



Bridges Trade BioRes

Biweekly news, events and resources at the intersection of trade and environment

Volume 11 · Number 16, 19 September 2011

Environment at the WTO

Mixed Victory for Mexico as WTO Rules on
“Dolphin Safe” Labelling..... 1

Major Economies to Meet in Washington
over Rare Earth Restrictions 3

Sustainable Agriculture

Leaked Texts Suggest EU Farm Policy
Going “Green” 4

Climate Change

Gillard Pushes Hard for Aussie Carbon Tax 6

In Brief

Short-Term Emissions Fix Buys Time for
EU Biofuels Producers 8

UN Chief Calls for Increased Efforts to
Fight Climate Change 8

Global Fisheries Flouting Deep Seas Fishing
Regulations: Report..... 9

Vacancy

Events and Resources

Events..... 10

Select WTO Public Forum Events 14

Resources 14

Bridges Trade BioRes© is published by the International Centre for Trade and Sustainable Development (ICTSD), an independent, not-for-profit organisation based at Ch. de Balexert 7, 1219 Geneva, Switzerland, tel: +41 (0)22-917-8492; fax: 917-8093. To subscribe to Bridges Trade BioRes or access back issues, visit the [homepage](http://www.bridges-trade-biores.org).

Bridges Trade BioRes is made possible through the generous support of the UK Department for International Development (DFID), the Swedish International Development Cooperation Agency (SIDA); the Netherlands Directorate-General of Development Cooperation (DGIS); the Ministry of Foreign Affairs of Denmark, Danida; the Ministry for Foreign Affairs of Finland; the Ministry of Foreign Affairs of Norway; AusAID; and Oxfam Novib.

Copyright ICTSD, 2011. Readers are encouraged to quote and reproduce this material for educational, non-profit purposes, provided the source is acknowledged. This work is licensed under the [Creative Commons Attribution-Noncommercial-No-Derivative Works 3.0 License](http://creativecommons.org/licenses/by-nc-nd/3.0/).

Contributors to this issue are Andrew Aziz, Sofia Baliño, Kurt Heinze, Jonathan Hepburn, Sonja Lubecki, John Maughan, Thao Nguyen, and Marie Wilke. This edition of Bridges Trade BioRes is edited by Andrew Aziz.

The Publisher and Director is Ricardo Meléndez-Ortiz. The Editor in Chief is Andrew Crosby. Comments and suggestions are welcomed and should be directed to the [editor](mailto:editor@bridges-trade-biores.org) or the [Editor in Chief](mailto:editor-in-chief@bridges-trade-biores.org).

ISSN 1682-0843

ENVIRONMENT AT THE WTO

Mixed Victory for Mexico as WTO Rules on “Dolphin Safe” Labelling

A WTO panel on Thursday found fault with the United States’ “dolphin safe” labelling practice for tuna products, ruling that the label meant to inform consumers on the use of dolphin-friendly fishing practices was unnecessarily trade restrictive. The three-member panel, however, disagreed with the complainant Mexico that the label also discriminated against Mexican tuna on the basis of nationality.

News of Mexico’s victory was leaked in July (see Bridges Trade BioRes, [25 July 2011](http://www.bridges-trade-biores.org/2011/07/25/)), but the details of the ruling were not available until now.

Against the background of increasing importance of product labels for issues such as biofuels, fair-trade commodities or low-carbon intensive appliances, the decision had been long awaited. Notably, the panel’s take at whether the US label was a mandatory regulation – which it confirmed – rather than a voluntary standard – which it denied – had been considered crucial for the future of labelling standards.

“The WTO ruling is a crushing blow to the label ‘dolphin-safe,’” Mexican Economy Secretary Bruno Ferrari said in a first statement to Associated Press.

“It opens the way for Mexican producers to enter the US market without restrictions, as is their right.”

Those plans, however, may have to be put on hold as the US retains its right to appeal the decision.

“We do not exclude the possibility of an appeal,” Andrea D. Mead, spokeswoman for the United States Trade Representative’s office commented in

a first statement. An appeal would have to be submitted within the next two months; a final ruling would then be issued late in the first quarter of 2012.

