Renewable energy and energy efficiency

Description: Promotion of renewable energy (solar, wind, biofuels) and energy efficiency.

X10.15.02.XX - Climate change

Description: Climate change: reduction of greenhouse gas emissions, adaptation, cooperation, legislative harmonization.

X10.16 - Ozone layer and CFC

Description: Protection of the ozone layer and ozone-depleting substances.

X10.17 - Air pollution

Description: General air pollution (excludes vehicle emission standards).

X10.18 - Vehicle emissions standards

Description: Vehicle emission standards.

X10.19 - Soil erosion

Description: Soil erosion.

X10.20 - Desertification, degradation, salinisation, acidification

Description: Desertification, soil degradation, salinization, acidification.

X10.21.01 - Biosafety (excluding GMOs)

Description: Biosafety, biohazard, biosecurity.

X10.21.02 - Genetically modified organisms

Description: Genetically modified organisms (GMOs).

X10.22.XX - Disaster management

Description: Natural disaster management: fires, floods, oil spills.

X10.23 - Domestic waste

Description: Domestic waste and waste management.

X10.24.XX - Hazardous waste

Description: Hazardous waste: restrictions on export/import/transport.

X10.25 - Pesticides, fertilizers, toxic products, chemicals

Description: Pesticides, fertilizers, toxic products, hazardous chemicals.

X10.26 - Organic foods

Description: Organic foods.

X10.27 - Food waste

Description: Food waste.

X10.29 - Noise pollution

Description: Noise pollution.

X10.30 - Scenery preservation

Description: Preservation of landscapes and scenic views.

X10.31 - Other specific environmental issues

Description: Other specific environmental issues not covered by the previous nodes.

SECTION 11: IMPLEMENTATION OF THE AGREEMENT

Variables on public participation, contacts, impact assessment of the agreement.

X11.01 - Contact point on environmental matters

Description: Establishment of a contact point for environmental matters.

X11.02.01 - Communication on actions undertaken

Description: Communication on measures taken to comply with the agreement.

X11.02.02 - Commitment to communicate decisions of joint institutions

Description: Communication of the decisions/recommendations of joint institutions.

X11.02.03 - Make available communications from public

Description: Making available communications received from the public.

X11.02.04 - Public sessions of joint institutions

Description: Public sessions of joint institutions.

X11.03.01 - Public participation in implementation

Description: Public participation in the implementation of the agreement.

X11.03.02 - Direct contact between non-state actors

Description: Direct contact between non-state actors of both Parties.

X11.04 - Environmental impact assessment of the agreement

Description: Environmental impact assessment of the trade agreement itself.

SECTION 12: INSTITUTIONS CREATED

Variables on institutions created by the agreement.

X12.01 - Intergovernmental committee

Description: Establishment of an intergovernmental committee on environmental matters.

X12.02.01 - International secretariat

Description: Establishment of an international secretariat to administer environmental norms.

X12.02.02 - Specialized organization on specific environmental issue

Description: Establishment of specialized organizations on specific environmental issues.

X12.03 - Stakeholders international committee

Description: Establishment of an international committee with non-governmental stakeholders.

SECTION 13: DISPUTE SETTLEMENT MECHANISMS

Variables on dispute settlement specific to environmental issues.

X13.01.01 - Environmental experts for enforcement disputes

Description: Environmental experts in State-State disputes on poor environmental enforcement.

X13.01.02 - Environmental experts in trade disputes

Description: Environmental experts in State-State disputes on violation of trade norms.

X13.02.01 - Environmental report in enforcement disputes

Description: Environmental reports produced in disputes on enforcement.

X13.02.02 - Environmental report in trade disputes

Description: Environmental reports in disputes on violation of trade norms.

X13.02.03 - Environmental report in investor-state disputes

Description: Environmental reports in Investor-State disputes.

X13.03.01 - Non-jurisdictional mechanism for enforcement failure

Description: Non-jurisdictional mechanism for poor enforcement.

X13.03.02 - Monetary enforcement assessments

Description: Monetary assessments for poor enforcement (e.g., financial penalties).

X13.03.03 - Suspension of benefits in case of failure

Description: Suspension of agreement benefits in case of poor enforcement.

X13.04.01.01 - Preliminary steps before DSM

Description: Preliminary steps (consultation, negotiation) before resorting to dispute settlement.

X13.04.01.02 - Non-jurisdictional DSM

Description: Non-jurisdictional dispute resolution mechanism (consultation, good offices, mediation).

X13.04.01.03 - State-State arbitration

Description: State-State arbitration for environmental disputes.

X13.04.02.01 - General DSM procedures

Description: General dispute settlement procedures applicable to the environment.

X13.04.02.02 - Suspension of benefits

Description: Right to suspend benefits in case of non-compliance.

X13.05.01 - Exclusion of multilateral environmental agreements from DSM

Description: Exclusion of the dispute settlement mechanism from applying to multilateral environmental agreements.

X13.05.02 - Consent to use DSM of multilateral environmental agreements

Description: Consent to use the dispute settlement mechanism of multilateral environmental agreements.

X13.05.03 - Panel shall consult relevant entity on multilateral agreements

Description: Obligation for the panel to consult and respect the interpretation of relevant entities in multilateral environmental agreements.

SECTION 14: RELATIONS WITH INTERNATIONAL INSTITUTIONS

Variables on ratification of international environmental agreements, implementation, prevalence, international standards.

X14.01.XX - Ratification of International Environmental Agreements

Description: Commitment to ratify multilateral environmental agreements: Montreal Protocol, Basel Convention, Rotterdam Convention, UNFCCC, Kyoto Protocol, Convention on Biological Diversity (CBD), and other environmental conventions.

X14.02.XX - Implementation of International Agreements and Declarations

Description: Commitment to implement entire international environmental agreements or specific parts of agreements, and declarations (Stockholm 1972, Rio 1992, Johannesburg 2002, Agenda 2030/SDGs, Paris Climate Agreement).

X14.03.XX - Prevalence of Multilateral Environmental Agreements

Description: In case of conflict, multilateral environmental agreements prevail over trade norms: CITES, Montreal Protocol, Basel Convention, MARPOL, Rotterdam Convention, Stockholm Convention, Ramsar Convention, CBD, Cartagena Protocol, Kyoto Protocol.

X14.04.XX - Other References to Environmental Agreements/Institutions

Description: Other mentions of environmental agreements/institutions (not ratification/implementation/prevalence): UNEP, International Whaling Commission, REDD, World Commission on Environment and Development, OECD Guidelines, UN Global Compact.

X14.05 - Dispute resolution by consultation for inconsistencies

Description: In case of conflict between the agreement and other agreements, the Parties will consult.

X14.06 - Prevalence of trade agreement in case of inconsistency

Description: The trade agreement prevails over other agreements in case of conflict (rare and controversial).

X14.07.01 - International standards presumed in conformity

Description: International standards are presumed to be in conformity with the agreement's obligations.

X14.07.02 - International standards should be used in designing measures

Description: Obligation to use or consider international standards/methods in the design of environmental measures.

X14.07.03 - Right to adopt stricter standards than international ones

Description: Right to adopt stricter standards than international ones.

X14.07.04 - Should use international organizations' methods

Description: Obligation to use risk assessment methods developed by international organizations.

X15 - OTHER ENVIRONMENTAL NORMS

Description: Other environmental norms that do not fall into categories 1-14.