

REFERENCES TO OTHER TOPICS

ITLOS Hearings on Seabed

The Seabed Disputes Chamber of the International Tribunal for the Law of the Sea (ITLOS) held open hearings related to a formal request from the Council of the International Seabed Authority (ISA) for an Advisory Opinion on the responsibilities and obligations of States sponsoring persons and entities with respect to activities in the International Seabed Area. Nine States and three intergovernmental organisations made presentations, while four other countries submitted written input. Two other organisations submitted written input which was not included in the formal record. Written submissions and verbal transcripts are available at http://www.itlos.org/start2_en.html.

International Environmental Governance (IEG): 2nd High-level Meeting

Representatives of 44 countries attended the second meeting of the High-level Committee on IEG in Espoo, Finland, where they "identified a number of potential system-wide responses to the challenges of the current system", ultimately calling on UNEP's Governing Council to "give consideration to the contribution of UNEP to identifying the implementation of, and actors responsible for, follow-up on the functions and system-wide responses". The meeting's report offers five options for UN institutional reform, without choosing among them. Previous meetings of this group and its predecessor in *EPL* 39/6 and 40/5.

FAO

– State of Plant Genetic Resources

The 2nd Report of the State of the World's Plant Genetic Resources for Food and Agriculture has been released by the UN Food and Agriculture Organization (FAO). It addresses national policy and legislation, non-governmental organisations and pre-Nagoya developments in the international legal and policy framework for ABS. (ATL)

– Global Guidelines for Aquaculture

The FAO Sub-committee on Aquaculture of the Committee on Fisheries adopted the first global guidelines for certification, including a range of environmental, socio-economic and health issues. The final guidelines have been forwarded to the FAO Committee on Fisheries for approval next February. They will be available online at <http://www.fao.org/fishery/about/cofi/aquaculture/en>.

WTO Committee on Trade and Environment

Continuing the WTO's on-going efforts to find consensus on key environmental issues, the Committee on Trade and Environment in Special Session (CTESS) hosted key discussions on all three elements under Paragraph 31 of the Doha Development Agenda, including intense discussions of the relationship between the WTO and the multilateral environmental agreements, many of which have formerly sought, but not received, observer status in WTO meetings. Delegates also considered the issue of "environmental goods" in discussions focused on non-tariff barriers, special and differential treatment, and technology transfer, and called for expedited negotiations. Reports of the meeting are available at the WTO website (<http://www.wto.org/>) and from the *Earth Negotiations Bulletin* (<http://www.iisd.ca/download/pdf/sd/sdvol12no1e.pdf>).

Inland Fisheries as an Ecosystem Service

UNEP and the WorldFish Center have released a new report on the vital importance of inland fisheries titled *Blue Harvest*. In addition to underlining the value of freshwater fisheries, the report also provides guidance on how the ecosystem approach can be applied to sustain future harvests. It is available online at http://www.worldfishcenter.org/resource_centre/blue_harvest_WEB.pdf. (ATL)

Climate Issues in Shipping

The International Maritime Organization (IMO), through its Marine Environment Protection Committee (MEPC), has made progress on three primary avenues of climate protection, namely:

technical, operational and market-based measures to reduce greenhouse gas emissions from international shipping. The Committee also adopted revised Regulations on MARPOL Annex III (the prevention of pollution by harmful substances carried by sea in packaged form), which are expected to enter into force on 1 January 2014. Copies of relevant documents may be obtained from IMO (see <http://marpol.com>).

MEA Information Portal

A prototype for a shared web portal harmonising MEA information systems has been launched with the support of UNEP. The UN Information Portal on Multilateral Environmental Agreements (InforMEA) provides ready access to and cross-linkages among the biodiversity-related MEAs tagged to a specific term. See www.informea.org. (ATL)

Carbon Stock Maps

UNEP's World Conservation Monitoring Centre (UNEP-WCMC), in conjunction with key partners, including the German federal ministry for nature conservation and nuclear safety (BMU) and the German federal agency for nature conservation (BfN) is currently compiling maps of countries in Asia, Africa and Latin America overlaying the carbon held in vegetation and soils with other key features such as population density, economic activities, the location of existing protected areas, and biodiversity. The aim is to assist governments in setting priorities for carbon investments in order to maximise the benefits of investments in REDD+. The first three interactive maps resulting from this project can be viewed at <http://www.carbon-biodiversity.net/Interactive>. (ATL)

29th CCAMLR Annual Meeting

The Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR) met to evaluate the status of harvested species, set catch limits for fish and krill, and consider "a range of ecosystem-related issues" including illegal, unregulated and unreported (IUU) fishing and bottom fishing in the Convention Area and its goal of designating "a representative system of marine protected areas in the Southern Ocean by 2012". Meeting reports are not available online, but can be obtained directly from the Secretariat (see <http://www.ccamlr.org/default.htm>).

