



Bridges Trade BioRes

News, events and resources at the intersection of trade and biodiversity

Volume 8 • Number 13, 11 July 2008

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Bridges Trade BioRes© is published by the International Centre for Trade and Sustainable Development (ICTSD), an independent, not-for-profit organisation based at International Environment House II, Chemin de Balexert 7, 1219 Geneva, Switzerland, tel: (+41) 22-917-8492; fax: (+41) 22-917-8093.

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ISSN 1682-0843

Chemicals Management

BASEL PARTIES DISCUSS HEALTH IMPACTS OF HAZARDOUS WASTE

A recent meeting of the Basel Convention on imports and exports of hazardous waste met in Bali, Indonesia, to tackle the health impacts of toxic waste. Despite an ambitious agenda and the adoption of over thirty decisions, the 14-year deadlock on the so-called 'Ban Amendment' – which would bring into force a global ban on the import and export of toxic waste to developing countries – remained intractable.

The ninth Conference of the Parties (COP-9) to the Basel Convention on the Transboundary Movement of Hazardous Wastes and Their Disposal was held from 23-27 June. "Waste Management for Human Health and Livelihood" was the theme of the meeting, and remained the focus throughout. In addition, delegates addressed issues of electronic waste (e-waste), ship dismantling, draft technical guidelines for used tyres and mercury waste, the role of Basel Convention Regional and Coordinating Centres (BCRCs) in the convention's overall Strategic Plan and greater cooperation with the Stockholm and Rotterdam chemicals conventions.

The Ban Amendment and Article 17(5)

Under the Ban Amendment, developed countries would be prohibited for exporting hazardous waste to developing countries, be it for final disposal, recovery or recycling. First proposed in 1995, the Ban Amendment has been a bone of contention among the parties, which remain divided over its merits and the number of ratifications required for its entry into force.

This discord stems from ambiguous language in Article 17, Paragraph 5 of the Basel Convention. The relevant part of the paragraph states that amendments "shall enter into force between

Parties having accepted them on the ninetieth day after the receipt by the Depositary of their instrument of ratification, approval, formal confirmation or acceptance by at least three-fourths of the Parties who accepted them.” This section has been interpreted in two ways.

According to the “fixed time” approach, championed by the EU and Norway, which would like to see the Ban Amendment enter into force as soon as possible, the number of ratifications required is three-quarters of the original members, or 62 out of the original 82 parties. Currently, there are 63 ratifications; however, since some of these ratifications are not from original members to the convention, some argue that not all ratifications should be calculated into the final count.

The “current time” approach, advocated by Canada, Japan and the US, requires three-quarters of current parties to the convention, or 128 of 170, to ratify the amendment. These non-signatory countries have challenged the amendment several times, fearing that it would considerably curb their recycling industries.

Without a settlement for the legal interpretation of Article 17(5), it is very unlikely that the Ban Amendment will come into force.

In its Bali Declaration, the conference failed to make any reference to the Ban Amendment. However, Rachmat Witoelar, Indonesian Minister for the Environment and president of the convention, did produce a non-paper on a “Way Forward” for the implementation of the Ban Amendment. In it, he urged parties to initiate and expedite the process by formulating “enabling conditions” that would be amenable to the amendment once it would garner enough ratifications.

“The Bali meeting has finally made a step forward [with respect to the Ban Amendment],” Witoelar said. “With the formation of a working group, we will start discussing all the practical issues relating to the Ban Amendment.”

Some were not so optimistic. Dr. O.O. Dada, of the Nigerian delegation, was “shocked” that the COP did not endorse the ban outright, and said

that African nations will now look for regional agreements to regulate toxic imports.

E-products: friend or foe?

According to a report by the Global e-Report Initiative, advances in information and communication technologies (ICT) could cut global greenhouse gas emissions by fifteen percent by 2020, especially through energy efficiency schemes. Achim Steiner, Executive Director of the UN Environment Programme (UNEP), was quick to note that this rapid growth also leads to e-waste problems and as such “represents a major challenge to the international community in terms of human health and the environment.”

In the fast-paced world of electronics, where yesterday’s must-have gadget are today’s wayside refuse, waste production is a serious problem. It is estimated that some 50 million tonnes of e-waste – from mobile phones, computers and television sets, among others – are produced annually.

Despite 16 years of the Basel Convention, export in toxic waste – especially electronic waste and old ships – has actually increased. This is not surprising when you look at some statistics: current studies estimate that there are 3 billion mobile phones worldwide, and personal computers are projected to double by 2015 to two billion. With disposable incomes rapidly rising in emerging and developing countries, such growth is not likely to decline in the near future.

