

REFERENCES TO OTHER TOPICS

World Bank: Emissions Trading

On 2 September 2002 in Johannesburg, the World Bank and the International Emissions Trading Association, a private sector industry group, launched a \$100 million project to encourage emissions trading in poor countries.

According to those involved, the 'Community Development Carbon Fund' initiative is the first ever targeted at small-scale projects in developing countries, under the Clean Development Mechanism (CDM) of the Kyoto Protocol to the Climate Change Convention.

World Bank President James Wolfenson, said that 'our challenge is to make markets work efficiently to internalise the costs of environmental degradation for the benefit of the poor and for sustainable development.'

The Fund will work by focusing on a variety of low-impact projects, including initiatives addressing renewable energy, energy efficiency, waste-to-energy conversion and agro-forestry projects in 64 of the world's poorest countries. These countries will benefit from the investment, and participants in the Fund will receive credits for reducing emissions under the CDM.

Bolivia: Biodiversity Law

The government has proposed a new *Law on Biodiversity Resources and Services Regulations*, based on Bolivia's recently completed national Biodiversity Strategy. It is expected that the proposed law could be sent to Congress before the end of this year.

However, environmental groups – and even some officials from the Environment Ministry – have said that the proposal falls short in many areas (for example, by failing to take into account existing laws and to safeguard local interests) and is likely to be rejected by Congress.

The proposed law would establish rules and fees for the use of biological services, the management and production of animals and plants, and access to genetic resources. The law will have rules for economic uses of biodiversity, so that the country can begin to attract the investment that is needed in ecotourism, agrobiodiversity and other activities. In particular, in its present form, the proposed law calls for designating fees along with procedures and requirements for obtaining concession rights or licences to use for commercial purposes environmental services from biodiversity, such as carbon sinks or watersheds, wild plants or animals, and genetic resources.

Four proposed biological diversity laws have been sent to the Bolivian Congress since 1992, all of which have failed. It is expected that the new proposal will also be rejected by indigenous and environmental groups because of its almost exclusive focus on commercialising the use of biodiversity.

While there is a recognised need for a biodiversity law in Bolivia, there is also acceptance that the proposed law is too weak and does not adequately take into account present regulations on biodiversity issues.

The Bolivian Congress, which was newly elected at the end of June this year, has a large presence of indigenous groups and social movements. Representatives of the former make up 27 per cent of the 154-person Congress and these groups have stated that the law in its present form will not do enough to safeguard their interests.

(Scientists say that Bolivia is one of the 10 most biologically diverse countries in the world, and it is ranked sixth worldwide in the number of species of birds it contains.)

UNEP: Asian Haze

In a report issued on 12 August 2002, entitled *The Asian Brown Cloud: Climate and other Environmental Impacts*, the United Nations Environment Programme (UNEP) stated that an Asian cloud of pollution could be warming Europe, affecting rainfall and farming and putting the lives of hundreds of thousands of people in jeopardy.

The report says that the cloud of particles in the upper atmosphere is reducing the amount of solar energy reaching the Earth's surface by up to 15 per cent. It also absorbs heat, cooling the Earth's surface but warming the lower atmosphere significantly.

The report was prepared by the Centre for Clouds, Chemistry and Climate and the scientists supplemented satellite readings

and computer modelling with data generated by the Indian Ocean Experiment.

The cloud is a fast-moving blanket of nitrates, sulphates, black carbon and fly ash produced by forest fires, inefficient burning of fuels for cooking, and the rapid growth of factories and power plants in the region. Already the brown cloud is causing droughts, poor harvests and cooler temperatures in Asia. It stretches from the Arabian Peninsula across India, Southeast Asia and China almost to Korea, and rises to more than two miles into the atmosphere. It can move half way around the globe in a week.

The report said the problem would grow much worse and cause more respiratory disease over the next 30 years as Asia's population approaches five billion. Asia now emits more sulphur dioxide than North America and Europe combined.

