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## Acknowledgments

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## REFERENCES TO OTHER TOPICS

### UN Water Conference

The UN-Water International Conference "Water and Sustainable Development: From Vision to Action", was held in Zaragoza, Spain. More than 300 people attended the Conference, "to draw conclusions based on existing practice and the exchange of views between governments and stakeholders" with an eye toward supporting decision making in the post-2015 development agenda and to "add[ing] value to what needs to be done regarding financing, capacity building, technology (and its transfer) and (good) governance". Its work is coordinated with UN-Water's "path" to World Water Day 2015. UN-Water Press release at <http://www.un.org/waterforlifedecade/waterandsustainabledevelopment2015/>.

### US Progress on Land Mines

The White House announced a new policy, committing to not use anti-personnel landmines anywhere except on the Korean Peninsula and pledging not to assist, encourage, or induce other nations to use, stockpile, produce or transfer anti-personnel mines outside of Korea. White House Press Release. 23 September 2014. "FACT SHEET: Changes to U.S. Anti-Personnel Landmine Policy". Online at <http://www.whitehouse.gov/the-press-office/2014/09/23/fact-sheet-changes-us-anti-personnel-landmine-policy>. Earlier (last May), an administration spokesman had announced that the US will no longer produce or acquire anti-personnel landmines or replace old ones that expire. Despite speculation to the contrary, there has been no on-going public discussion of the US's accession to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. *EPL's* Editor-in-Chief notes that landmines are dangerous to animals as well as humans. He receives numerous reports about animals injured and crippled or killed by landmines. [TRY]

### ICJ

#### – Judge Abraham elected President

The International Court of Justice (ICJ) reports the election of Judge Ronny Abraham (France) as its President and Judge Abdulqawi Ahmed Yusuf (Somalia) as its Vice-President. Online at <http://www.icj-cij.org/presscom/files/4/18464.pdf>. [TRY]

#### – Landlocked Countries' Access to the Ocean

The ICJ has scheduled public hearings on procedural objections filed by Chile in the case designated as *Obligacion*

to Negotiate Access to the Pacific Ocean (*Bolivia v. Chile*), originally filed in 2013. The hearings will be held 4–8 May. ICJ Press Release. 16 February 2015. Online at <http://www.icj-cij.org/docket/files/153/18470.pdf>. [TRY]

### ITLOS: Ghana-Côte d'Ivoire Dispute

The International Tribunal for the Law of the Sea (ITLOS) reports that it has formed a Special Chamber to deal with a dispute concerning delimitation of the maritime boundary between the Republic of Ghana and the Republic of Côte d'Ivoire. ITLOS Vice-President Bougetaia (Algeria) will preside over the Chamber, which will be comprised of the following Judges: Bougetaia, Rudiger Wolfrum (Germany), Jin-Hyun Paik (Republic of Korea), Thomas Mensah (Ghana) and Ronny Abraham (France). ITLOS Press Release 222. Online at [https://www.itlos.org/fileadmin/itlos/documents/press\\_releases\\_english/PR\\_222\\_EN.pdf](https://www.itlos.org/fileadmin/itlos/documents/press_releases_english/PR_222_EN.pdf). [TRY]

### Ballast Water Management Convention

In a presentation to the Seventh Annual Middle-East Shiptech Conference, the International Maritime Organization (IMO) presented strategies for implementation of the 2004 International Convention for the Control and Management of Ships Ballast Water and Sediments. A report of that presentation is available online at <http://biodiversity-l.iisd.org/news/imo-provides-update-on-bwm-convention-at-shiptech-conference/>.

### ICCM

The Second Meeting of the Open-ended Working Group on the International Conference of Chemicals Management (ICCM) took place in Geneva in December. Issues such as progress and gaps towards the achievements of the 2020 goal of sound chemicals management were discussed. This meeting will be reported in *EPL* 45(2). IISD's detailed report is available online at <http://www.iisd.ca/vol15/enb15217e.html>.