“Developing countries suffer enough from the ravages of hunger, poverty, infant mortality and disease,” Kevin Stairs of the Seattle-based Basel Action Network, said. “Sending them our toxic waste amounts to a cruel throwing of salt in the wounds, undertaken simply to increase profits at the expense of developing countries, their people and the global environment.” However, some developing countries welcome imports of used electronic products for recycling, as this provides opportunities for employment and economic development.

The environmental impacts of used and end-of-life products have received much attention lately due to a recent environment ministers meeting in Kobe, Japan in the run-up to the G-8 Summit (see

Bridges Trade BioRes, 30 May 2008, <http://www.basel.int/meetings/frsetmain.php?meetingId=1&languageId=1>; also, see Bridges Trade BioRes, 15 December 2006, <http://www.ictsd.org/biores/06-12-15/story1.htm>).

Funding and capacity-building

COP-9 also considered funding, capacity-building and ways to enhance its effectiveness. Like many multilateral agreements based on voluntary and member contributions, the Convention faces problems with funding, implementation and insufficient capacity in developing countries that hinders combating toxic waste.

Jim Puckett of Basel Action Network shared many words of concern with the parties. “The convention risks becoming a paper tiger if its Parties cannot implement and enforce its own rules,” he said in specific reference to a site visit to Guiyu, China, where illegally imported e-waste had increased dramatically in the past few years.

Executive Secretary Katharina Kummar Peiry suggested a ten percent increase in budgeting for the Convention to help address these problems. This was met with apprehension. The EU tabled a proposal to institute a one-time, three-year budget that would be not only cost-effective, but would also bring its budget in line with the Stockholm Convention and UNEP.

COP-9 further decided that the Convention’s effectiveness would be evaluated at COP-11, especially in light of Article 15(7) which states that the “Conference of the Parties shall, [every six years]... undertake an evaluation of its effectiveness and, if deemed necessary, to consider the adoption of a complete or partial ban of transboundary movements of hazardous wastes and other wastes in light of the latest scientific, environmental, technical and economic information.”

The co-chairs of the Ad Hoc Joint Working Group (AHJWG) on Enhancing Cooperation and Coordination between the Basel, Rotterdam and Stockholm Conventions presented a set of recommendations that they thought would improve implementation at the national, regional

and international levels; raise the political profile of each convention; contribute to international environmental governance discourse; and hopefully be more cost-effective by working more synergistically. Several parties expressed satisfaction for the AHJWG’s work, and many considered it to be the key success of the meeting.

The next Conference of the Parties of the Basel Convention is scheduled for 2011, at a location to be determined.

Background

The Basel Convention was adopted in March 1989 and entered into force on 5 May 1992, after the mishaps of several “toxic ships” in the late 1980s. It requires countries to obtain consent from the country of exportation before moving hazardous waste and allows countries to deny entry of waste products into their country. The Convention takes a three-step strategy to combating hazardous waste: minimising waste generation at the source, treating waste as close to its point of generation as possible and reducing the international movement of hazardous waste.

All three pillars, either implicitly or explicitly, have important trade-related aspects and implications.

Additional resources

The COP-9 documents are available at <http://www.basel.int/meetings/frsetmain.php?meetingId=1&languageId=1>.

For a full report of the meeting see IISD’s Earth Negotiations Bulletin at <http://www.iisd.ca/basel/cop9/>.

ICTSD reporting; “IT waste a ‘major challenge’ to human health: UNEP,” AFP, 26 June; “Toxic waste export harder to control, despite Basel Convention,” DAILY NEWS, 1 July; “UN conference won’t ban toxic waste exports,” AP, 27 June 2008; “United Nations waste treaty postpones long awaited toxic waste dumping ban,” BAN, 27 June 2008; “Your laptop’s dirty little secret,” TIME, 29 June 2008.

International Standards

CODEX ALIMENTARIUS COMMISSION: NEW STANDARDS, OLD CONCERNS

The Codex Alimentarius Commission – the international standard-setting body for food safety – recently adopted new guidelines for a number of products, ranging from tomatoes to shellfish.

The annual meeting of the Commission, an intergovernmental body jointly established by the UN Food and Agricultural Commission (FAO) and the World Health Organisation (WHO) was held in Geneva from 30 June to 4 July. The Commission is a forum engaging the international community in harmonising food safety standards and ensuring fair food trade practices.

Codex standards are non-binding and used as references by the WTO. They are implemented and enforced by individual countries. Because of the increasing global market for food, such standards have important implications for international food trade. By providing baseline guides for domestic food production, Codex standards seek to harmonise international practices with regard to consumer safety and lower non-tariff barriers.

The 31st meeting of the Commission discussed 41 texts, including standards for powdered milk formula, cereal toxins, shellfish, ingredient labelling, the use of flavourings and gluten-free foods. Thirty standards were adopted for inclusion in the formal Codex text, following comments by Commission members.