Arctic Biodiversity Trends 2010

The Arctic Council's Working Group on Conservation of Arctic Flora and Fauna (CAFF) has released a report entitled *Arctic Biodiversity Trends 2010: Selected indicators of change* (see http://www.arcticbiodiversity.is/images/stories/report/pdf/Arctic_Biodiversity_Trends_Report_2010.pdf). The report synthesises scientific findings on the status and trends for selected biodiversity in the Arctic region, based on 22 indicators of change, and reports seven key findings. (ATL)

ICCAT to Address Shark Conservation

The special meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in Paris has before it an EU proposal for special prohibitions on fishing for porbeagle and thresher and hammerhead sharks, as well as a joint EU-US proposal setting limits on the catch of shortfin mako sharks. The proposals recognise a link between tuna and shark fisheries, and the unique position of ICCAT in shark conservation. Results of the meeting will be available at <http://www.iccat.int/en/meetings.asp>.

Asian and Pacific Fisheries Management

In a high-level meeting in Paracas, Peru, ministers responsible for fisheries and marine resources met to discuss the controversial issue of global fisheries management. The meeting concluded with the adoption of the Paracas Declaration, calling for enhanced cooperation toward the goals of (*inter alia*) "ensuring sustainable management of the marine environment by encouraging capacity building and information sharing", reduction of marine pollution, recognising the importance of fisheries in poverty reduction (see http://www.apec2010.go.jp/en/docs/paracas_declaration_2010aomm3.pdf).



EU

– Wind Energy Guidelines for PAs

The European Commission has issued a guideline, with the goal of providing clarity on existing laws for wind energy development in protected areas (PAs) under "Natura 2000". The guidelines recognise that wind energy does not normally threaten vulnerable species and habitats but that, when poorly sited or designed, wind farms can have negative impacts. The guidelines focus on Natura 2000 sites, which cover about 18 percent of the EU's land area (see http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind_farms.pdf). (ATL)

– Nuclear Waste Disposal Standards

Noting that 14 out of 27 EU countries have nuclear power plants, the European Commission has proposed a Directive imposing safety standards for the disposal of spent fuel and radioactive waste produced by nuclear power plants, nuclear medical operations and nuclear research facilities. The proposal would call for each State to adopt a plan to implement the standards, including construction of new waste facilities or agreement with another country that will dispose of the waste. The proposed Directive is available online at http://ec.europa.eu/energy/nuclear/waste_management/doc/2010_11_03_proposal_directive_radiactive_waste.pdf. A final decision on the proposed standards is expected relatively soon, in time for formal implementation by 2015.

– Proposal for Common Agricultural Policy (CAP) after 2013

Following a process of public debate and a major conference, the European Commission has published proposals regarding the future of CAP, whose stated aim is to make "the European agriculture sector more dynamic, competitive, and effective in responding to the Europe 2020 vision of stimulating sustainable growth, smart growth and inclusive growth". Among many proposed changes, the proposal addresses the need for natural resource sustainability and climate action. Noting that the market does not reward farmers who are called on to put environmental considerations ahead of economic considerations, it calls for recognition of both economic elements including "compulsory additional aid for specific 'greening' public ...actions ..." and environmental elements "reflecting the public goods provided by farmers". The proposal is available online at http://ec.europa.eu/agriculture/cap-post-2013/communication/com2010-672_en.pdf. The final decision on revision of the CAP is expected within a few months.

– Energy Infrastructure Priorities

In a communication of its priorities for climate-focused energy infrastructure development between 2012 and 2030, the EC has identified an urgent need to focus on development in "priority energy corridors" for the efficient incorporation of power from alternative sources, such as offshore wind parks from northern and central Europe; wind, solar and hydro power from south-western Europe; surplus power from south-eastern Europe and the Baltic; and gas from the Caspian into the energy grids of European areas of high use and limited generation capacity (see *EPL* 40(5): 244–5). The communication is available online at [http://ec.europa.eu/energy/infrastructure/strategy/doc/com\(2010\)0677_en.pdf](http://ec.europa.eu/energy/infrastructure/strategy/doc/com(2010)0677_en.pdf).