ECJ: Public Procurement

In a landmark ruling on 17 September 2002, the European Court of Justice boosted the powers of authorities to award public contracts to the most environmentally friendly offer.

The Court ruled that Helsinki City Council was justified in buying only buses whose nitrogen oxide emissions and noise levels fell below certain limits. Giving priority to ecological considerations did not unfairly discriminate against rival bidders, most of whom could not meet the required environmental criteria, the Court said.

The preliminary ruling (Case C-513/99) will be transmitted to the Finnish Supreme Court, which will make a definitive judgment based on the ECJ's advice.

Increased Action Agreed on Landmines Treaty

The Fourth Meeting of the States Parties to the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction* was held from 16–20 September 2002 in Geneva. A total of 131 States participated in the Meeting, of which 89 States Parties and 42 Observer States.

Under the presidency of Jean Lint (Belgium), the Meeting held a general exchange of views, in which 69 delegations took part. Delegates took stock of success in a number of key areas, and underlined the challenges that remain.

The President noted that "with important deadlines approaching for the destruction of stockpiled mines and mine clearance, we must redouble our efforts to ensure full implementation of this important humanitarian instrument." "In this regard, I am particularly pleased that relevant actors have agreed to be steadfast in ensuring that by the Review Conference a significant renewal of our collective commitment is made to finish the job of eliminating anti-personnel mines."

"I am also heartened that States Parties have agreed to urge armed, non-State actors to cease and renounce the use, stockpiling, production and transfer of anti-personnel mines," he said, noting that an increasing number of conflicts are taking place within – rather than between – States.

States Parties agreed to focus with even greater clarity on the achievement of the Convention's core humanitarian aims: clearing mined land, assisting victims, destroying stockpiled mines and universalising the ban on anti-personnel mines. They also placed a strong emphasis on meeting the four-year deadline for destroying stockpiled mines and the 10-year deadline for cleaning mined land. The first deadlines for stockpile destruction occur on 1 March 2003.

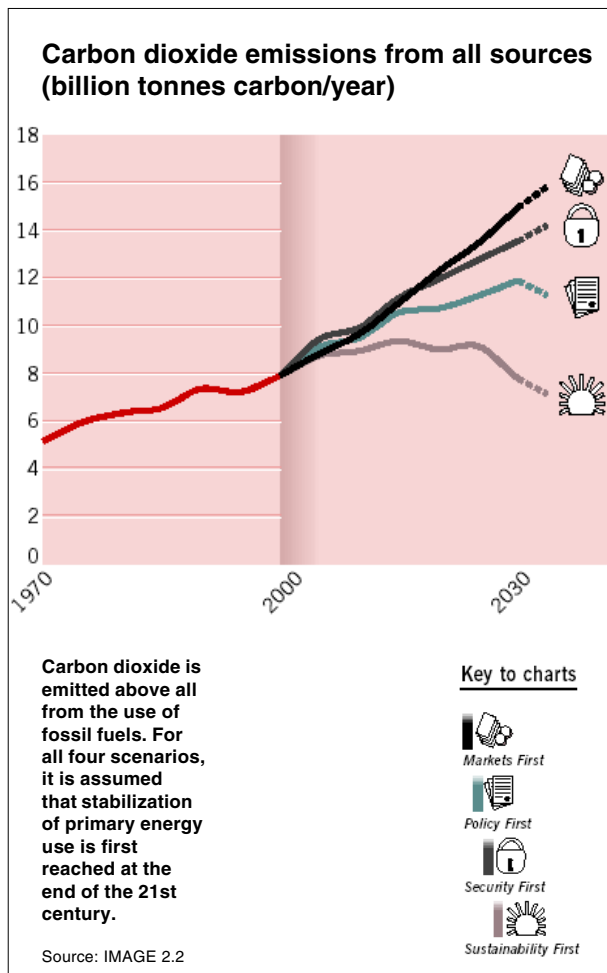
The States Parties took note of the imperative to provide assistance to landmine survivors, especially the fact that 15,000 – 20,000 landmine victims each year are added to the hundreds of thousands who already live with the disabilities caused by mines.

