

## REFERENCES TO OTHER TOPICS

### ECOSOC: Non-renewable Resource Issues

This autumn, the UN Department of Economic and Social Affairs convened an expert group meeting on: "The use of non-renewable resource revenues for sustainable local development: challenges and opportunities for developing countries", as a first step towards understanding the efficiency and effectiveness of using natural resource revenues at the local level for sustainable development and growth. The issue is scheduled for discussion next May. (ATL)

### Tropical Rainforest Cooperation

A Special Leaders' Meeting of Tropical Rainforest Countries was held at the United Nations in New York on 24 September, 2007. At the initiative of the President of Indonesia, Susilo Bambang Yudhoyono, the meeting brought together the Heads of State and Government and the high-level representatives of Brazil, Cameroon, Colombia, the Congo, Costa Rica, the Democratic Republic of the Congo, Gabon, Indonesia, Malaysia, Papua New Guinea and Peru. Emphasising enhanced cooperation among tropical rainforest countries, a joint statement was issued at its conclusion highlighting important principles relating to sustainable forest management and the role of forests in the context of climate change (see Selected Documents p. 516). (ATL)

### WTO:

#### – Argentina vs. Uruguay Conflict Flares

An article in Issue 36, No. 5 entitled: "*Pulp Mills on the River Uruguay: Order Issued*" analysed last year's ICJ ruling on the cross-border dispute between Argentina and Uruguay. Most recently, during the Ibero-American Summit in Cordoba, Chile, tempers flared between the two Heads of State, as President Vazquez of Uruguay had, in the meantime, moved for the disputed paper mill to begin production. Argentina's President Kirchner understood this as an affront to his country and upon receiving a delegation of the citizens' initiative in opposition to the mill, vowed to take all measures necessary to stop the project once again. Thus, Vazquez came close to ordering the facility to begin production immediately. However, the continuing citizens' blockade of a bridge over the River Uruguay in protest at the mill has kept negotiations static and the plant remains in a state of operational readiness. (ATL)

#### – TRIPs Council: Public Health and Biodiversity

The delegations of least-developed countries to the autumn meeting of WTO's Council for Trade-related Aspects of Intellectual Property Rights (TRIPs), issued statements in support of a proposal to require patent applicants to disclose the origin of genetic resources or traditional knowledge used in their inventions. These discussions continue a long-standing controversy, which was initially divided along basically North-South (developed vs. less/least-developed) lines. However, the EU has recently taken a position in favour of disclosure, although its position and proposals differ markedly from those of the LDCs and other developing countries. Several developing countries, especially those furthest on the road to development (Brazil, India, Pakistan, Thailand), are also firmly in support of the disclosure provision.

In a related move, the TRIPs Council session extended by two years the deadline for Members to ratify an amendment to TRIPs rules aimed at facilitating poor countries' ability to import affordable medicines. If it enters into force, the amendment will make permanent an August 2003 procedure spelling out the conditions under which WTO Members can legally suspend drug patents for the production and export of cheap generic medicines to poor countries unable to manufacture them.

#### – Limited Progress in WTO-MEA Talks

In a special session, the WTO Committee for Trade and Environment held discussions and accepted further submissions on the difficulties currently existing for WTO Members on the relationship between WTO rules and specific trade obligations (STOs) set out in multilateral environmental agreements (MEAs). The talks are aimed at resolving differences in the content of a potential text that could serve as the basis for future negotiations on this issue. The primary issues under discussion are divided into four categories: "Reflecting the Doha mandate"; "observations drawn from

discussions in the CTE"; "the importance of domestic co-ordination in the implementation of MEAs"; and "dispute settlement". Of these, dispute settlement is reportedly the most contentious, particularly where it would call on WTO panels to "defer to MEA expertise" in environment-related disputes – a concept that is opposed most strenuously by Australia, Argentina and the USA, and supported by the EU and Switzerland. Developing countries are also divided on the issue.