“Dolphin-safe” attacked on three levels

At the core of the dispute is the US policy disallowing “dolphin-safe” labels on tuna caught in the eastern Pacific Ocean (ETP) with “purse-seine” nets – encircling nets which can frequently ensnare unwanted marine life such as dolphins in addition to those targeted – used by Mexican fisheries. Mexico claimed that the labelling practice has the effect of blocking Mexican tuna from the US market. Washington, in turn, rejects the claim, stating that its labelling rules do not discriminate against Mexican products, as the label is available to all tuna products independent of their origin (see Bridges Trade BioRes Review, Volume 5, Number 1, [April 2011](#)).

Mexico City also argued that the label was unnecessarily trade restrictive and that the US failed to comply with relevant international agreements.

Mexico’s tuna fleet continues to use purse-seine nets but nonetheless complies with international standards most notably the Agreement on the International Dolphin Conservation Program (AIDCP). Mexico, the US, and others had negotiated AIDCP in response to an earlier international trade dispute between the countries over a similar issue.

The international standard follows a “non-injury” rather than a “finishing-method” approach meaning that tuna caught with purse-seine nets can qualify for dolphin-safe labels, provided that independent veterinarians certify that no dolphins were injured.

The panel sided with the US on the non-discrimination of its labelling policy, concluding that the measure did not favour US tuna products or those of other origins over those from Mexico.

The panel also backed the US claim that the AIDCP international label standard did not constitute an effective and appropriate means of

fulfilling the US legitimate objectives. This was because, in the opinion of the panel, the standard failed to guarantee the level of dolphin protection pursued by the US. The AIDCP standard only informs consumers whether dolphins were killed or seriously injured by the fishing method, but fails to inform them of other adverse impacts caused by the fishing methods, they concluded.

Nevertheless, it found that the US dolphin-safe labelling provisions were more trade-restrictive than necessary to inform consumers and protect animal health, and was thus inconsistent with the WTO’s Agreement on Technical Barriers to Trade (TBT).

The TBT Agreement requires that technical regulations “are not prepared, adopted or applied with a view to, or with the effect of, creating unnecessary obstacles to trade.” According to the panel, the “dolphin-safe” label only “partly” fulfilled the objective of dolphin protection, as it did not address the observed mortality caused by other tuna fishing methods outside the ETP.

Environmentalists blast decision

The ruling has quickly drawn public attention with a number of consumer and environment groups harshly criticising the decision.

“A WTO tribunal is telling American consumers that having the product labels that we rely on to make sure that our shopping and dining choices do not result in dolphins being killed is a WTO violation,” said Lori Wallach from the Washington-based consumer rights advocacy group Public Citizen in a press release. “It makes very real the threats these overreaching ‘trade’ pacts pose.”

The ruling marks the third time the WTO and its predecessor General Agreement on Tariffs and Trade (GATT) have gone against American policy on dolphin protection.

ICSD Reporting; “WTO panel rules US tuna labels too restrictive,” ASSOCIATED PRESS, 16 September 2011.

Major Economies to Meet in Washington over Rare Earth Restrictions

The EU, US, and Japan have agreed to meet in Washington early next month to find ways to reduce demand for China's rare earth exports. The plan comes in the wake of China's recent decision to halt production of the minerals at three major mines in Jiangxi province, a move that is expected to cut global supplies and raise global prices. In addition to considering the means by which the three bodies can reduce demand and ensure rare earth supplies, observers say they are likely to discuss their next move against China at the WTO.

The US and Japan are the largest importers of China's rare earth metals, which are critical ingredients for the manufacture of many high-tech, strategic, and green industrial goods. However, the EU is perhaps more critically threatened due to environmental restrictions it has imposed that may prevent it from opening up new domestic supplies. The EU responded to China's mine closures last week by developing a plan to work in concert with the US and Japan to reduce global demand for the minerals.

Next move at WTO?

Each of the major economies is considering a range of responses to counteract China's supply restrictions. The EU has promised to raise the issue in two major meetings with senior-level Chinese officials in October and December. The EU has also mimicked earlier moves by the US, Japan, and South Korea to stockpile the metals and augment future supply restrictions. In the upcoming meeting, the EU, US, and Japan will discuss increasing domestic production, reducing industrial demand, increasing imports from other international suppliers such as Canada and Australia, and finding new ways to substitute for the rare earth ingredients in the production of high-tech goods.

In addition, the EU, US, and Japan are almost certain to discuss WTO litigation of the issue in the October meeting – each has previously

considered taking legal action and China's latest move has only stoked the fires of the dispute. China justified its mine closures by citing concerns over the environmental damages that result from production of the rare earths. However, similar justifications for export restrictions of other raw materials were summarily rejected by a WTO dispute settlement panel in July in a dispute brought against China by the US, EU, and Mexico (DS394, 395, 398). China appealed the case in late August (see Bridges Trade BioRes, [5 September 2011](#)).

