

TPP text on trade and climate change/transmission to a low emissions and resilient economy: comparison of leaked and final text

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Leaked draft of TPP Environment Chapter dated 2013 November ¹	Final TPP text: Chapter 12: Environment ²	Comments
Article SS.15: Trade and Climate Change*	Article 20.15: Transition to a Low Emissions and Resilient Economy	The term 'climate change' has been removed, and the new title appears to give equal weight to economic considerations.
1. The Parties acknowledge climate change as a global concern that requires collective action and recognize the importance of implementation of their respective commitments under the United Nations Framework Convention on Climate Change (UNFCCC) and its related legal instruments.	1. The Parties acknowledge that transition to a low emissions economy requires collective action.	Language that was already weak and unenforceable (note the verbs 'acknowledge' and 'recognize') has been further watered down with removal of the term climate change and its recognition as a global concern. Reference to the UNFCCC and related legal instruments has been removed.
2. The Parties recognize the desirability that trade and climate change policies be mutually supportive, and that policies and measures to deal with climate change should be cost effective. The Parties further recognize the role that market and non-market approaches can play in achieving climate change objectives.	<i>No comparable text in the final TPP</i>	There is no longer any recognition of a relationship between trade and climate change or the need for coherence between trade and climate change policies.
3. The Parties agree that migration and adaptation actions should reflect domestic circumstances and capabilities, and note efforts underway in a range of international fora to: increase energy efficiency; develop low-carbon technologies and alternative and renewable energy sources; promote sustainable transport and sustainable urban infrastructure	2. The Parties recognise that each Party's actions to transition to a low emissions economy should reflect domestic circumstances and capabilities and, consistent with Article 20.12 (Cooperative Frameworks), Parties shall cooperate to address matters of joint or common interest. Areas of cooperation may include, but are not limited to: energy efficiency; development of cost-effective,	Minor but possibly significant changes in language: <ul style="list-style-type: none"> • 'low-carbon' to 'low-emissions' • 'improve monitoring, reporting and verification of greenhouse gas emissions' weakened to 'emissions monitoring' 'develop adaptation actions for climate change' is dropped altogether.

¹ Available from Wikileaks <https://wikileaks.org/tpp2/static/pdf/tpp-treaty-environment-chapter.pdf>

² Available from <http://www.mfat.govt.nz/downloads/trade-agreement/transpacific/TPP-text/20.%20Environment%20Chapter.pdf>

<p>development; address deforestation and forest degradation; reduce emissions in international maritime shipping and air transport; improve monitoring, reporting and verification of greenhouse gas emissions; and develop adaptation actions for climate change. The Parties agree to encourage and facilitate cooperation on the complementary, trade-related, aspects of these efforts in areas of mutual interest.</p>	<p>low-emissions technologies and alternative, clean and renewable energy sources; sustainable transport and sustainable urban infrastructure development; addressing deforestation and forest degradation; emissions monitoring; market and non-market mechanisms; low-emissions, resilient development and sharing of information and experiences in addressing this issue. Further, the Parties shall, as appropriate, engage in cooperative and capacity-building activities related to transitioning to a low emissions economy.</p>	
<p>4. The Parties recognize that there are a suite of economic and environmental policy instruments that can play a role in achieving domestic climate change objectives and in helping achieve their international climate change commitments. The Parties acknowledge the value of sharing information and experiences in developing and implementing such instruments. Accordingly, where relevant and appropriate, the Parties agree to discuss matters such as:</p> <ul style="list-style-type: none"> a. best practices and lessons learned in designing, implementing, and operating mechanisms to reduce carbon emissions, including market and non-market measures; b. best practices in the design, implementation and enforcement of regulatory instruments; and c. best practices and lessons learned to enhance the transparency and accuracy of such instruments. 	<p><i>No comparable text in the final TPP</i></p>	<p>Weak 2013 language removed altogether.</p>

<p>5. Activities pursuant to paragraphs 3 and 4 may, at the discretion of the participating Parties and as appropriate, involve other governments in the Asia-Pacific region with an interest in such mechanisms, as well as the private sector and non-governmental organizations.</p>	<p><i>No comparable text in the final TPP</i></p>	<p>Weak 2013 language removed altogether.</p>
<p>6. The Parties recognize their respective commitments in APEC to rationalize and phase out over the medium term inefficient fossil fuel subsidies that encourage wasteful consumption, while recognizing the importance of providing those in need with essential energy services. Accordingly, the Parties agree to undertake, as appropriate, cooperative and capacity building activities designed to facilitate effective implementation of these commitments, including in applying the APEC Voluntary Reporting Mechanism.</p>	<p><i>No comparable text in the final TPP</i></p>	<p>Weak 2013 language removed altogether, including reference to phasing out fossil fuel subsidies.</p>

* A leaked report from the Chairs of the TPP Environment Working Group, with the same date as the leaked consolidated Environment Chapter, suggested that Vietnam, Peru and Malaysia wanted references to fossil fuel subsidies removed, and that Australia and Canada could not support the text as it was drafted (reasons were not specified). See <https://wikileaks.org/tpp-enviro-chairsreport/#start>