#### – Controversies over Consideration of Biofuels as "Environmental Goods"

Challenges to the idea that biofuels (ethanol) and organic produce are environmental goods qualifying for deep tariff cuts inhibited the development of consensus. At issue is the question of whether the environmental goods talks should be restricted to industrial products. The talks arise out of a part of the Doha mandate, where it calls on the WTO to reduce or eliminate barriers to trade for environmental goods and services. While the listing of biofuels directly challenges existing EU and US subsidies of their domestic ethanol production, the organic farm products proposal is more general in focus, including suggesting that the *Codex Alimentarius* Commission, which sets global food standards on behalf of the UN, develops standards for organic foods. Such a move would, in essence, recognise organic produce as a separate commodity – supporting a niche market of great importance to small farmers and indigenous communities. The general basis for this approach has been a claim that sustainable development should be the criterion on which the status of an "environmental good" is determined.

#### CBD: UNFCCC-UNCCD Cooperation Continues

The Joint Liaison Group which seeks to unite the implementation arms of the CBD, UNCCD and UNFCCC met this autumn, to report progress and consider additional avenues for cooperation. The Group's members focused new energy on perennial topics such as harmonised reporting requirements, noting that the strong desire for progress in this area suggests that the failure of earlier attempts should be a spur to further efforts rather than an end to the discussion. Some of the most important collaborative work focused around improving the collaborative approaches of the two agencies' work on "forests and adaptation". It began a discussion on strengthening international governance, and the shared concerns among these three MEAs in that area. See official minutes of the meeting: <http://www.cbd.int/doc/reports/jlg-08-report-en.pdf>.

#### The World Bank's 30th World Development Report Focuses on Agriculture

The World Bank has released its 2008 World Development Report entitled *Agriculture for Development*, advocating a new "agriculture for development" agenda, based on findings that agricultural assistance is substantially more effective than other programmes in achieving poverty-reduction objectives. Detailed findings include the Report's warning that "global food supplies are under pressure from expanding demand for food, feed and biofuels; the rising price of energy; and increasing land and water scarcity; as well as the effects of climate change". These factors create a level of risk, which in turn contributes to uncertainty about future food prices. The full text of the report is online at: <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEARCH/EXTWDRS/EXTWDR2008/0,,contentMDK:21410054~menuPK:3149676~pagePK:64167689~piPK:64167673~theSitePK:2795143,00.html>. (ATL)

#### Only the Small Will Survive

An article in the November issue of *Science* entitled: "Ecology: Managing Evolving Fish Stocks" highlights the increased impact of human intervention in the evolution of fish species. Specifically, limiting the size of fish that may be taken essentially means that smaller fish are more likely to survive to reproduce, leading to a smaller average fish size in a population and a conundrum for fisheries managers who must set quotas. The full article in *Science* is at: <http://www.sciencemag.org/cgi/content/summary/318/5854/1247>. (ATL)

## Amphibians – a Major Biodiversity Indicator Species – Showing Signs of High Levels of Extinction

Noting amphibians' sensitivity to climate impacts and pollution, as well as recent discoveries of a deadly and infectious fungus affecting them, a number of studies have suggested that amphibian extinction rates are higher than previously thought and not abated by efforts to achieve the so-called "2010 target" of reducing rates of extinction and species loss. Already recognised to be disappearing at an alarming rate, amphibians are thought (or feared) to be an indicator of ecosystem health and biodiversity progress. Although most of the attention to this issue is focused on the Latin American region, studies have come to comparable findings in other continents as well.

## Ninth Global Meeting of the Regional Seas Conventions and Action Plans (RSCAP)

The ninth RSCAP meeting in Jeddah concluded with the Jeddah Declaration, setting out the programme for the protection of the marine environment and coastal regions around the world. With 104 countries committed to at least one of the dozen Regional Seas Conventions and Action Plans, this meeting offers a significant opportunity to develop broad international cooperation on marine conservation. Noting that "Seventy percent of the world's megacities and 38 percent of the global population live in coastal areas", the meeting cited the damage to the coastal environment from urbanisation as the key threat to oceans. It also recognises that "effective integration of policies and programmes addressing marine/coastal protection and sustainable development requires comprehensive approaches", suggesting that countries need to join the conventions and implement them as urgency measures. When posted, the Jeddah Declaration will be viewable at [http://www.unep.org/regionalseas/RS\\_Global\\_Meetings/default.asp](http://www.unep.org/regionalseas/RS_Global_Meetings/default.asp).