Old concerns

Among the standards passed during the meeting, officials agreed to a benchmark on powdered formula to reduce the risk of *Enterobacter sakazakii*, a bacteria that causes severe illness in babies and small children. The code sets maximum limits for the bacteria and provides guidelines on how to produce and handle prepared powdered formula.

All members of the Commission recognised the need for strict measures on this product, but some

developing countries, led by Indonesia, inquired about possible alternative testing methods at lower cost. Indonesia's question was echoed by Cuba, who argued for more scientific analysis of safe levels of bacteria, as well as a possible funding source for testing. The countries raised the possibility that the Codex Commission could provide more support for developing countries in meeting Codex standards, with the FAO and the WHO playing a greater role in capacity building.

As shown by their reservations with regard to standards that would require using costly production techniques, developing countries were concerned over potential implications for their export capacity and competitiveness. Throughout discussion about standard adoption on 30 June, Commission members from various developing countries stressed the need for consumer safety — not only for exported goods, but also for products used domestically — while also voicing concerns with regard to resource constraints and difficulties they face in standard implementation.

In a similar example, a standard on fish and fishery products practices was adopted in part, with a section on lobster definitions reverted to the Committee level for more discussion after ardent objections by several developing countries, including Brazil, Argentina, Colombia, Indonesia and Mexico.

The section in question set a maximum limit for the amount of chlorine used to treat water that comes in contact with lobsters, to ensure that residual chlorine content does not exceed that of potable water.

Brazil and some other countries claimed, however, that the clause had no scientific basis and argued against setting a precedent for standards 'without technical or scientific evidence'. Decreasing the amount of chlorine in water used to farm fish increases the cost of production, due to chlorine level monitoring and testing requirements.

Guidelines on tolerable allowance of low-level biotech grain

The Commission also adopted a guideline for countries to allow the low-level presence of unapproved biotech presence in grains and other

products that have passed a food safety assessment according to Codex standards. The standard recognised that the commingling of commodities from storage, export and processing would inadvertently have only low levels in individual servings of food.

The EU, which in general is extremely cautious about biotech products, agreed to the annex at a meeting of the Codex Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology last September, given the implementation of an effective system for data and information sharing (see Bridges Trade BioRes, 19 October 2007, <http://www.ictsd.org/biores/07-10-19/story1.htm>).

Though the annex does not address risk management measures for individual countries or eliminate industry responsibility for meeting import requirements, the standard adoption was hailed in the US, which has taken a pro-biotech stance.

“This development in Codex is another tool to help improve the free flow of genetically enhanced grains,” said Erick Erickson, US Grains Council special assistant for planning, evaluation and projects. The standard is a step in creating regulating mechanisms to address the unintentional occurrence of biotech material.

New standards

Commission members also adopted a new international standard for tomatoes, ending seven years of debate. According to the standard, tomatoes can be round, ribbed, oblong or elongated, as well as cherry or cocktail tomatoes.

“Many developing countries in particular said that they needed this standard so that they ensure that they would get the right quality of products that they ordered,” said Tom Heilandt, senior food standards adviser at the FAO. He argued that such definition standards protect importing countries.

The Commission also adopted a standard setting a permitted limit of 10 parts per billion (ppb) aflatoxin content in pistachio nuts. Aflatoxins are naturally occurring carcinogenic substances. The

standard, proposed by Iran, lowers trade restrictions on pistachio exports to Europe.

Other standards adopted include a definition for food labelled gluten-free – gluten level cannot exceed 20 milligrams per kilogram. Discussion on labelling centred on whether food sold as a mixture or combination should disclose percentage and weight in order to clarify contents for the consumer. Standards for bitter cassava and flavourings use by the Codex Committee on Food Additives were also added to the Codex text.

Each of the approved standards has undergone a long process. After negotiation at the individual Committee level, they go through a critical review at the Executive Committee, followed by elaboration and consultation with governments by a Task Forces and endorsement by the Codex Alimentarius Commission.

The next session of the Codex Alimentarius Commission will be held from 29 June to 4 July 2009 in Rome.

Additional resources

Drafts of the discussed standards can be found online, and the final meeting report will be posted at <http://www.codexalimentarius.net/web/archives.jsp?lang=en>.

ICTSD reporting; 4 July 2008, “Hallmarks of the perfect tomato,” AGENCE FRANCE-PRESS; 3 July 2008, “USGC applauds Codex Alimentarius Commission,” GRAINNET.

Marine Resources

ANNUAL WHALING MEETING PRODUCE MIXED RESULTS

A recent meeting of the International Whaling Commission – which is characterised by strong divisions between pro- and anti-whaling nations – saw less open hostility than usual, with members approaching whaling issues in a more cooperative spirit. However, some participants complained that the meeting failed to make concrete progress in any area.

