

## REFERENCES TO OTHER TOPICS

### School of Nuclear Law

The first session of the International School of Nuclear Law, recently established within the University of Montpellier in co-operation with the OPEC Nuclear Energy Agency (NEA) opened on 27 August. The School also benefits from the support of the International Nuclear Law Association, the European Commission and the International Atomic Energy Agency.

Over 50 students from 34 countries will attend lectures and practical seminars taught by world-renowned specialists in the field of nuclear law over a two-week period. The primary objective is to provide high-quality education on the various aspects of this discipline both to law students pursuing their studies at doctoral or masters level and to young legal professionals who are already active in the nuclear sector.

The programme for the Summer 2001 session included classes on the following subjects: protection against ionising radiation; safety of nuclear installations; radioactive waste management; nuclear accidents and radiological emergencies; transport of nuclear materials and fuel: physical protection; non-proliferation; regulation of trade and third-party liability and the compensation of nuclear damage.

### UNDP: New Energy and Environment Trust Funds

The United Nations Development Programme (UNDP) has recently introduced two major trust funds to assist countries in pursuing environmentally sound policies and in promoting energy as a tool for development. With US\$60 million allocated over three years, the new funds will seek to help donors address local environment and energy needs that are currently not eligible for financing from other funds. The *Thematic Trust Fund for Environment* aims to boost UNDP's efforts in helping countries establish policies and institutions that would protect the environment and reduce poverty. The Fund will ensure that national, regional and global environmental efforts are aligned, thereby enabling UNDP to focus its support on integrating environmental management concerns into national development frameworks, strengthening local environmental governance and addressing global and regional environmental problems.

The Thematic Trust Fund for Energy for Sustainable Development will focus on national policy frameworks, rural energy services, clean energy technologies and new financing mechanisms to support sustainable energy use and production. See also <http://www.undp.org/dpa/pressreleases/2001/september/10sept01.html>.

### Brazil: Timber Council

Environmental, social and economic groups have established an organisation to certify local timber. The *Brazilian Forest Stewardship Council* will allow consumers to know if the Brazilian wood they buy is legally harvested and ecologically managed. A Forest Stewardship Council (FSC) has been present in Brazil for five years, but until now it has operated through a working group of WWF in Brazil. Members of the new Council include WWF, Greenpeace, Amazon rubber-tapping organisations and Brazil's paper and pulp producer Klabin.

Brazil has one-third of the world's tropical forests and FSC certification is likely to enlarge Brazil's share of timber in the world market, while sustaining good forest management practices. Seventy companies in Brazil are currently FSC-certified to sell timber.

### Aarhus Convention to Enter into Force

The Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters will come into force on 30 October 2001.

The pan-European Convention, negotiated by the UN Economic Commission for Europe, supports environmental transparency by ensuring that governments cannot hide sensitive environmental information or cover up environmental mishaps. The Convention aims to give citizens a voice in decision-making affecting their environment and allows them to take to court governments and polluters that break the rules.

The majority of the countries that have ratified are Eastern European countries and members of the Commonwealth of Independent States.

See also *Environmental Policy and Law* Vol. 30 (5) 2000, p. 220.

### GM Guidelines

Agreement has been reached on the first global guidelines requiring countries to test the safety of genetically modified (GM) foods prior to their entry into the market.

The agreement, which relates in particular to the potential of GM foods to cause allergic reactions, was reached during the 24th Session of the Codex Alimentarius Commission, held in early July.

Member States also approved a series of new maximum levels of contaminants, including lead, cadmium and the carcinogen aflatoxin, in fruit juices, cereals and milk.

The Commission also agreed on new guidelines for organic livestock production, supporting natural breeding methods and progressive elimination of the use of antibiotics and growth hormones. A task force is expected to have detailed GM testing guidelines prepared by 2003 in time for the Commission's next major session.

The report of the Codex Alimentarius Commission's 24th Session is at <http://www.codexalimentarius.net/cac24/alnorm014/htoc.htm>.

### UNEP:

#### – Forest Report

The report states that efforts to save the world's forests should initially focus on the 15 countries that contain 80 per cent of the world's remaining closed forests. The report also shows how governmental protection for closed forests varies between countries, with Venezuela having 63 per cent of its forests in protected areas, while Russia has only 2 per cent of its forests protected. A key finding in the report is that 88 per cent of closed forests in the 15 countries currently have low to non-existent population densities, thus offering an opportunity for conservation.

The report calls on governments to tighten national conservation laws, enforce wildlife smuggling and poaching laws, and draft action plans to conserve remaining closed forests.

#### – Atlas of Coral Reefs

According to a comprehensive new atlas of reefs launched on 11 September by the United Nations Environment Programme, the world's coral reefs are much less extensive than previously thought, and are under constant assault from human beings.