– Guidelines on GMO Risks

Shortly after global negotiators finalised a "binding instrument" on liability and redress for GMO-related damage (see p. 293), the European Food Safety Authority (EFSA) updated its guidance on GMO-related risk assessment (under Directive 2001/18/EC). Described in an EU press release as "reflecting the scientific state-of-the-art in this field", the updated guidance in full text or in summary form is available online at <http://www.efsa.europa.eu/en/scdocs/scdoc/1879.htm>. Connected to this, the Joint Research Centre has issued a report describing 79 reference methods for GMO analysis which have been validated for use in evaluating these risks (see http://ec.europa.eu/dgs/jrc/downloads/jrc_reference_report_2010_11_gmo_analysis_compendium.pdf).

– Proposed Fisheries Quotas for 2011

The European Commission has published formal proposals regarding the setting of total allowable catch in the waters of EU Member States and "international waters regulated by a Regional

Fisheries Management Organisation". Noting that depleted cod fisheries in EU waters show no sign of recovery despite stringent management measures that have been in place since 2004, the proposal is designed to help the EU meet its goal of sustainable fishing by 2015, by which date annual quotas will limit the fishing industry to the "maximum sustainable yield" (MSY) every year. The Report and proposed quotas are available online at http://ec.europa.eu/fisheries/com_2010_658_en.pdf. The final decision on fisheries quotas is expected in mid-December.

– Views Sought re Enhanced Measures on Shark Finning

Noting that implementation of the ban on shark finning (catching sharks, cutting off their fins for sale in specialised markets, then tossing the dying shark back in the ocean) has been sporadic, the EC is seeking input from "the scientific community, the industry, Regional Fisheries Management Organisations (RFMOs), NGOs and all interested parties" regarding the need for and nature of enhanced enforcement measures. Input will be accepted until 21 February. More information about the process of submitting views on this topic is available at http://ec.europa.eu/fisheries/partners/consultations/shark_finning_ban/index_en.htm.

– Coverage of Chemicals Labelling Extended

The European Committee for Risk Assessment (RAC), in the course of adopting opinions on harmonised classification and labelling of specific chemicals, has recommended extension of its mandate to industrial chemicals (*i.e.*, chemicals not found in consumer products). By agreeing to classify tris(nonylphenyl) phosphite (TNPP) as a skin sensitiser and as hazardous for the aquatic environment, the RAC has taken its first foray into environmental classification of industrial chemicals, which are normally believed to be covered under other European systems (see http://echa.europa.eu/doc/about/organisation/rac/final_opinion_tnpp_111110.pdf).

Norway and Russia: Agreement on Maritime Boundary

Citing "a historic milestone", the governments of Norway and Russia have ended four decades of disagreement, coming to agreement on their shared maritime boundaries in the Barents Sea and the Arctic Ocean. The agreement will also benefit cooperation between the two countries regarding fisheries and petroleum exploitation in affected marine areas, both of which were specifically addressed in the agreement. It will not enter into force until formally approved by the Norwegian Storting and the Russian Duma. Since agreeing to the instrument, the two countries' foreign ministers have also signed a joint declaration on strengthening cross-border cooperation, which has been specifically recognised in the recent session of the Joint Norwegian-Russian Fisheries Commission. An English translation of the treaty is available at: http://www.regjeringen.no/upload/SMK/Vedlegg/2010/avtale_engelsk.pdf.

Increasing National Recognition of Habitat Banking

The concept of "habitat banking" – *i.e.*, the trade in habitat or biodiversity "credits" by which private entities can purchase areas containing particular habitats to compensate for unavoidable habitat destruction through development – has seen new attention in recent months. A new UNDP assessment of habitat banking schemes in Latin America and the Caribbean, prepared by PricewaterhouseCoopers, found that those schemes are feasible and contribute toward balancing economic growth with conservation priorities (see http://www.pwcwebcast.co.uk/UNDP_pwc_habitat_banking_LAC_report.pdf). (ATL)

United States – Clean Air Act Enforced

Following a lawsuit brought by a group of environmental organisations, a Texas court recently upheld a settlement by Chevron under which the company must pay US\$ 2 million in penalty following an equipment breakdown that released toxic air pollutants. As part of the settlement, the company also agreed to immediately decrease their illegal emissions by more than 80 percent. The penalty funds will be applied to fund an environmental health clinic run by the Baylor College of Medicine.

(All references by TRY unless otherwise noted).