The only international forum to deal exclusively with whales, the International Whaling Committee (IWC) held its Annual Commission Meeting for the 60th time, this year in Santiago, Chile. The 81 member nations gathered to discuss issues relating to the global marine mammal stock and its past and future management. The five-day long annual conference ended on Friday, 27 June. Items discussed at this year's meeting involved obstacles encountered in conservation work, current threats to marine mammals, marine mammals as a living resource, special whaling permits for aboriginal communities and scientific purposes, as well as research and funding.

Polarised commission working towards a change

Increasing consensus within the IWC topped the 2008 agenda. After a global moratorium on whaling was instated in 1986 the IWC has become increasingly polarised, with pro-whaling nations regularly threatening to withdraw (Bridges Trade BioRes, 8 June 2007, <http://www.ictsd.org/biores/07-06-08/story2.htm>). This year, the Commission saw increased efforts towards a more cooperative organisation, and held an inter-sessional meeting to seek reform (see Bridges Trade BioRes, 20 March 2008, <http://www.ictsd.org/biores/08-03-20/inbrief.htm#2>). At the Commission, countries decided not to vote on controversial topics, such as the possibility of establishing a third sanctuary. Japan also atypically refrained from calling a vote on reversing the commercial whaling moratorium.

Tensions exist particularly between the three big whaling countries Japan, Norway and Iceland and anti-whalers such as Australia, the US and countries in Latin America. While Norway and Iceland have continued to whale despite the moratorium, Japan officially respects the moratorium while engaging in whaling for the purposes of scientific research, which is allowed under the IWC. The IWC also grants exceptions to the whaling moratorium for aboriginal subsistence whaling.

Many IWC members, in particular those belonging to the anti-whaling Buenos Aires Group formed in 2005, see non-lethal action as a means of up-

dating the organisation. Australia made a proposal for the first non-lethal scientific whale research centre at the Commission. Reportedly, the proposal was well received. Members also brought up the financial potential presented by whales as a living natural resource for coastal countries. Australia and many coastal Latin American countries rake in a substantial amount of revenues in this particular field of tourism. Total revenues from whale watching for coastal communities are estimated at US\$1 billion a year. Argentina alone makes US\$60 million a year, which has encouraged other Latin American countries such as Guatemala, Ecuador and Uruguay to join the IWC in recent years. As the job of the IWC is essentially regulating and protecting whales, it encourages whale watching as a non-lethal resource. At this year's meeting, the IWC expressed a wish that research be increased in the field of whale watching and its impact on marine mammals.

Market for whale meat in decline

During the course of the previous year Japan took around 900 whales under its scientific whaling programmes. However, consumption of whale meat is waning internationally, and even in Japan, the largest consumer country. Already five years ago, environmental groups pressured UK food giant Tesco PLC into ending the sale of whale meat in Japanese supermarkets. Tesco says it reached its final decision due to lack of consumer demand. Low sales are attributed to growing international awareness of the illegal trade in whale meat and its effect on some endangered populations, combined with increased awareness of the high amount of toxins contained in whale meat. Nevertheless, both Iceland and Norway are hoping for a break into the Japanese whale meat market. In Japan, whaling researchers recently presented some two hundred schools with 10 tonnes of unsold whale meat in order to educate children about the cultural traditions associated with eating whale meat.

The Convention on International Trade in Endangered Species (CITES) recommends the IWC not to issue either export or import permits for introduction of whales from the sea for primarily commercial purposes. Despite these joint efforts, Yoshimasa Hayashi, Japanese

delegate to the IWC, stated at the beginning of this year that “[Japan] is trying very hard to regain a market for whale eating.”

Addressing threats to whales

The IWC spent much of its annual meeting discussing threats to whale populations, and how to minimise these threats. These threats include oil and gas operations, ship strikes and nets. The Commission organised workshops on threats related to climate change and chemical pollution. Experts were brought in to introduce new data and, for the first time in IWC history, NGOs were permitted to address the session. Five minutes were allocated to Cento de Conservacion Cetacea, the High North Alliance, WWF, the Women’s Forum for Fish, Greenpeace and Concepesca. The IWC also explicitly recognised the importance of support from other international organisations.

Members also discussed conservation monitoring. The IWC has to date established two marine mammal sanctuaries, one in the Southern Ocean (The Southern Ocean Whale Sanctuary) and another in the Indian Ocean (the Indian Ocean Whale Sanctuary). The designation of two additional sanctuaries has been suggested in past meetings, though to no avail. The Commission lacks the three-quarter majority of votes needed to substantiate the plans. The proposal made by Brazil, Argentina and South Africa concerning the creation of a South Atlantic Sanctuary was again deliberately not voted on at this year’s meeting in order to minimise tension within the IWC. Monitoring and research was said to continue in the existing sanctuaries.

Next year’s meeting will be held in Madeira, Portugal, from 28 May to 26 June 2009.