The atlas includes maps of the 660 protected marine areas in the world that include coral reefs but, the authors say, the protection exists in many cases only on paper and is not enforced.

The atlas states that there are 284,300 sq. km of coral reefs worldwide and they cover roughly the same area as Italy. The maps show that the extent of coral in some places is between a half and a tenth of previous estimates, and reefs are still being damaged faster than the data can be collected.

UNEP says that reefs are "overfished, bombed and poisoned" by fishermen, as well as being damaged by irresponsible tourists, smothered by sediment, choked by algae that are nourished on sewage and fertiliser run-off, and placed under stress by the warming of the oceans.



Courtesy: WCMC

Although coral reefs are found mainly in developing countries, the authors of the atlas note that more than a quarter of the reef areas is under the control of Australia, the US, France and

the UK (the last two by virtue of their overseas territories). These countries do have the resources to protect coral.

The leading coral reef nation is Indonesia, where 82 per cent of the reefs are defined by the atlas as being "at risk". In the heavily populated Philippines, that figure is 97 per cent.

Mark Spalding, the main author of the atlas, calls the decline of reefs "utterly nonsensical" given that protecting coral is not merely good for fish but usually provides economic and social benefits for communities.

The atlas looks at the economics of reef management and says that well-managed tourism can be an important source of income for coral reef nations. For example, tourism around Australia's Great Barrier Reef provides more foreign money than the country's entire fishing industry.

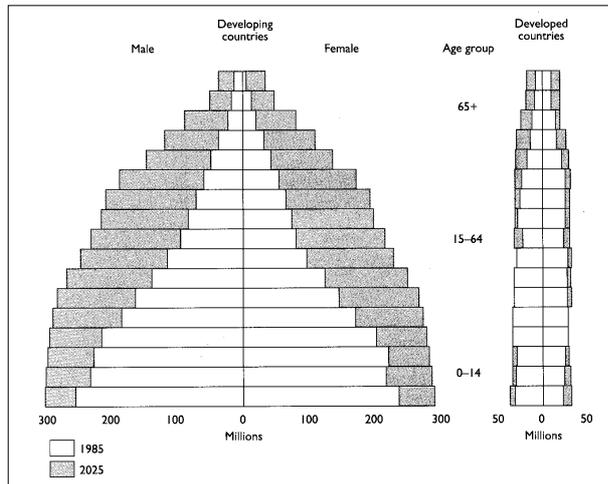
UNEP has said that the preservation of coral reefs is essential not just for their beauty. Reefs often protect low-lying coastal regions, host a great diversity of marine species, including a quarter of all marine fish, and act as a "bio-indicator" of the whole ecosystem.

In a separate study, scientist Rupert Ormond recently predicted that the world's coral reefs will die within 50 years from rising sea temperatures caused by climate change. He stated that this decline is inevitable even if humans were to stop emitting greenhouse gases that cause climate change.

(The World Atlas of Coral Reefs: <http://www.unep-wcmc.org/>)

### World Population

According to a recent study by the International Institute for Applied Systems Analysis (IIASA), world population is expected to peak at 9 billion by 2070 before dropping back down to 8.4 billion by 2100.



Population age pyramids, 1985 and 2025

Source: UN

Courtesy: Europe's Environment

This finding, which shows an 85 per cent chance that world population will stop growing before 2100, contradicts UN projections, which predict population growth to 9.7 billion by 2150, stabilising at over 10 billion after 2200.

The new study also predicts a large geographic redistribution of the population, with Europe's share dwindling and Africa's representation increasing from 14 to 22 per cent. The elderly population is expected to increase, with the proportion of people over 60 rising from today's 10 per cent to 34 per cent by 2100.

### CMS: Sea Turtle Conservation

The report *Biogeography and Conservation of Marine Turtles of the Atlantic Coast of Africa*, has called for urgent action to support sea turtle conservation in West Africa. The report was commissioned by the Convention on Migratory Species (CMS) and is the first comprehensive report on sea turtles on Africa's Atlantic Coast. It suggests that the region holds some of the world's most important feeding and nesting sites, and advocates urgent international efforts to conserve sea turtle populations.

The report features several new findings. For example, that southern Gabon holds the world's largest population of leatherbacks; that Boa Vista, part of the Cape Verde islands, houses a large, newly discovered loggerhead population; that

Mauritania, because of its sea grass beds, has the most important feeding grounds for green turtles in West Africa; and that Olive Ridley turtles, whose population is falling significantly in South America, are nesting on beaches from Guinea-Bissau to Angola.