## EU:

### – GMO Corn Decision Referred

Following intense debate, EU governments have failed to agree on whether Austria may keep in place its ban on genetically modified corn, after the WTO decision that the ban is illegal. The failure to agree effectively sends the issue to the European Commission for final decision. Fourteen EU Member States agreed with the Austrian position, with four opposed and nine abstaining. Under the EU's "qualified majority" voting scheme this vote was not sufficient to decide the matter. Reportedly, the strong support for the Austrian position arises out of two political views, with some supporters feeling that the EU should firmly oppose GMO products, and others supporting Austria's right to take a stand on its own national position. The EC is expected to support its earlier proposal which would require Austria to back down. The EC proposal addressed only "products" however, placing no restriction on Austria's ability to restrict GMO cultivation. In line with this, President Sarkozy has recently announced that France too will impose a moratorium on the commercial cultivation of GM crops, pending a review of the sector.

Other discussions suggested that calls for a new "temporary moratorium" on GMO products are gaining strength. These moves are somewhat countered by industry reports of substantial percentage increases in the amount of GMO maize in cultivation in Europe. In absolute numbers, however, cultivation remains at a relatively modest 100 000 hectare total for all 27 countries. At the same time, EU agriculture commissioner, Mariann Fischer Boel, warned farm ministers that Europe's resistance to importing genetically modified livestock feed was contributing to the rising cost of raising pigs and chickens and could pose a threat to the meat industry.

### – €500 Million in Climate-change Aid to China

Offering its assistance in the form of a 25-year loan, the EU's long-term lending arm made a major commitment to assisting China in reducing carbon emissions, and meeting its commitments under the UNFCCC. With the USA, China is the largest country in terms of total emissions.

### – Members Agree to Bluefin Tuna Quota Cuts

In late November, the EU governments agreed a 15-year plan to strictly limit fishing for bluefin tuna, through a combination of quota reductions and tighter port inspections. Following a recent one-year closure of one of Europe's two major bluefin fisheries,

the decision converts the plan from an interim to a permanent measure. This represents an essential shift inside the EU, particularly as fishing quotas have been highly controversial in prior years. See [http://eur-lex.europa.eu/en/index\\_cnt.html](http://eur-lex.europa.eu/en/index_cnt.html). The USA has also adopted a temporary ban on bluefin tuna fishing in its waters, and led an initial unsuccessful foray in the International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting this year, seeking a three- to five-year closure of the entire Atlantic bluefin fishery. ICCAT members ultimately called for further study rather than enacting the ban. The bluefin market is reportedly fuelled by the Japanese sushi industry, where scarcity has caused an enormous rise in the purchase price paid.



## LRTAP Reports on European Air Pollution

The Cooperative Programme for Monitoring and Evaluation under the Convention on Long-range Transmission of Air Pollutants in Europe (LRTAP) issued its annual Report which focuses on activities under the Convention. The full text is online at: <http://www.unece.org/env/documents/2007/eb/ge1/ece.eb.air.ge.1.2007.2.e.pdf>. (ATL)

## French President Calls for Support to Companies Complying with Carbon Restrictions

The President of France, Nicolas Sarkozy, addressed the European Parliament on November 13. Regarding the relationship of European democracy and globalisation to the environment, he noted that "The peoples of Europe are undergoing a deep identity crisis" arising out of many kinds of change since the EC was first created (and focused only on commercial integration). He stated that "Europe must ensure that it is not perceived as a threat to identities, but as a form of [their] protection". Citing the EU's leadership in the climate change issue, he called for dialogue regarding the need to protect against "unfair competition from countries that do not impose environmental constraints on their companies". Links to the complete recording of President Sarkozy's speech (in French or simultaneous translation into English) are available at [http://www.europarl.europa.eu/news/expert/infopress\\_page/008-12906-316-11-46-901-20071109IPR12787-12-11-2007-2007-true/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/008-12906-316-11-46-901-20071109IPR12787-12-11-2007-2007-true/default_en.htm). (ATL)