To help ensure the full implementation of the Convention, States Parties placed a renewed emphasis on resource mobilisation and the open exchange of information. To promote universal acceptance of the Convention, they reproached those States that still use, produce or possess anti-personnel mines and those armed, non-State actors that do the same.

By the close of the Meeting, 128 States had acceded to the Convention – seen as a remarkable achievement since the Convention is a little more than five years old. In addition, it was reported that the States Parties have destroyed more than 27 million stockpiled anti-personnel mines. ➔

During the Meeting, States Parties also began discussions on preparations for the Convention's First Review Conference, which will be held in 2004. Important gains in addressing the global landmine problem will be required at that time, and States Parties accepted that stepped-up action is required.

It was agreed to hold the Fifth Meeting of States Parties in Bangkok, Thailand, from 15–19 September 2003. The meetings of the four Standing Committees (on Mine Clearance, Mine Risk Education and Mine Action Technologies; Victim Assistance and Socio-Economic Reintegration; Stockpile Destruction; and General Status and Operation of the Convention) have been scheduled from 3–7 February and 12–16 May 2003 in Geneva.



Courtesy: GEO 3

US:

– Emissions Bill

The first law in the United States designed to combat global warming was signed on 22 July 2002 by Governor Gray Davis of California. Bill A.B.1493 targets exhaust emissions of carbon dioxide and other greenhouse gases.

The Alliance of Automobile Manufacturers have stated that they 'expect to challenge successfully the implementation of this law in federal court.' They argue that the California law is in effect setting 'fuel economy standards only Congress has the authority to set.'

The new Bill does not spell out how vehicle makers must reduce carbon dioxide and other greenhouse gas emissions. The Bill also strictly prohibits the California Air Resources Board regulations from including additional fees and taxes on vehicles, fuels or driving styles. It also prevents the State Board from banning any specific type of vehicle.

The Governor stated that 'Our job is not to be prescriptive', and said that the regulations will provide alternatives for compliance.

– Mexican Border Legislation

Legislation was approved by the US House of Representatives on 10 October 2002 to expand the lending capacity of the North American Development Bank. This will give Congress more oversight over water conservation and environmental projects in the border region shared by the United States and Mexico.

The measure would ratify changes to the North American Development Bank's charter proposed by US President Bush and Mexican President Fox during a March 2002 summit meeting in Monterrey, Mexico.

The legislation would require the US Treasury Department to submit annual reports to Congress on the development bank, which was created in 1994 to help develop and finance environmental infrastructure projects within 100 kilometres of either side of the US-Mexico border.

EP: Aarhus Proposal Amended

On 5 September 2002, the European Parliament voted to amend the latest version of a measure to give the public a greater voice in framing environmental policies, plans and programmes in the European Union. The vote was aimed at overturning changes made to the proposal, approved by the Parliament in October 2001, by the Council of Ministers in April 2002.

However, differences arose over what role the public should play in developing EU environmental policy, in particular, in relation to the updating of permits required by industrial installations subject to authorisation under EU environmental legislation. This means that the two sides will now have to go through a conciliation procedure before the legislation becomes law.

The differences concern how the EU should apply the *ECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters* (Aarhus Convention). In April, the Council weakened a Parliament-backed provision giving the public a voice in updating or renewing permits. The Council argued that fresh public consultation should be required only when significant changes are involved. The Parliament wants the public to have unqualified rights to be consulted. (Note by the Editor: The joint text approved by the Conciliation Committee is now available at www.europarl.eu.int)

EU:

– Ozone Data

The European Commission has decided to send a formal notice of complaint to all Member States, asking for details of progress made with regard to controlling substances that damage the ozone layer. Such a move is the first stage in infringement proceedings.