The report recommends increasing monitors on beaches to protect nesting sites. It also supports transborder studies and wildlife agreements between adjacent countries, the development of projects to reduce demand for turtle products and stringent legislation in key countries to discourage industries that exploit the turtles.

The study draws on over a century of reports and observations, and provides a comprehensive review of the status and known nesting sites of six turtle species from Morocco to South Africa.

### ITLOS: New Registrar

The Judges of the International Tribunal for the Law of the Sea (ITLOS) have elected Mr Phillippe Gautier of Belgian nationality as the Registrar of the Tribunal. He succeeds Mr Gritakumar Chitty of Sri Lankan nationality. Prior to his election as the Registrar, Mr Gautier served as the Deputy Registrar of the Tribunal from 1997 to 2001.

Pursuant to the Rules of the Tribunal, the Registrar is elected from among candidates nominated by the judges of the Tribunal. Mr Gautier will serve as Registrar for a term of five years.

The Rules of the Registrar are defined by article 36 of the Rules of the Tribunal. The Registrar assists the Tribunal in the exercise of its judicial function and he is responsible for all departments of the Registry.

### FAO:

#### - Dangers of Over-Cultivation

At a conference in October sponsored by the United Nations Food and Agriculture Organisation (FAO) on intensive farming, the Organisation warned of the increasing dangers of soil erosion and degradation caused by intensive land cultivation using pesticides and heavy equipment. The problem of such soil degradation is particularly acute in warmer countries, due to the topsoil being generally thinner than in more northern climates.

To counteract these problems, the FAO is promoting new agricultural techniques in the farming industry. The most successful alternative method so far has been "conservation agriculture." This technique was pioneered in Latin America ten years ago as a response to the problems encountered in the tropical Brazilian state of Santa Catarina, where maize farmers had been using heavy machinery and pesticides for years, without any kind of crop rotation. The technique seeks to exploit the productive potential of those crop and animal genetic resources that are best adapted to the local environment. This requires farmers to drastically reduce tillage, rotate crops annually and keep a protective cover of leaves, stems and stalks from the previous crop. This has the effect of shielding the soil from the heat, which reduces moisture loss by evaporation.

The practice of conservation agriculture has now been extended to about 58 million hectares of land. The largest user of this practice is the United States, followed by Brazil, Argentina, Canada and Paraguay. The FAO hopes to extend the scheme to Africa, Central and South Asia.

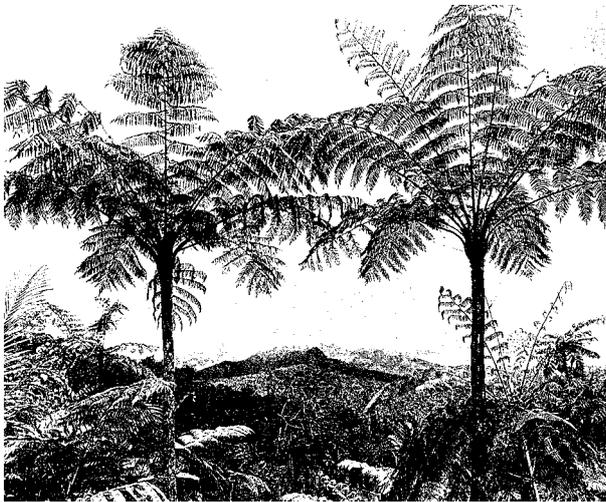
#### - Tropical Forest Destruction

The FAO has warned in the latest issue of the "State of the World's Forests 2001", published on 1 October, that "During the 1990s, the loss of natural forests was 16.1 million hectares per year, of which 15.2 million occurred in the tropics."

This corresponds to annual losses of 0.4 per cent globally and 0.8 per cent in the tropics. The rate of deforestation is still highest in Africa and South America. There are an estimated 3,870 million hectares (ha) of forest worldwide covering some 30 per cent of the surface of the globe, of which almost 95 per cent are natural forests and 5 per cent are forest plantations. Over the



past decade the estimated net annual change in forest area worldwide (difference between forests lost and new plantations) has been approximately 10 million hectares. Natural forests have been disappearing at a rate of almost 16.1 million hectares per year, with 1.2 million ha lost in the tropics. On the other hand, natural forest expansion was estimated at 3.6 million ha annually in the past decade, of which 2.6 million ha were in non-tropical countries and 1 million ha in the tropics. The FAO report says "Forest expansion has been occurring for several decades in many industrialised countries, especially where agriculture is no longer an economically viable land use."



Courtesy: Financial Times

However, tropical forests are continuing to disappear at an alarming rate. The countries with the highest net loss of forest area between 1990 and 2000 were Argentina, Brazil, the Democratic Republic of Congo, Indonesia, Myanmar, Mexico, Nigeria, Sudan, Zambia and Zimbabwe.