Additional resources

IWC website
<http://www.iwcoffice.org/index.htm>

CITES website <http://www.cites.org/>

“Whaling Commission’s Future to be Tested in Chile”, REUTERS, 23 June 2008; “International Whaling Commission Makes Little Progress”, ENVIRONMENTAL NEWS SERVICE, 1 July

2008; “IWC turns down Greenland natives’ whaling request”, TAIPEI TIMES, 28 June 2008; “Whales on Agenda”, NEWSWEEK, 25 June 2008; Whales Lose, Japan Wins as Whaling Meets End”, REUTERS, 30 June 2008; “Japan Goes Whaling, IWC Commissioners Sign Protest Declaration”, ENVIRONMENT NEWS SERVICE, 8 November 2005; “Iceland Begins Commercial Whaling”, BBC News, 17 October 2006; “Conservationists Welcome Tesco’s Decision to End Sale of Meat in Japan”, GREENPEACE UK, 9 November 2004; “Japanese School Kids Have Whale of a Lunchtime”, THE DAILY TELEGRAPH, 28 February 2008.

In Brief

G8 ADOPTS CLIMATE CHANGE GOAL FOR 2050

Leaders from the world’s eight strongest economies met this week to forge solutions on climate change, rising oil prices, the global food crisis, Africa and development, as well as the ongoing Doha round of trade negotiations. They took a small step forward on climate change, deciding to halve their emissions by 2050, without, however, agreeing on any specific intermediate targets.

The annual meeting of the G8 (Group of Eight) - comprising Britain, Canada, France, Germany, Italy, Japan, Russia, and the US - met from 7-9 July at the resort island of Hokkaido Toyako, Japan. Leaders from seven African states and other major emerging economies, including China and India, also participated in this week’s talks with the G8 leaders, making it, with 22 countries, the largest gathering in the event’s 33 year history.

Japanese Prime Minister Yasuo Fukuda, the host of this year’s talks, set the G8 agenda with a strong emphasis on climate change and energy security, stating that he would like to see the meeting conclude with an agreement on targets to halve greenhouse gases by the year 2050. At their meeting in Germany last year, the G8 leaders indicated their desire to consider cutting carbon emissions by 2050, but the US resisted any firm pledge.

At this year's meeting, the leaders agreed to a 'shared vision' on climate change, including committing their economies to cut their carbon emissions in half by the year 2050. This marks the first time the US and Russia have agreed to a specific long-term goal for greenhouse gas emission reductions.

However, environmental groups were quick to criticise the G8 'shared vision' on climate change for its low level of ambition and its imprecise nature. The global 50-percent reduction of carbon emissions is not indexed to a specific base year, and the agreement leaves out any specific mention of targets for medium- or short-term carbon emission reductions, instead urging each nation to formulate its own such goals.

Ambassador Koji Tsuruoka (Japan) - who briefed reporters on the decision - stated that the motivation for the broad and legally non-binding agreement was "to engage the rest of the world" - namely major emerging economies like China and India. President Bush has long vowed not to adopt mandatory objectives unless developing countries like China sign on to similar targets. The desire to include major developing countries was reflected in the G8 climate change communiqué released Tuesday: "achieving this objective will only be possible through common determination of all major economies," the statement said.

The G8 leaders also stressed that progress towards ambitious reduction goals is closely linked with accelerated technology development and diffusion. To this end, the leaders committed themselves to dedicating US\$ 10 billion annually to climate technology and research.

Following the G8-only meeting on climate change, they met in an expanded group of the so-called 'major emitters', including Australia, Indonesia, South Korea, India, China, Brazil, Mexico and South Africa. Together, these nations, which account for 80 percent of the world's carbon dioxide emissions, attempted to forge an international consensus for a way forward on global warming.

In the statement released from the joint meeting, all the economies were in agreement that "deep

cuts in global emissions will be necessary to achieve the Convention's ultimate objective" and that cooperative action is required to promote the success of the Copenhagen 2009 climate change conference. They did not agree on any specific targets.

The major emitters also said they would "direct our trade officials responsible for WTO issues to advance with a sense of urgency their discussions on issues relevant to promoting our cooperation on climate change" in order to fully promote the UN Framework Convention on Climate Change.

The 2009 G8 Summit will be hosted by Italy.

For a full report of the G8 meeting, see Bridges Weekly, 9 July 2008, at <http://www.ictsd.org/weekly/08-07-09/story3.htm>

ICTSD reporting; "UN Chief to G8: Climate Change, Food Crisis linked," THE ASSOCIATED PRESS, 4 July 2008; "Africa Takes Centre Stage as G8 Summit Kicks Off," REUTERS, 6 July 2008; "Ban Ki-moon: Paying the Price for Global Growth," THE GUARDIAN, 3 July 2008; "G-8 leaders struggle to reach deal on Africa," INTERNATIONAL HERALD TRIBUNE, 7 July 2008; G-8 summit opens with spotlight on aid for Africa," THE ASSOCIATED PRESS, 7 July 2008; G8 countries reaffirm pledges to Africa," UPI, 8 July 2008; "Financial measures sought against Zimbabwe," REUTERS, 8 July 2008; "G8 climate deal falls short, critics say," REUTERS, 8 July 2008.