Under the terms of the Ozone Regulation, Member States were required by December 2001, at the latest, to report back to the Commission:

- on the system established to promote the recovery of used controlled substances;
- on how responsibility has been assigned to promote the recovery and destruction of controlled substances contained in equipment such as refrigerators and fire fighting equipment;
- the facilities available;
- the programmes in place for obtaining the minimum qualification requirements for personnel involved in these tasks; and
- the quantities of ozone-depleting substances that have been recovered, recycled, reclaimed and destroyed.

In the absence of a satisfactory response after two months, the Commission can demand, by means of a reasoned opinion, that the Member States abide by the Regulation and set up the systems required by the Ozone Regulation. If the Commission does not receive a report on the setting up of these systems, it can refer the matter to the European Court of Justice.

– Open Markets and Development

In a paper adopted on 18 September 2002, provisionally entitled *Trade and Sustainable Development: Assisting developing countries to capture the benefits of open trade*, the European Commission says integration into the global economy is the most effective means of ensuring development. The paper prescribes a series of trade liberalising measures for the developing world.

The paper states, however, that 'trade openness alone is not sufficient to combat poverty and the extent to which trade contributes to poverty reduction depends on other policies as well. Trade reform must be part of a wider, country-owned poverty reduction

strategy for which a combination of better domestic policies and additional external support is needed.

The paper calls for trade prescriptions to be integrated into the dialogue on Poverty Reduction Strategy Papers (PRSPs) or other national development strategies. It says that trade policy must be part of a country's own sustainable development strategy, accompanied by the appropriate macro-economic and institutional reforms that foster equitable growth and promote human development. It adds that 'This is a key requirement if developing countries are to reap the benefits of trade expansion ... and it is vital that trade-related assistance is effective in raising trade capacity in a way that promotes sustainable development and gender equality.'

Climate Change: Increasing Financial Risks

A study, published by the Finance Initiative of the UN Environment Programme on 8 October 2002, states that climate change poses a serious risk to the global economy, with the potential to push banks and insurers into insolvency.

The report states that worldwide economic losses due to natural disasters appear to be doubling every 10 years, reaching \$1000 bn in the last 15 years: 'The increasing frequency of severe climatic events, coupled with social trends, has the potential to stress insurers, re-insurers and banks to the point of impaired viability or even insolvency.'

The study notes that at present, the climate change issue is only being addressed by a small number of financial companies, most notably re-insurers, which are already feeling the impact of increasing weather-related insurance claims.

ICC: Inuit Priorities

The 150,000 Inuit are divided roughly between Greenland (where they have home rule), Canada (where they control Nunavut Province) and Alaska (where they have less formal organisation) and a few villages in Siberia. Every four years, leaders from these countries meet at the Inuit Circumpolar Conference (ICC) for their General Assembly.

At the recent August Assembly, held in Kuujuaq in north-eastern Quebec, they decided to make promoting the Kyoto Protocol on Climate Change their priority. The warming of the sea around the Arctic rim is making the Inuit life of reindeer herding and hunting seal and caribou increasingly difficult. Melting ice and permafrost restrict access to hunting grounds. Up to now, Canada, with its large oil industry, has been sceptical with regard to the Kyoto Protocol. However, opinion is now moving towards ratification, and this is being pushed vigorously by the Inuit.

The newly-elected President of the ICC, Sheila Watt-Cloutier, had worked hard for the ratification of the Stockholm ('POPs') Convention, which the federal cabinet ratified immediately after signature. She is now pushing the Canadian government to assert its sovereignty over the waters of the Arctic archipelago, which the United States has never acknowledged.

GMOs: Greater Risk for Wild Animals?

According to a recent report by two US scientists from Purdue University, the introduction of genetically modified organisms (GMOs) into wild animal populations has a greater theoretical risk of extinction of natural species than previously thought.