The FAO attributes the loss and degradation of forests to conversion to other land uses – mainly agriculture – and to pests and diseases, fire, over-exploitation of forest products for industrial wood and firewood, poor harvesting practices, over-grazing, air pollution and storms.

The report stresses that efforts to improve forest management will only be successful if forest crime and corruption can be reduced. It states that in some cases, and as a consequence of trade liberalisation and globalisation, illegal logging and trade appear to be growing.

### GESAMP: Evaluation Report

An in-depth evaluation of the work of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) was among the topics dealt with by GESAMP during its thirty-first session in August 2001.

GESAMP is an expert scientific advisory body established in 1968 to provide scientific advice concerning the prevention, reduction and control of the degradation of the marine environment. Such advice is presented to the eight sponsoring agencies of GESAMP: the United Nations, through the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs; United Nations Environment Programme (UNEP); United Nations Educational, Scientific and Cultural Organisation (UNESCO)/Intergovernmental Oceanographic Commission; Food and Agriculture Organisation; World Meteorological Organisation; International Maritime Organisation; World Health Organisation; and International Atomic Energy Agency (IAEA).

In addition to providing scientific advice, GESAMP's other main purpose is to prepare periodic reviews and assessments of the state of the marine environment and to identify problem areas requiring special attention.

In May 2000, the UN-sponsoring agencies of GESAMP agreed to carry out an independent and in-depth evaluation of the achievements of GESAMP, its impact, scope, membership, working methods and future role. Such an evaluation was envisioned as a pre-

liminary step prior to the formulation of proposals for a possible new United Nations Memorandum of Understanding on GESAMP.

The evaluation was carried out by an independent evaluation team which examined, among other things, the degree to which GESAMP had fulfilled its goals and objectives, and whether there was a need for GESAMP or a similar group under the United Nations umbrella.

In its report, the evaluation team presented a number of recommendations, including a strong wish for the continuation of GESAMP itself. These recommendations include raising the profile and visibility of GESAMP through an overall promotional and marketing plan; the establishment of closer links between the Group and governments; and a revision of the goals and objectives of the Group.

The GESAMP Evaluation Team concluded that the United Nations, its Member States and other organisations require an effective, efficient and independent group to provide advice on issues relating to marine environmental protection and management and sustainable development of marine resources and amenities based on sound scientific principles.

### IMO: Convention Signed on Anti-Fouling Systems

A Convention on the control of harmful anti-fouling systems for ships was signed on 5 October in London at the headquarters of the International Maritime Organisation (IMO).

Anti-fouling ship paint which contains TBT (tributyltin) is claimed to severely damage the marine environment. The European organisation of paint producers acknowledge that alternatives are available on the market worldwide. Indeed, many major shipping companies, such as Maersk, Cunard Line, Hapag-Lloyd, Strintzis, P&O, North Sea Ferries and the Mediterranean Shipping Company have already stopped using TBT paint on their vessels because of the environmental damage it causes.

The new Convention stems from resolution A.895(21) on anti-fouling systems for ships adopted by the IMO in November 1999, which called on the Organisation's Marine Environment Protection Committee (MEPC) to draw up a legally binding international instrument to combat the use of toxic anti-fouling products on ships. The Convention provides for a global ban on the use of organotin compounds – which act as biocides – in anti-fouling systems from 1 January 2003 and a blanket ban on organotin-based anti-fouling systems from 1 January 2008.



### China: New Development Strategy Needed

Despite the serious environmental toll extracted by the last two decades of phenomenal economic growth in China, a new report by the World Bank says the Government can build an environmentally sustainable future, but only by changing its development strategy.

The report, entitled "China: Air, Land and Water – Environmental Priorities for a New Millennium," points to three areas of success: broad-based and absolute reduction in industrial air and water pollutant emissions during the second half of the 1990s; the reversal of deforestation through massive investments in reforestation and afforestation; and the reversal of secondary salinisation in irrigation areas through major control and prevention programmes.

According to Yukon Huang, the Bank's Country Director for China, "these achievements are arguably unprecedented in any country at China's state of economic development." But he added, "the battle is not even close to being won. Environmental challenges are likely to become far larger and more complex over the next 10 years and the Government will have to reorient its approach if it wants to make further progress."

The report, prepared by a World Bank team and assisted by technical specialists from 10 Chinese research institutions, universities and other organisations, reviews the state of the environment and assesses the effectiveness of the Government's environmental protection work over the last 10 years. It makes recommendations on how to address the new challenges which will face the country in the near future.

Among its proposals, the report urges moving from the current approach of mainly fixing the harmful effects of other development decisions to a more proactive strategy aimed at avoiding or minimising the adverse environmental effects of development in the first place.

