Katie Sykes' Presentation Abstract

International trade law is widely seen as one of the greatest threats to the progress of legal protection for animals. And yet there are interesting and promising developments on animal protection taking place in the context of international trade law, and although it is true that trade law and animal protection are not always mutually supportive, the potential for trade law to support global animal-protective norms in some important ways should not be ignored. These developments can be classed under two broad headings. First, animal welfare has been recognized and legitimized as a valid moral and public policy objective under the law of the World Trade Organization, in particular the "General Exceptions" or safe harbour clause in the core WTO treaty, the General Agreement on Tariffs and Trade. Second, modern trade agreements that have recently been concluded or are being negotiated right now are staking out new territory by including environmental and wildlife-protection obligations linked to membership in these now trade deals. The US proposals for the environmental chapter of the Trans-Pacific Partnership (as reflected in the confidential draft text that was leaked by Wikileaks) are especially interesting in this regard. The treaty language proposed by the US would call for TPP members to take active steps to implement multilateral environmental agreements including the Convention on International Trade in Endangered Species, and potentially could result in more robust collaboration and information-sharing among TPP members to combat wildlife trafficking. The presentation will give an introduction to the structure of international trade obligations and doctrines that create tension with animal welfare and animal protection initiatives; describe the landmark WTO ruling on Europe's seal products ban, which recognized animal welfare as a matter of public morals; and examine the potential for environmental and other provisions in new trade deals to enhance global animal protection.