

EFFECT OF ENVIRONMENTAL LAWS IN INTERNATIONAL TRADE AGREEMENTS ON AFRICAN COUNTRIES.

BY:
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The general call on the parties to reduce their greenhouse gas emissions and other environmental protection measures in trade agreements might be unfair to African countries whose emissions are very low. Trade agreements should not be used as vehicles to diffuse certain domestic policies and practices but rather foster economic growth in African countries. Such policies if unbalanced, create a trade-off between economic development and environmental protection. There is therefore need to create a balance between economic development and environmental protection so as to enforce environmental laws in African countries.

The provisions in trade agreements that regulate hazardous waste, deforestation, and the protection of fish stock to protect the environment can hinder basic livelihood in most African countries. People in developing countries are forced to overfish and to chop down forests for fuel for heating and light. Because of poverty, farmers engage in non-sustainable agriculture and governments do not have the resources to enforce environmental laws and regulations and or provide alternatives. All these activities combined do not exceed emissions by emerging and developed countries which gravely affect climate change.

Furthermore, environmental provisions in some trade agreements reduce exports in “dirty” goods which are mainly from developing countries. These types of environmental provisions are used to diminish the competitive advantage of countries dealing in such goods and in the end their economies are affected. African countries often look to trade agreements to develop economically thus some environmental restrictive measures have the effect of blocking their markets. There is therefore a need to build solutions that aid their growth and at the same time have the environment protected since climate change impacts will have a grave effect on developing countries.

Developed countries due to their history, have overtime specialized in production and consumption of software which has a minimal impact on the environment. To create a balance, there is need for cheaper transfer of technology and aid to boost the African economies to fight poverty without having a huge impact on the environment.

Where provisions for environmental restrictions are made in trade agreements, there should be provisions in the same agreement for developed countries to undertake to give aid and build capacity in African countries if such restrictions will grossly affect the economy developing countries.

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Developed and emerging economies need to fund efforts that advocate for more effective ways to enhance the livelihood of Africans e.g., using biogas for cooking as opposed to firewood. If efforts are put in place for more advanced technology which enables the people to substitute rudimentary methods for more environmentally friendly solutions it will be a good step in the positive direction.

Making provisions in trade agreements alone therefore does not resolve the problem because often the people are not given a second option for their livelihoods. Although this has not affected the willingness of African countries to accede to environmental provisions in most bilateral trade agreements, there has been very limited compliance with their commitments.

Creating a balance will therefore go a long way to enable enforcement by African countries of environmental laws in trade agreements.