## USA:

### – Wall Street Lobby Pushes for Carbon-emissions Cap and Trade

In a move that underscores the effectiveness of international efforts to inform and activate public opinion on climate change, fifteen of the world's most important international banking and investment companies (including Citigroup, Lehman Brothers Holdings, Morgan and Stanley, BNP Paribas, Barclays Capital and Deutsche Bank) have formed a lobbying organisation called International Carbon Investors and Services directly focused on those issues. Its specific objective: to urge the United States and other industrial nations to initiate an international emissions-trading programme. According to *New Energy News*, the move responds to the indications that Congress is beginning to debate regulatory possibilities regarding climate change, and is focusing on trading systems. The ICIS members' objectives are thus aimed at influencing the characteristics of such a system, given the wide variation among the examples of such systems that are currently in operation. Citing the potential for a vast new business, the group has expressed concern that such a system should avoid the problems created in the EU, where the trading system overallocated emissions credits, thereby lowering their value below the commercial cost of obtaining them. Rather than direct controls on the number of credits authorised, ICIS is specifically asking that any American system establish a *maximum price* for carbon permits. See: <http://www.carboninvestors.org/home>. (ATL)

### – Controversial Wildlife Decisions Reconsidered

Congress has issued a call to the US Fish and Wildlife service to reconsider recent decisions to delist seven endangered species, sharply curtailing the protection of their habitats under the US Endangered Species Act. The delisting decisions were originally made by Former Deputy Assistant Interior Secretary Julie MacDonald, who resigned earlier this year under charges of improper meddling with scientific decisions, including by asking scientific analysts to alter reports, and overruling those reports where not altered. Allegations against her included the claim that these actions were taken in response to influence by lobbyists. The seven “priority species” to be addressed include the arroyo toad and the California red-legged frog both of which were subject to cuts which diminished their identified protected habitat by more than 90%. Habitats identified under the ESA are not strictly protected, but can only be used in ways that do not increase the risk of extinction of the named species. Actions have been filed to restore the status and protections for another 48 species affected by MacDonald’s decision.

### – NSF Study Documents Transfer of Toxins from GMOs to Other Species

The National Science Foundation published a study in the *Proceedings of the National Academy of Sciences* providing the first documented evidence that toxins from genetically modified corn may get into streams and elsewhere, through the medium of insects that are an essential food for fish. The study documented that the toxin expressed by BT corn as a means of protecting the corn from the corn borer – a pest which can cause immense damage to corn crops – was found in fish in remote streams, almost certainly carried by caddis flies. BT corn is preferred by farmers, who would otherwise have to purchase and apply pesticides to the corn. In essence, the modification integrates the pesticide into the corn. The BT toxin, while not harmful to humans, has potential to cause significant damage if ingested by other species, including freshwater crustaceans in whom the toxin has been found.

### – Border Fence Facing Increasing Challenge – this Time on Environmental Grounds

The controversial decision of the US Department of Homeland Security to build a “border fence” as an effort to block the undocumented entry of foreign citizens into the USA has faced down a number of challenges on practical, political and ethical grounds, and most recently had been forced to bulldoze over challenges on its environmental impacts. Most recently, a federal court obtained an injunction calling a halt to fence construction in a protected area. Like all three previous environmental claims, however, this order was “waived” by order of the head of the DHS, under a claim that delay would evoke “unacceptable risks to our nation’s security”. These actions have not stopped the flood of environmental claims, however, including by foreign governments. In November, the Mexican government submitted a 208-page report documenting the severe damage that the fence will cause to critical species including Mexican grey wolves, black bears and jaguars. The report alleges that the US action and the power given to DHS to waive compliance with other laws violate the La Paz Agreement signed by Presidents Ronald Reagan and Miguel de la Madrid in 1983, even as the USA actively insists that the Mexican government comply with the instrument. The report has not yet been released publicly. The full text of the La Paz Agreement can be read at: <http://www.usembassy-mexico.gov/eng/lapaz.html>. See also: <http://www.nytimes.com/2007/10/23/us/23fence.html>. (ATL)

