
自由贸易协定中的环境义务及其应对

摘 要:

关键词:

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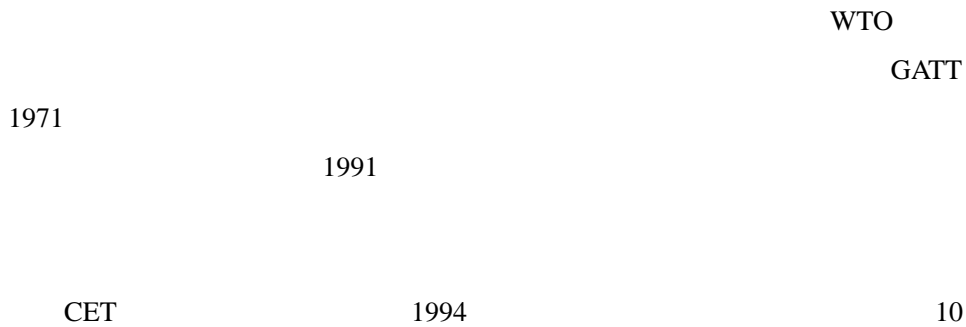
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二、自由贸易协定纳入环境章节之动因



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Multilateral Environmental Agreements MEAs

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1995

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31.3 C

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2017

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Decision on Trade and

Environment, WTO (20 October 2021), https://www.wto.org/english/docs_e/legal_e/56-dtenv_e.htm.

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2001 11

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WTO

TRIPS

WTO

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31.3 3

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MEAs

MEAs

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2010 1 156

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1947 GATT

GATT

GATT

1971 GATT

1972

¹⁶ 1971

GATT

1973 GATT

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1982

¹⁸ 1986 GATT

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1991

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WTO

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North American Free Trade Area

NAFTA ²¹

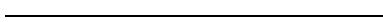
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1970 2016 700

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categories=70 2021 10 12

https://klimalog.die-gdi.de/trend/table.html#data/from_year=1970&to_year=2016&

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三、自由贸易协定之环境章节现状及其困境

²⁵ 1972

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五、结语

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The Attempting Discussion of the Environmental Chapters in FTAs

LIN Canling WEI Linyao

Abstract: The fundamental purpose of free trade and environmental protection is to improve the quality of human life, and the two complement each other. Trade freedom should not be used to damage the environment, and environmental protection should not be an excuse to restrict trade freedom. How to harmonize the relationship between free trade and environmental protection falls into the shared domain of international trade law and international environmental law. In view of the fact that the environmental provisions in international trade agreements are not sufficient to effectively deal with trade and environmental issues, the environmental chapters of Free Trade Agreements (FTAs) were elaborately created to further harmonize the relationship between the two. The environmental chapters have grown out of nothing and gone through a process from few to many, from simple to abundant, and from fragmented to aggregated. Of course, the environmental chapters of FTAs still have deficiencies and shortcomings, such as vague wordings, lack of specificities, and intentional avoidance of important environmental issues, etc. However, as the main method to fulfill the environmental obligations of FTAs, the environmental chapters of FTAs will promote the further integration of free trade and environmental protection, and will be more conducive to the further development of free trade and environmental protection.

Keywords: Free Trade; Trade Agreements; Environmental Protection; Environment Chapter