China is the world's leading producer of rare earth minerals, supplying 97 percent of the metals to companies around the world (for a list of major producers of rare earth elements and other raw materials, see the British Geological Survey's [Risk List 2011](#)). China began stockpiling rare earths in 2010 and reduced global exports by 40 percent by June 2011. Two-thirds of China's production of rare earths originates in Inner Mongolia, where in February the state-controlled Baotou Steel Rare-Earth (Group) Hi-Tech Co. began building 10 warehouses to store the minerals in response to government stockpiling initiatives.

Prices continue to surge

China's actions have had a severe short-term impact on global rare earths prices. In August, prices peaked as hedge funds and other speculators anticipated large price hikes. The price of one rare earth element, europium oxide for example, increased over 1200 percent from last year, [according to General Electric](#). Others have surged by as much as 2000 percent. Prices eased in September, but they will remain high in the medium-term as the US, EU, Japan, and other major rare earths importers struggle to find alternative supplies and to reduce demand for rare earth metals.

Foreign companies say they worry that state-controlled producers such as Baotou will further consolidate China's control over the global rare earths industry. According to the [New York Times](#), the Chinese government has made a concerted effort to close 31 private mining companies and force four others into mergers with Baotou,

making it the overwhelming giant of rare earth extraction in northern China.

Similarly, Beijing is consolidating producers in Jiangxi province where the remainder of its production takes place. Foreign firms say they fear that discrimination by Chinese companies will restrict their supplies of the critical raw materials and favour Chinese industrial producers. Foreign governments are similarly concerned that China's actions will distort international trade, a primary motivation for the EU, US, and Japan as they consider taking legal action.

ICTSD Reporting; "China Moves to Strengthen Grip Over Supply of Rare-Earth Metals," WALL STREET JOURNAL, 7 February 2011; "Rare earth prices soar as China stocks up," FINANCIAL TIMES, 19 June 2011; "China halts rare earth production at three mines," REUTERS, 6 September 2011; "EU to develop rare earth substitutes with US, Japan," REUTERS, 7 September 2011; "US, EU, Japan To Discuss Rare Earths In October," REUTERS, 9 September 2011; "EU wants rare earth clarity from China: trade chief," REUTERS, 14 September 2011; "China Consolidates Grip on Rare Earths," NEW YORK TIMES, 15 September 2011.

SUSTAINABLE AGRICULTURE

Leaked Texts Suggest EU Farm Policy Going "Green"

Leaked EU draft texts confirm expectations that the 27-member bloc is likely to seek to "green" farm subsidy payments after 2013 by adding new rules on protecting the environment. Controversially, though, the drafts also reveal new plans to allow some countries to re-allocate more direct payments to the production of particular crops - reversing prior attempts to "decouple" farm support from production and thus reduce the trade distortions that this support might cause.

News of Brussels' intention of overhauling the agricultural sector in this way first surfaced last year when a leaked draft proposal drew similar

criticism from both farmers and environmentalists (see Bridges Trade BioRes, [25 October 2010](#)).

The texts, which are due to be shared with EU member states on 12 October, propose maintaining the two "pillars" that currently structure EU farm support. "Annual mandatory measures of general application" would be covered by pillar one, and multi-annual "voluntary measures better tailored to national and regional specificities" by pillar two, the drafts indicate.

A new basic payment scheme

The texts outline plans to replace existing direct payments to farmers with a new basic payment scheme, as well as a green payment that would be conditional on farmers respecting the following three criteria: crop diversification, maintaining permanent grassland, and setting aside seven percent of arable land in the form of "ecological focus areas."

Organic farmers would automatically qualify for the green payments, due to represent 30 percent of member states' annual national ceilings. Farmland covered by the Natura 2000 ecological scheme, an network of protected areas around the EU, would also need to comply with the special requirements under that programme.

Voluntary extra payments, worth five percent of countries' national ceilings, would be available for farmers in areas "facing specific natural constraints," the drafts say. Additional payments would also be made available to help young farmers entering the business, and a simplified lump sum payment would be made to small farmers in a bid to cut costs and bureaucracy.

"Recoupling" support and production?