MARITIME BODY TO CAP GREENHOUSE GAS EMISSIONS FROM SHIPS

The global body responsible for controlling international shipping recently set out to develop a mandatory regime for controlling greenhouse gas emissions from ships.

Meeting in Oslo, Norway, from 23-27 June, an inter-sessional Working Group on Greenhouse Gas Emissions from Ships under the International Maritime Organisation (IMO) considered technical issues related to controlling greenhouse gas emissions from ships. The work is set to

provide the foundation for political decisions to be taken at later meetings under the auspices of the IMO. The work is being undertaken on an ambitious schedule, as the IMO is planning to propose a legally-binding regime on controlling shipping emissions of greenhouse gases at the fifteenth Conference of the Parties (COP-15) to the UN Framework Convention on Climate Change (UNFCCC) in December 2009.

At the meeting in Oslo, the experts participating shared views and information on a mandatory "CO2 Design Index" for ships, based on which operators can determine the relative carbon efficiency of a ship and calculate its emissions. Work in this area, as well as its implementation on a voluntary basis, is well established, with several countries and shipping companies already indexing their carbon dioxide (CO2) emissions under an interim operational CO2 index.

The meeting also discussed international regulatory options, such as imposing a levy on CO2 emissions from the shipping sector, or developing an emissions trading scheme. These options were also recently discussed in a working group under the UNFCCC (see Bridges Trade BioRes, 13 June 2008, <http://www.ictsd.org/biores/08-06-13/inbrief.htm>). The IMO meeting did not take any decision or make recommendations on the politically sensitive question of whether the international regulatory scheme should apply to all ships, or only those operated by developed country parties to the UNFCCC and/or the Kyoto Protocol.

The Working Group will report back to the IMO Marine Environment Protection Committee, which is scheduled to meet from 6-10 October this year in London.

ICTSD reporting; "Oslo meeting prepares ground on GHG reduction mechanisms," IMO RELEASE, 1 July 2008.

EUROPE INCLUDES AVIATION IN EMISSIONS TRADING SCHEME

On 9 June, the European Parliament and Council approved a provisional deal between EU governments and lawmakers to include carbon

dioxide emissions produced by aviation in the Emission Trading Scheme (ETS). Starting from 1 January 2012, aviation will be included in the ETS. This deal is part of the overall EU strategy on climate change and energy (see Bridges Trade BioRes, 25 January 2008, <http://www.ictsd.org/biores/08-01-25/story1.htm>).

The new agreement concerns flights taking off from or landing in Europe and includes both EU and non-EU airlines. Emissions will be counted from commercial flights as well as from government flights. Excluded from the scheme are light planes with a take-off weight under 5,7 tonnes, UN-approved humanitarian flights, emergency flights, flights by police, customs or military forces, research flights and flights by small, low-emission (10, 000 tonnes per year) airlines.

Industries included in the ETS have to buy and sell permits that allow them to emit carbon dioxide into the atmosphere. Every tonne of CO2 produced by aircraft going into or out of Europe will need to be matched by a permit. Airlines exceeding their allocation will need to buy a proportion of their permits from sectors that have reduced their emissions or from accredited projects in countries outside Europe that are working to offset carbon emissions.

Eighty-five percent of emissions certificates for aviation will be allocated for free according to a common European benchmark and the remaining fifteen percent will be auctioned. Environmental organisations criticised the high percentage of free certificates. Aviation now accounts for three percent of all CO2 emissions within the EU, but air traffic is set to double by 2020.

Airlines operating inside the EU are worried that their ability to compete on the international market will suffer as a consequence of the new agreement, especially in light of concurrently rising fuel costs. The European Commission predicts an increase of EUR4.60 to EUR39.60 for customers on return flight tickets by the year 2020, depending on the length of the flight. The International Aviation Organisation (ICAO), a UN agency coordinating and regulating international air travel, does not support the EU's

move to impose ETS rules onto non-EU airlines landing in Europe, preferring a global approach to stemming greenhouse gases from the aviation sector. Disagreement over the issue has already caused friction in the past (Bridges Trade BioRes, 5 October 2007, <http://www.ictsd.org/biores/07-10-05/story1.htm>).

Aviation emissions were excluded from the 1997 Kyoto Protocol. Parties to the Kyoto Protocol simply agreed that greenhouse gas emissions from international aviation should be limited or reduced. Responsibility regarding aviation has been largely given over to the ICAO. In the ten years following the Kyoto Protocol, emissions from aviation grew faster than those generated by any other mode of transport.

