

# Reducing Uncertainty, Advancing Equity: Precaution, Trade, and Sustainable Development

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*SUBJECT(S): ENVIRONMENTAL LAW*

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This Article seeks address the issue of applying the Precautionary Principle to trade in such a manner consistent with sustainable development. In surveying a wide array of international treaties, cases, and scholarly works, the Author finds that the Precautionary Principle is already entrenched in international environmental law and in some domestic jurisdictions.

This Article first looks at the key concepts of precaution, trade, and sustainable development individually and how they connect to each other; as well as the current attempts to apply the Precautionary Principle in international trade, with particular attention on the case law that has developed under the World Trade Organization dispute system.

This Article explores further how the Precautionary Principle can be rationally and effectively applied to trade, focusing on the norms that could guide governments' implementation of the Precautionary Principle so they can apply it in a manner consistent with sustainable development. A discussion follows and identifies the forums and processes where the Precautionary Principle can be promoted without compromising sustainable development. The Author concludes by recommending steps on how to move forward so that precaution becomes an opportunity to advance sustainable development rather than threaten its attainment.