One proposal that is likely to elicit controversy is the plan to make it easier for some EU member states to re-establish coupled support schemes, if they wish to do so, for specific types of farming or agricultural systems that "are experiencing certain difficulties" and that are "particularly important for economic and/or social reasons."

According to the leaked texts, coupled support could be granted to any of the following products: arable crops, beef and veal, dried fodder, durum wheat, energy crops, flax and hemp, fruits and vegetables, grain legumes, hops, milk and milk products, nuts, olive oil, protein crops, rice, seeds, sheep meat and goat meat, starch potato, silk worms, and sugar beet, cane and chicory.

The list dramatically expands the range of products that could benefit from production incentives. It also includes explicit mention of “energy crops” - which would include crops such as vegetable oil used in biodiesel production. The subsidies for energy crops have generated controversy both amongst the EU’s trading partners and from environmental groups that have questioned whether these products actually deliver greenhouse gas reductions (see related story, this issue).

The proposals are likely to draw criticism from the EU’s trading partners, who have welcomed in recent years the long-term shift to reform the bloc’s farm support away from trade-distorting payments that are linked to production, and towards more decoupled support that is generally seen as causing less damage to producers in other parts of the world.

New environmental conditions

The text appears to require that farmers cultivate three different crops on their land under new crop diversification rules, in order to receive the “green” payment. None of these crops would be allowed to cover less than five percent of arable farmland, or more than 70 percent.

They would also need to declare and maintain areas of permanent grassland, which could not normally be reduced by more than five percent. If this threshold was exceeded, the European Commission would be able to require the land to be reconverted back into grassland.

They would also have to set aside seven percent of eligible hectares as ecological focus areas - to include “land left fallow, terraces, landscape features, buffer strips, and afforested areas.”

“Active farmer” defined in new rules

EU countries should refrain from granting direct payments to beneficiaries whose business was largely unrelated to agriculture, the draft says, warning that “airports, railway companies, real estate companies, and companies managing sport grounds” should be avoided in particular.

For the first time, the European Commission set out a definition of who would be eligible to receive payments as an “active farmer.” Farmers whose farm income represents less than five percent of their total revenue – excluding subsidies – would no longer qualify, according to the leaked plans.

However, farmers who received less than €5000 of direct payments would be exempt from the new requirement.

Environmentalists condemn “underwhelming” proposals

Despite the Commission’s efforts to accommodate the concerns of farm groups and environmentalist organisations, the leaked documents have been criticised by both constituencies.

The plans were condemned in a [communiqué](#) issued on Monday by a coalition of environmental groups, which included Birdlife International, the European Environmental Bureau, the International Federation of Organic Agriculture Movements (IFOAM) and WWF.

The environmental groups criticise the lack of additional support for farmers maintaining protected natural habitats in the Natura 2000 network, or managing extensive grasslands that they say are important for biodiversity and the climate.

The signatories argue that even farmers practising highly unsustainable farming methods will continue to receive subsidies.

“The environmental movement has been supporting a significant budget allocation for a reformed CAP but will not go along with a

window dressing exercise that keeps pumping money into Europe's most environmentally harmful farms," warned Ariel Brunner, head of EU policy at BirdLife Europe.

Farmers say move could undermine competitiveness

While the main EU farm group, COPA-COGECA, has yet to issue a formal reaction to the leaked proposals, press officer Amanda Cheesley told BioRes that the organisation was troubled by a number of elements that these contain.

"We're concerned about threatening farmers' competitiveness and economic viability," she said, singling out the proposed capping of large subsidy payments and "greening" as two of the group's major concerns. She also noted that the farm body was concerned about how "active farmers" were to be defined under the new plans.

"The greening measures will increase farmers' costs," she warned.

She also argued that the Commission's proposals on coupled support would be unlikely to lead to a significant increase in these payments. "It wouldn't really change that much on the current situation," Cheesley said.

In contrast, NFU spokesperson William Surman argued that the re-coupling of payments "looks like a huge backward step." The NFU office in Brussels represents a number of farmers' organisations from around the UK.

"We're pretty concerned about moving money from pillar two to pillar one," Surman said. "The whole point of reform is competitiveness."

The proposals, which have been drafted by the European Commission's Directorate-General for Agriculture and Rural Development, have already been shared with other departments and are no longer open for comment. They will be revised further and shared with EU member states on 12 October.

ICTSD Reporting.