### Algeria and China: Two-way Scientific Partnership

On the strength of an enabling donation of US\$3 million China and Algeria have signed a scientific and technical cooperation agreement covering a broad range of environmental issues. It includes commitments by China to assist in a range of activities such as crop irrigation, genetic improvement of plants and animals, and reclamation of degraded farm land; while Algeria will help China with the cultivation of fruit trees and to fight desertification, a growing problem in China where sand is encroaching on fertile lands and a matter in which Algeria has extensive experience.

### South Africa: Debates on Alien and Invasive Species

Recent analysis tabled by the Republic of South Africa’s Parliament noted that one of the world’s most highly publicised invasive-species control programmes, the RSA’s Working for Water (WFW) programme, is not keeping up with the rapidly spreading invasions, despite significant capital commitments to the programme. Focused solely on invading plants (which are thought to be more controllable than insects, animals, fish and other invasives), WFW found strong support from most affected stakeholders, including the agricultural industries. This support grew out of its reactive approach – emphasising vigorous plant clearing, rather than attempting to prevent introductions of potentially invasive species. Seen as a “flagship” for the country’s environmental protection programme, WFW has been internationally recognised.

### India Mandates GMO Labelling While Promoting Biotech

Although waiting for labelling standards to be developed, the new Indian Food Safety and Standards Act calls for monitoring by the standards authority, including the labelling of GM foods. In addition to labelling, the new law takes the issuance of food clearances away from the genetic engineering approval committee, placing new standards on GM foods. Currently, the labelling law does not apply to imported foods, however, a recent ruling by India’s Central Information Commission (CIC) has called it a matter of public interest that biosafety information be disclosed on all GM crops – a ruling that will have across-the-board repercussions, including for imported crop species.

At almost the same time, India has launched a national biotechnology development strategy focusing on biotechnology’s potential to provide long-term benefits for agriculture, health and the environment. The strategy includes a target for the biotechnology industry to generate US\$7 billion by 2012, and the revamping of biotechnology education programmes to create global centres of educational and research excellence. To achieve this target, Sibal said the country will boost funds for biotechnology five-fold over the next five years, from 14,500 million Indian rupees (US\$362 million) during 2002–2007 to 65,000 million Indian rupees (US\$1.6 billion) by 2012. It will reserve up to 30% of the budget of the Department of Biotechnology for public-private partnerships and the launch of a biotechnology industry partnership programme for advanced technologies.

### Canada: The Vancouver Olympics Poised to Go Carbon Neutral

UNEP and the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC) signed an MOU with UNEP to enhance environmental performance at the 2010 Winter Games and increase public awareness of the importance of environmental protection and sustainable development. Under the memorandum, UNEP has offered to advise on environmental issues, including greenhouse gas emissions, ozone-friendly chemicals, waste management and “green procurement” as VANOC endeavours to make the Games carbon neutral. VANOC will lend its support to events and initiatives such as World Environment Day, a global forum on sport and the environment, and various world youth conferences. This MOU is part of a long relationship between UNEP and the IOC, which includes similar cooperation in the production of next year’s Summer Games in Beijing. (ATL)

### Ministers Cite Positive Results in Protecting the River Rhine

The 14th meeting of Ministers of the Convention of the International Commission for the Protection of the Rhine (ICPR) was overwhelmingly positive, citing a long list of results from their four decades of cooperation. For example, 63 fish species – up from 25 species since the chemical spill in 1986 near Sandoz, Switzerland – are again at home in the Rhine’s swift currents. Migratory species have been documented from its mouth on the North Sea all the way to Strasbourg (well over half the river’s length). However, delegations expressed their dissatisfaction that salmon populations introduced into tributary systems were still unable to reproduce without human intervention. The Ministers’ Communiqué is online at: [http://www.iksr.org/fileadmin/user\\_upload/documents/MIN07-02e.pdf](http://www.iksr.org/fileadmin/user_upload/documents/MIN07-02e.pdf). (ATL)

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