The scientists – one a professor of animal sciences, the other a professor of biology – used computer modelling and statistical analysis to research the hypothetical risk of mixing GMOs with wild populations. Their work identifies three new scenarios in which the introduction of GMOs could lead to the death of a natural species, illustrating that the risk is indeed higher than was previously thought.

The scientists said that, in the broadest sense, the research tells one how to do risk assessment and which GMOs need further containment.

In one scenario, researchers found that a release of larger fish, which had a higher mating success but shorter life-spans, could drive a wild population to extinction in less than 40 generations.

Another scenario examined genetic modification, which increases the size of male fish, with the result that they find more mates and live longer, but also become less fertile. The predicted result of this is that the wild population would become extinct in less than 20 generations.

The scientists also found scenarios in which the introduced gene could spread through the population but not reduce the overall population size. They stated that 'this invasion risk is an unknown in assessing the overall risk. Given the biology, all we can

say is that the gene would increase in the population. We don't know if that would cause a problem or not.'

The research is part of an ongoing effort by Purdue University and the US Department of Agriculture's Biotechnology Risk Assessment Programme, to assess the risks of biotechnology.

EU/WTO: Biotechnology

A plan was unveiled on 17 September 2002 at the World Trade Organisation (WTO) to help poor countries benefit from biotechnology breakthroughs that could be vital for their development.

The proposal considers the relationship between the agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which enables biotech inventions to be patented, and the Convention on Biological Diversity (CBD).

Many developing countries are worried that the TRIPS Agreement does not encourage those seeking patents over biotechnology inventions to respect the basic principles of the Biodiversity Convention, to seek permission from the source countries of bio-material used in inventions and to share the benefits with the country of origin.

The EU proposal contends that the TRIPS Agreement and the Convention are compatible and can mutually reinforce each other. The plan suggests a means of obliging applicants for patents who have used the fruits of bio-prospecting for new products to disclose the geographical origin of any biological material used in biotech inventions. At present, there is no such obligation.

Northern Dimension: Priorities for New Action Plan

Member States of the European Union, the European Commission and the seven partner countries in the EU's Northern Dimension Initiative (Estonia, Iceland, Latvia, Lithuania, Norway, Poland and the Russian Federation), together with observers and international financial institutions, met in Greenland on 28 August 2002.

The Conference discussed priorities for a new Action Plan for the Initiative, and agreed on the area's potential for rapid economic and social development. Delegates also recognised the wish of Arctic societies, including indigenous peoples, to establish closer ties with the EU in a number of areas.

The Meeting stressed the importance of protecting the Arctic environment as well as the importance of the Arctic for environmental research, in particular on global climate change.

Although no decisions were taken on the content of the new Action Plan, some broad principles were agreed. The EU have scheduled a high-level conference in October, to seek agreement on more precise guidelines for the new Action Plan.

Paper Products: New Trade Association

The International Council of Forest and Paper Associations (ICFPA) has been formally established by trade associations in 39 countries. These associations represent industries accounting for 75 per cent of the world's paper production and more than 50 per cent of the world's wood production. The Council's main goal is to serve as a forum for joint action in areas ranging from communication to data collection. For more information, see www.icfpa.org.

Approval for Rotterdam Convention

On 24 October 2002, the European Parliament endorsed a proposal for a Council Decision approving, on behalf of the European Community, the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade (PIC) (consultation procedure). The Assembly also adopted its Opinion on the draft Regulation integrating these provisions into Community legislation.

Iceland: New Environment Ministry

The Government has announced that it will significantly restructure its environmental protection administration, to streamline and simplify the country's environmental regulatory process.

A new agency will be created from the three existing agencies – the Environment and Food Agency, The Nature Conservation Agency and the Wildlife Management Institute.

The new agency is expected to begin its work on 1 January, 2003. The environmental impact assessment law will also be simplified. Companies required to complete an EIA will have to deal with fewer government agencies. In addition, the possibility of seemingly conflicting opinions from different state agencies will be reduced or eliminated.