CLIMATE CHANGE

PM Gillard Pushes Hard for Aussie Carbon Tax

Australia's parliament last week introduced its controversial initiative to put a price on carbon emissions into parliament. The government also set aside an extra week of sittings in November to help push the bill through. The plan, known as the Clean Energy Agreement, was put together by the Multi-Party Climate Change Committee, a group comprised of leaders from the governing Labor Party, the Green Party, and two Independents.

Australian Prime Minister Julia Gillard, who is struggling in Australian opinion polls, unveiled the plan on 10 July to clamp down on Australia's most polluting producers. The goal of the plan – which has elicited a strong reaction from the Australian public and industry groups (see Bridges Trade BioRes, [25 July 2011](#)) – is to reduce carbon pollution by five percent below 2000 levels by 2020 and by 80 percent below 2000 levels by 2050.

The carbon tax would target five hundred of Australia's most polluting producers, which would be required to purchase a permit for every tonne of carbon pollution they emit. Permits would be priced at A\$23 (US\$24.41 at today's exchange rate) per tonne for the first year, increasing to A\$24.14 (US\$25.62) the following year and A\$25.40 (US\$26.96) in the final year before switching to the ETS, according to the most recent version of the agreement.

If the Australia carbon tax becomes law later this year, it will come into force on 1 July 2012 and be replaced by an emissions trading scheme (ETS) in 2015. Once implemented, the Clean Energy Agreement would be the largest ETS in the world outside the EU.

Strong EU Backing

The carbon tax plan recently received a public pledge of support from Europe. Speaking at a [joint press conference](#) in Canberra on 5

September, European Commission President José Manuel Barroso praised Gillard's initiative.

"Australia's decision to put a price on carbon emissions is, in our view, an important step, both environmentally and economically, because it is in our European experience the most cost-efficient way to reduce emissions and also a great, green business opportunity," he noted.

Barroso and Gillard intend to establish Senior Officials Talks to exchange their countries' experiences on design and implementation of these schemes, along with addressing co-operation on economy-to-economy measures, including the linkage of the two ETSs, which would be the largest such programme in the world.

Gillard also received backing from European Commissioner for Climate Action Connie Hedegaard, who visited Australia this month to meet with her Australian counterpart Greg Combet, the country's Climate Minister. In a statement released on 3 September, Hedegaard pointed to Europe as an example of how emissions trading schemes can work.

"Europe has adopted a mix of climate and energy measures similar to those in Australia's plan, and they are proving their worth," she said.

The EU Emissions Trading Scheme, in place since 2005, aims to reduce emissions by 21 percent below 2005 levels by 2020.

Coal exporters slam tax plan

Australia's coal industry – which is the country's largest export industry – is expected to be one of the hardest affected industries as a result of the initiative. The industry, which accrued A\$46 billion (US\$48.8 billion) in export earnings last year, is also responsible for 37 percent of the nation's emissions. Australia is the world's largest coal exporter.

While the Gillard government has offered a A\$1.3 billion (US\$1.38 billion) compensation package and other incentives to help the most polluting coal mines adapt to the new policies, these assurances have not mitigated the industry's fears.

In a [statement](#) on 22 August, the Australian Coal Association reprimanded the Gillard government for what the industry group claimed was poor treatment during the plan's development. The association's Executive Director, Ralph Hillman, insisted that the government process of reaching the Agreement lacked "due consideration of the very real damage the carbon tax will do to Australia's trade-exposed industries."

Hillman also cautioned that this carbon tax plan would put the Australian coal industry at a disadvantage relative to its foreign competitors.

"It should not be forgotten that no other country in the world taxes coal mining in this way and our competitors will be ready and waiting to move into our markets."

He added that the measure would cause the loss of Australian jobs, without having the intended impact on global greenhouse emissions.

Despite protests, parliamentary approval likely

The Agreement has also been the target of public criticism as some groups organised street protests in Canberra last month. These groups are frustrated by Gillard's turnaround from her election promise a year earlier not to introduce a carbon tax. Many observers say Gillard has staked her minority government's future on the initiative.

Notwithstanding the mixed reaction over the proposed plan, Labor Party officials have expressed optimism over the plan's swift passage in Parliament.

"[The Agreement] will go to the parliament, it will be debated, and it will pass," Australian Treasurer Wayne Swan told Sky News recently. "We've had a particularly difficult political debate surrounding all that but the record speaks for itself."

A vote in the bill will likely be put off until October, according to media sources, to allow Labor ministers away on official duties to be present with their votes. Earlier statements had suggested that a vote would be held this month.