### UNEP Chemicals Conventions

#### – The Three Conventions Move Forward Together

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and the Stockholm Convention on Persistent Organic Pollutants held the first Joint Meeting of the Bureaux of the three

instruments, in Geneva. Five members from each Convention's Bureau attended the session. A report of this meeting is available from the joint website at <http://synergies.pops.int/Decisionmaking/JointBureaux/JointBureauxMeetings/JointBureauxMeeting2014/Overview/tabid/4134/mctl/ViewDetails/EventModID/8751/EventID/527/xmid/12634/language/en-US/Default.aspx>. [TRY]

#### – Basel Convention Developing a Unified Approach

The Basel Convention's Expert Working Group on Environmentally Sound Management held its third meeting in Konstanz, Germany, 21–23 January 2015. Meeting documents are available at <http://www.basel.int/Implementation/CountryLedInitiative/Meetings/ThirdmeetingoftheExpertWorkingGrouponESM/Overview/tabid/4192/mctl/ViewDetails/EventModID/8495/EventID/537/xmid/12846/Default.aspx>. The Basel Convention is taking affirmative steps to address the terminology gaps that prevent closer integration of national efforts. It has produced a draft glossary (available at <http://www.basel.int/Implementation/LegalMatters/LegalClarity/Glossaryofterms/tabid/3623/Default.aspx>). [TRY]

#### – Rotterdam Convention

The 10th Meeting of the Rotterdam Convention Chemical Review Committee (CRC) was held in Rome, Italy. Among other decisions, it adopted draft guidance to the Conference of Parties on methamidophos and fenthion, as well as considering national notifications on polychlorinated naphthalenes, short-chained chlorinated paraffins, and tributyltin compounds. Reported online at <http://www.pic.int/TheConvention/ChemicalReviewCommittee/Meetings/CRC10/Overview/tabid/3784/language/en-US/Default.aspx>. [TRY]

#### – Stockholm Convention

The 10th Meeting of the Persistent Organic Pollutants Review Committee (POPRC) under the Stockholm Convention was held in Rome, Italy, back-to-back with (but separate from) the 10th meeting of the Rotterdam CRC, described above. Among other decisions, the POPRC took actions relating to the listing of pentachlorophenol and its salts and esters, and began or continued work on decabromodiphenyl ether, dicofol, short-chained chlorinated paraffins, perfluorooctane sulfonic acid and its salts, and perfluorooctane sulfonyl fluoride. The Committee also provided comments on the draft guidance to assist parties to the Rotterdam Convention and the Chemical Review Committee in their work when a chemical under consideration is a persistent organic pollutant which is also listed under the Stockholm Convention. Session documents online at <http://chm.pops.int/TheConvention/POPsReviewCommittee/Meetings/POPRC10/Overview/tabid/3779/mctl/ViewDetails/EventModID/871/EventID/514/xmid/11873/Default.aspx>. [TRY]

#### GEF Council Addresses Procedural Delay

The Council of the Global Environment Facility held its 47th meeting under the guidance of Chief Executive Officer/Chairperson, Naoko Ishii. Over the course of the meeting, it decided, *inter alia*, to revise the GEF Project cycle by adopting an updated Project Cancellation Policy. The Council's next meeting will consider the problem of projects delayed more than 18 months between the initial Council approval of the proposed project framework and the CEO of the final project document (which enables implementation to commence), including "possible modalities for inclusion in the updated Cancellation Policy". GEF Council, 30 October 2015. "Joint Summary of the Chairs". Online at [http://www.thegef.org/gef/sites/thegef.org/files/documents/EN\\_GEF.C.47\\_Joint\\_Summary\\_of\\_the\\_Chairs.pdf](http://www.thegef.org/gef/sites/thegef.org/files/documents/EN_GEF.C.47_Joint_Summary_of_the_Chairs.pdf). [TRY]

#### UNFCCC: Green Climate Fund nears US\$ 10 Billion

The Government of Norway reports that it has committed NOK 1.6 billion (US\$ 258 million) to the Green Climate Fund of the UN Framework Convention on Climate Change (UNFCCC), bringing the Fund total to approximately US\$ 9.95 billion, pledged by 22 countries. Press Release, 5 Dec 2014. Online at <https://www.regjeringen.no/en/aktuelt/Norway-pledges-NOK-16-billion-to-the-Green-Climate-Fund/id2343170/>. [The role of the Fund in the future of the UNFCCC is discussed in our report on the Lima Climate Conference at p 10 of this issue. Editor]