“EU Includes Aviation in CO₂ Curbs”, AIRPORTWATCH, 9 July 2008; “T&E Reaction to EU Aviation Emissions Trading Agreement”, T&E, 26 June 2008; “EU Lawmakers Confirm Deal on Airline CO₂ Emissions”, REUTERS, 30 June 2008; “EU Lawmakers Approve Deal on CO₂ Emissions”, REUTERS, 9 July 2008; “Europe Approves Imposition of ETS Beginning in 2012”, ATW DAILY NEWS, 9 July 2008; “Airlines Get an Easy Ride in EU Climate Deal”, AIRPORTWATCH, 8 July 2008.

AUSTRIA LIFTS BAN ON GM CORN

Austria has lifted its ban on the import and processing of genetically modified (GM) corn in compliance with a WTO ruling against the EU on biotech foods.

The EU cited the 25 May decision as an example of its good faith efforts to comply with the WTO ruling from September 2006, which found that European countries illegally hindered the trade of GM foods (see Bridges Trade BioRes, 6 October 2006, <http://www.ictsd.org/biores/06-10-06/story1.htm>). The panel ruled that several aspects of the EU's approval process for GM products violated the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS). Specifically, it ruled against the EU's failure to approve a number of biotech products (referred to as ‘product-specific measures’), and against national-level bans in several EU member states on the marketing and

import of specific biotech products that had already been approved at the EU-wide level. The ruling was based on a complaint brought in 2003 by the US, Argentina and Canada.

The announcement confirming that Austria has lifted its national level ban came long after the original November 27, 2007 deadline originally set for compliance. While Austria will allow the import and processing of GM corn, it will not allow it to be planted in Austria.

The decision comes as a victory for the European Commission (EC), as the Austrian government has long been among the most resistant toward GM crops. Austria banned the import and processing of MON810 in June 1999 and T25 in April 2000 because of concerns on the effect on non-target organisms and the risk of cross-fertilization with wild relatives.

Forcing individual Member states to comply with EU WTO obligations on biotech foods is a difficult process. Efforts by the European Commission to force the repeal of Austrian safeguard measures through a draft decision have been rejected by EU ministers in the Environment Council (see Bridges Trade BioRes, 19 January 2007, <http://www.ictsd.org/biores/07-01-19/inbrief.htm#4>).

On a related note, the UK has renewed discussion on relaxing EU rules on GM animal feed imports, citing rising food prices. At a 19 June summit in Brussels, UK Prime Minister Gordon Brown indicated the UK's willingness to open its market to GM products after discussion with the Agricultural Biotechnology Council.

ICTSD reporting; “EU says Austria has lifted a ban on importing, processing genetically modified corn,” ASSOCIATED PRESS, 24 June 2008.

Events & Resources

EVENTS

For a more comprehensive list of events in trade and sustainable development, please refer to ICTSD's web calendar, <http://www.trade-environment.org/page/calendar.htm>.

Coming up in the next two weeks

14-18 July, Geneva, Switzerland. 57TH MEETING OF THE CITES STANDING COMMITTEE. This meeting is organised by the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Internet: <http://www.cites.org/eng/news/calendar.shtml>

14-19 July, Dar Es Salaam, Tanzania. SECOND AFRICAN REGIONAL MEETING ON THE STRATEGIC APPROACH TO INTERNATIONAL CHEMICALS MANAGEMENT (SAICM) AND ASSOCIATED UNEP WORKSHOPS. This event is hosted by the Government of Tanzania. The meeting is immediately preceded by the UNEP Workshop on Strengthening Chemicals Management Infrastructures 14-15 July 2008. Internet: <http://www.chem.unep.ch/saicm/meeting/afreg/Dar%20es%20Salaam/Default.htm>

15-17 July, Accra, Ghana. REGIONAL WORKSHOP ON IMPROVING FOREST LAW COMPLIANCE AND GOVERNANCE IN TROPICAL WEST AFRICA. This workshop is organized by the UN Food and Agriculture Organization and the International Tropical Timber Organization. The workshop will showcase possible approaches to improving forest law compliance at the country level. Internet: <http://www.itto.or.jp/live/PageDisplayHandler?pageId=223&id=3970>

22-25 July, Bangkok, Thailand. TECHNICAL MEETING OF THE ASIA-PACIFIC NETWORK FOR FOOD AND NUTRITION. This meeting is on “nutrition interventions for food security – can they work effectively in isolation?” The meeting is organised by the UN Food and Agriculture Organization (FAO). For more information please contact Biplab K. Nandi.