More information

The full text of the Multi-Party Climate Change Committee Clean Energy Agreement, known more simply as the Clean Energy Agreement, can be read [here](#).

ICTSD reporting; “Euro chief backs Gillard over carbon price,” ABC SYDNEY, 5 September 2011; “Carbon tax could hurt struggling retailers,” THE AUSTRALIAN, 4 September 2011; “Treasurer Wayne Swan says carbon tax will pass parliament despite difficult debate,” THE AUSTRALIAN, 28 August 2011; “WA accuses PM of lying about carbon tax,” THE AUSTRALIAN, 21 August 2011; “Australia carbon tax protest targets Julia Gillard,” BBC, 16 August 2011; “RPT-Coal miners say Australia carbon tax treatment unfair,” REUTERS, 10 July 2011; “Australia, Europe to start ETS link talks,” SYDNEY MORNING HERALD, 5 September 2011; “Australian Cabinet to vote on carbon tax,” UPI, 17 August 2011; “Carbon tax bill set for parliament,” THE WEST AUSTRALIAN, 6 September 2011.

IN BRIEF

Short-Term Emissions Fix Buys Time for EU Biofuels Producers

The European Commission is devising a new plan in coming months that will raise biofuel emissions savings in comparison to fossil fuels, but will delay measures that force farmers to bear the costs of sustainable biofuel production. The action is likely to draw further criticism from environmental groups currently taking legal action against the EU over its biofuel sustainability criteria.

Biofuel production directly reduces carbon emissions when it is substituted for fossil fuels. However, switching to biofuels can also indirectly raise carbon emissions. Most importantly, in cases where increased biofuel production leads to clearing new land for crops, overall world carbon levels may increase dramatically as forests or boglands – typical carbon ‘sinks’ – are cleared. These indirect land use change (ILUC) costs are

required to be taken into account in calculating the carbon impact of EU biofuel production.

The Commission plan will delay taking into account ILUC costs for another 5-7 years, allowing EU farmers time to adjust their crops and make new investments. In an effort to offset the carbon costs of the delay, the Commission proposes to raise the threshold of direct emissions savings – those that result from substituting biofuels for fossil fuels – from 35 percent to as much as 50 percent by 2013. Representatives of the European biofuels producers insist that the measures are necessary to make the industry viable and to reach the EU’s goal of 10 percent biofuel in the region’s transport fuels by 2020.

Environmental groups, however, are decrying the delays. Despite the Commission’s efforts to offset indirect carbon increases with higher emissions savings, delaying ILUC measures makes the overall environmental impact ambiguous. The ambiguity is drawing heavy criticism from environmental groups, who are already suing the EU for access to greater information on their implementation of biofuels sustainability criteria (see Bridges Trade BioRes, [30 May 2011](#)).

The Commission plan was approved by the EU’s energy and climate chiefs, Guenther Oettinger and Connie Hedegaard, at a meeting in July. The Commission must present its plan in a few months for approval by the European Parliament and EU member-states before it can become law.

ICTSD Reporting; “EU to delay action on biofuels’ indirect impact,” REUTERS, 8 September, 2011.

UN Chief Calls for Increased Efforts to Fight Climate Change

United Nations Secretary-General Ban Ki-moon on 8 September urged world leaders to redouble efforts in the fight against climate change, insisting that time was running out to prevent the worst consequences of global warming. Speaking at the end of his South Pacific tour, Ban stressed the need to conclude an ambitious global emissions-

cutting deal at this year's climate summit in Durban, South Africa.

The UN head was speaking at Sydney University following his visit of small Pacific nations, including some seriously threatened by rising sea levels. Countering sceptics of global warming, Ban said that climate change poses a real threat.

"The facts are clear. Global greenhouse gas emissions continue to rise," Ban said. "Millions of people are suffering today from climate impacts. Climate change is very real."

The consequences of climate change are significant, he said. The current drought in the Horn of Africa is only one of many examples of the suffering caused by global warming.

Timely action is needed to avoid the worst effects of climate change and to save millions of lives in the regions threatened most. Environmental migrants have already reshaped human geography. Continuing rises in sea levels and desert advances will reinforce this trend.

Ban's call for increased efforts in the fight against climate change comes only a few months before leaders from 193 countries meet in Durban, South Africa, for this year's UN climate summit.