#### OAS/UNEP Agreement on the Environmental Rule of Law

On 19 November 2014, the Organization of American States and the United Nations Environment Programme (UNEP) signed a Memorandum of Understanding to collaborate in fostering respect for environmental laws and sustainable development, including through the development of best practices and oversight of the environmental rule of law and establishing an Inter-American Congress on Environmental Rule of Law. Online at <http://www.unep.org/NewsCentre/default.aspx?DocumentID=2812&ArticleID=11083>. [SGK]

#### Global Trend of Addressing Environment in National Constitutions

James R. May and Erin Daly have published a book titled *Global Environmental Constitutionalism*, which names the environmental regulations in constitutions of the world and analyses them in detail. See <http://www.cambridge.org/de/academic/subjects/law/environmental-law/global-environmental-constitutionalism>.

#### Post-2015 Agenda in LDCs

The UN Conference on Trade and Development (UNCTAD) has published a report titled *Growth with structural transformation: A post-2015 development agenda*, stating the Least Developed Countries (LDCs) are the "battleground on which the post-2015 development agenda will be won or lost". Reviewed online at <http://sd.iisd.org/news/unctad-report-recommends-reforms-for-post-2015-agenda-in-ldcs/>.

#### Potential of Mangroves Remains Untapped

In its recently released *Guiding Principles for Delivering Coastal Wetland Carbon Projects*, UNEP has concluded that "the potential economic, social and environmental gains from conserving mangroves – 90 per cent of which are found in developing countries and many of which are under threat – including from mangrove inclusion in Reducing Emissions from Deforestation and Forest Degradation strategies, and protecting and enhancing mangrove stores of carbon, still remain largely under-exploited". UNEP press release, 9 December 2014. Online at <http://www.unep.org/NewsCentre/default.aspx?DocumentID=2814&ArticleID=11103/>.

#### South China Sea Developments

The Chinese Government has released Position Papers on the matter of the "Jurisdiction in the South China Sea Arbitration", which have been initialled by the Republic of the Philippines. The Papers reiterate and elaborate the firm Chinese stand that it will neither accept nor participate in the arbitration. Reported in *India Times*, 7 December 2014. Online at [http://articles.economictimes.indiatimes.com/2014-12-07/news/56802990\\_1\\_south-china-sea-nansha-philippines](http://articles.economictimes.indiatimes.com/2014-12-07/news/56802990_1_south-china-sea-nansha-philippines).

#### UNECE: LRTAP Adopts Ammonia Framework Code

The Parties to the UNECE Convention on Long-Range Transboundary Air Pollution (LRTAP) adopted an "Ammonia Framework Code", to help countries meet their obligations to reduce ammonia emissions from agriculture. The new framework code revises the original 2001 version adopted under the (Gothenburg) Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, and addresses, *inter alia*, nitrogen management, livestock feeding strategies, low-emission techniques for use of manure as fertiliser and for animal housing, and measures to limit emissions from the use of mineral fertilisers. LRTAP's website is at <http://www.unece.org/env/lrtap/welcome.html>.

#### EU

##### – Medium Combustion Plants

The Council of the European Union has reached a general approach on a draft directive on the limitation of emissions of certain pollutants into the air from medium combustion plants. EU Press Release, 17 December 2014. Online at <http://www>.

consilium.europa.eu/uedocs/cms\_data/docs/pressdata/en/envir/146360.pdf.

### – Position on Post-2015 Development Agenda:

#### Partnership

The European Commission (EC) has formally set out its views on “global efforts that will be needed to eradicate poverty and boost sustainable development” in a Communication entitled “Global Partnership for Poverty Eradication and Sustainable Development after 2015” that was jointly prepared by Federica Mogherini, High Representative and Vice-President; Neven Mimica, Commissioner for International Cooperation and Development; and Karmenu Vella, Commissioner for Environment, Maritime Affairs and Fisheries. EU Press Release. 5 February 2015. Online at [http://europa.eu/rapid/press-release\\_IP-15-4141\\_en.htm](http://europa.eu/rapid/press-release_IP-15-4141_en.htm). [TRY]