Other upcoming events

5-8 August, Manado, Indonesia. SECOND ASIA-PACIFIC FISHERY COMMISSION REGIONAL CONSULTATIVE FORUM. This meeting is organised by the UN Food and

Agriculture Organization (FAO). Internet: <http://www.fao.org>

11-13 August, Manado, Indonesia. ASIA-PACIFIC FISHERY COMMISSION. This is the Commission's 30th session. The meeting is organized by the UN Food and Agriculture Organization (FAO). For more information please contact Simon Funge-Smith

15-17 August, Dhaka, Bangladesh. INTERNATIONAL CONFERENCE ON FINANCING FOR CLIMATE CHANGE - CHALLENGES AND WAY FORWARD. This conference is arranged by Bangladesh-based think tank Unnayan Onneshan and will focus on financial mechanisms for supporting mitigation activities to combat climate change. Internet: <http://www.unnayan.org>

17-23 August, Stockholm, Sweden. PROGRESS AND PROSPECTS FOR WATER: FOR A CLEAN AND HEALTHY WORLD. This topic is the theme for the 2008 World Water Week, the leading annual global meeting place for capacity-building, partnership-building and follow-up on the implementation of international processes and programmes in water and development. The World Water Week in Stockholm is arranged by SIWI. For the printable Programme Schedule please refer to <http://www.worldwaterweek.org/Downloads/Overview.pdf>. For more information please contact: tel. +46 (0)8 522 139 60 ; e-mail kata...@siwi.org

RESOURCES

If you have a relevant resource (books, papers, bulletins, etc.) you would like to see announced in this section, please forward a copy for review by the Bridges staff to Malena Sell at mse...@ictsd.ch.

WTO LAW AND INTERNATIONAL EMISSIONS TRADING: IS THERE POTENTIAL FOR CONFLICT? By Christina Voigt, University of Oslo (Faculty of Law), 2008. This article explores the ways in which UNFCCC Annex 1 countries will continue their emission reduction policies with minimum harm to their own economies, whether these means are within WTO regulations and the extent of their flexibility. The paper also examines whether

international emissions have a place in WTO agreements to begin with. To access the article, please refer to <http://ssrn.com/abstract=1145242>

A PROPOSAL FOR A GLOBAL EMISSIONS TRADING SCHEME FOR AVIATION AND SHIPPING. By Terry Barker, Tyndall Centre for Climate Change Research, June 2008. Policies to cut CO₂ emissions from all sectors, including transportation, have become more critical. Dangerous climate change has gotten scientific backup but a suitable network for implementing effective mitigation policies does not exist of yet. This paper supports the proposal for a global emissions trading scheme (GETS). To access the paper, please refer to http://www.tyndall.ac.uk/publications/briefing_notes/bn26.pdf

GROWING UNREST: THE LINKS BETWEEN FARMED AND FISHED RESOURCES AND THE RISK OF CONFLICT. By Alec Crawford and Oli Brown, IISD, June 2008. This paper presents evidence on how the production and trade of fished and farmed commodities can attribute to the onset or continuation of violent conflict. The paper relies on two case studies. To access the paper, please refer to http://www.iisd.org/pdf/2008/growing_unrest_resources.pdf

ENERGY AND CLIMATE: OPPORTUNITIES FOR THE G-8. Directed by Michael Grubb, Cambridge Centre for Energy Studies, 2008. The Climate Strategy report was aimed at world leaders participating in the G8 Summit in Toyako, Japan. It raises the battle against rising carbon emissions to the forefront as a response to rising oil and energy prices. It warns of a possibility that new sources of oil could emit twice as much CO₂. The paper outlines five key proposals for G8 leaders to consider in Toyako. To access the paper, please refer to <http://www.climate-strategies.org/uploads/ClimateStrategiesG8report.pdf>

INTELLECTUAL PROPERTY RIGHTS AND TRADITIONAL KNOWLEDGE: BIOPIRACY OR BIOPROSPECTING? By Michael J. Krieger, ETH Zürich, 28 June 2008. This paper talks about the equitable sharing of biological resources and

explores alternative approaches to those offered by the Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the Convention on Biological Diversity (CBD). To access the paper, please refer to <http://www.bepress.com/ndsip/reports/art15/>

THE GLOBAL IP UPWARD RATCHET, ANTI-COUNTERFEITING AND PIRACY ENFORCEMENT EFFORTS: THE STATE OF PLAY. By Susan Sell, George Washington University, 9 June 2008. This paper provides a review of the current global efforts to move forward IP enforcement. The paper explores the people, institutions and strategies behind these efforts regionally as well as internationally. To access the paper, please refer to <http://www.iqsensato.org/?p=69>

SUCCESS STORIES FROM THE REALIZATION OF FARMERS' RIGHTS RELATED TO PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE. By Regine Andersen and Tone Winge, the Fridtjof Nansen Institute, 2008. This report is a patchwork of 17 Farmers' Rights success stories from 11 countries. To access the report, please refer to <http://www.fni.no/doc&pdf/FNI-R0408.pdf>