#### – Wildlife Trade: Trophy Control

The EC has adopted new measures addressing the import of hunting trophies, designed to ensure that any such imports are legal and sustainable. The new measure focuses on iconic species (African lion, polar bear, African elephant, Southern white rhinoceros, hippopotamus and argali sheep). From now on,

permits to import such trophies will only be delivered once the EU is convinced that the import meets sustainable hunting criteria. EU Press Release. 5 February 2015. Online at [http://europa.eu/rapid/press-release\\_IP-15-4142\\_en.htm](http://europa.eu/rapid/press-release_IP-15-4142_en.htm). [TRY]

### Peru: UN Experts Warn of Environmental Human Rights at Risk

Two United Nations human rights experts have issued a statement opposing the proposed re-licensing of further oil extraction from heavily polluted land in the Loreto region of Peru, which they claim would perpetuate and exacerbate serious violations of human rights of indigenous peoples, including their right to health, food and water. The proposed re-licensing is based on a signed agreement between the State-owned oil company and indigenous communities to clean up land and water contaminated by 44 years of oil spills. Health statistics indicate that 98 percent of children in the affected communities surpass the admissible levels of toxic metals in their blood. UN Press Release. 17 December 2014. Online at <http://www.un.org/apps/news/story.asp?NewsID=49607#.VOOVwi4yTlg>. [TRY]

[Except where otherwise attributed, all References by NE]



## SELECTED DOCUMENTS

### US President Barack Obama's 2015 State of the Union Address

#### – Excerpt –

In the Asia Pacific, we are modernizing alliances while making sure that other nations play by the rules – in how they trade, how they resolve maritime disputes, and how they participate in meeting common international challenges like non-proliferation and disaster relief. And no challenge – no challenge – poses a greater threat to future generations than climate change.

Last year, 2014, was the planet's warmest year on record. Now, one year doesn't make a trend, but this does – 14 of the 15 warmest years on record have all fallen in the first 15 years of this century.

I've heard some folks try to dodge the evidence by saying they're not scientists; that we don't have enough information to act. Well, I'm not a scientist, either, but you know what? I know a lot of really good scientists at NASA,<sup>1</sup> and NOAA,<sup>2</sup> and at our major universities. The best scientists in the world are all telling us that our activities are changing the climate, and if we do not act forcefully, we'll continue to see rising oceans; longer, hotter heat waves; dangerous droughts and floods;

and massive disruptions that can trigger greater migration, conflict, and hunger around the globe. The Pentagon says that climate change poses immediate risks to our national security. We should act like it.

That's why, over the past six years we've done more than ever before to combat climate change, from the way we produce energy, to the way we use it. That's why we've set aside more public lands and waters than any administration in history. And that's why I will not let this Congress endanger the health of our children by turning back the clock on our efforts. I am determined to make sure American leadership drives international action. In Beijing, we made an historic announcement – the United States will double the pace at which we cut carbon pollution, and China committed, for the first time, to limiting their emissions. And because the world's two largest economies came together, other nations are now stepping up, and offering hope that, this year, the world will finally reach an agreement to protect the one planet we've got.



L–R: Julian Castro, US Secretary of Housing and Urban Development; John Kerry, US Secretary of State; Jack Lew, US Treasury Secretary; and Ernest Moniz, US Energy Secretary, applaud as President Barack Obama enters the House Chamber prior to delivering the annual State of the Union address in Washington, D.C.

Official White House Photo by Pete Souza

Looking to the future instead of the past; making sure we match our power with diplomacy, and use force wisely; building coalitions to meet new challenges and opportunities; leading – always – with the example of our values: that's what makes us exceptional; that's what keeps us strong. And that's why we must keep striving to hold ourselves to the highest of standards – our own.



1 [US National Aeronautics and Space Administration.]

2 [US National Oceanic and Atmospheric Administration.]

### Errata

We regret that, in the footnote to his article at p.347 in EPL 44(4), we misstated Stephen Stec's position and affiliation. He is currently an Adjunct Professor at Central European University and Associate Scholar at Leiden University's Institute of East European Law and Russian Studies. We thank him for his generosity in the face of this error.