Ban argued that at the November talks, leaders must conclude an ambitious agreement to reduce emissions of carbon dioxide and other gases driving climate change. This is necessary to prevent an increase in global average temperatures of 2 or more degrees Celsius above preindustrial levels. Scientists argue that such a rise in temperatures would have devastating consequences for agriculture, sea levels, water resources, and human wealth.

"Moreover, given that the first commitment period of the Kyoto Protocol expires next year, a political formula must be found to ensure that a robust, post 2012 climate regime is agreed upon, and is not delayed by negotiating gamesmanship," Ban said.

But some observers say that political deadlock over the future of the Kyoto Protocol will prevent

the conclusion of a meaningful agreement, a scenario similar to that seen at the 2009 climate talks in Copenhagen, Denmark. China and the US refuse to support binding emission targets as part of a new commitment period, while Canada, Japan, and Russia have rejected the possibility of an extension of the Kyoto agreement.

Ban discarded criticism that few achievements have been made so far. He pointed to the 2010 climate talks in Cancun, Mexico, where countries agreed on a Green Climate Fund to manage US\$100 billion a year by 2020 in support of poor nations threatened most by climate change.

Ban also said that individual country actions are underway and claims that this can inspire global efforts. China pledged to reduce carbon intensity by up to 45 percent, and India is to increase clean energy investment by more than 350 percent in this decade.

ICTSD Reporting; "U.N. Chief Urges World To Redouble Efforts On Climate Talks," REUTERS, 8 September 2011; "UN chief steps up demand for urgent climate action," BUSINESS GREEN, 8 September 2011; "UN chief calls for urgent action on climate change," BLOOMBERG BUSINESSWEEK, 8 September 2011; "Ban Ki-moon challenges climate sceptics," THE SYDNEY MORNING HERALD, 8 September 2011.

Global Fisheries Flouting Deep Seas Fishing Regulations: Report

Many countries are failing to comply with UN resolutions designed to protect marine species and ecosystems in the deep sea, according to new report released by the Deep Sea Conservation Coalition (DSCC). According to the study, the resolutions have not been fully implemented by fishing states, which is jeopardising the long-term sustainability of the fisheries.

The report argues that despite public calls for urgent action on the issue, fishing vessels from South Korea, Russia, Cook Islands, Spain, Portugal, France, Australia, New Zealand, and

Japan continue to use bottom trawl gear to sweep the ocean floor in sensitive deep-sea fishing areas. Environmentalists argue that the technique is highly damaging and unsustainable.

The Food and Agricultural Organization (FAO)'s [State of World's Fisheries and Aquaculture 2010](#) reports that the world's fishery harvest has remained relatively stagnant over the last ten years, especially in coastal and near surface fisheries. As a result, fishing fleets are moving into deeper waters to augment catches. Deep-sea harvesting is typically done using trawling nets which scrape the ocean floor, removing a swath of flora and fauna in the their paths.

"It's been five years and the deep seas' remarkable array of coral, sponge, fish, crustacean and other species, most of which are unknown to science, remain at risk," said Phil Weaver of the National Oceanographic Centre.

The authors argue that the continued practice of bottom trawling shows a complete disregard for commitments made to the UN General Assembly by fishing nations.

"The relatively small number of nations involved in deep-sea bottom fishing on the high seas made a clear commitment to the UNGA that they would prohibit their vessels from deep-sea fishing in international waters unless protection measures were in place," said Matthew Gianni, lead author of the DSCC study. "A number of reviews have shown that while some high seas areas have been closed to bottom fishing, countries still continue to allow their vessels to engage in this type of fishing in contravention to the commitments they made."

The release of the report coincided with a 15-16 September debate in deep-sea fisheries, which was held at UN Headquarters in New York.

More Information

A copy of the DSCC report can be accessed [here](#).

ICTSD Reporting.

VACANCY

RESEARCH OFFICER, GLOBAL SUBSIDIES INITIATIVE (GSI), Geneva, Switzerland. The International Institute for Sustainable Development (IISD) is undertaking, as part of its Global Subsidies Initiative (GSI), a multi-year project assessing the economic, social and environmental impacts of subsidies for energy and water. IISD wishes to engage a researcher to support the Institute's work in this area, advancing a research program designed to increase the available information on subsidies for energy (including fossil fuels, biofuels, nuclear, and renewable energies) and irrigation, understanding how they relate to climate change, and promoting reform of those subsidies that work against sustainable development. The researcher may also be required to contribute to other IISD programs, notably on renewable energy policy development. The Research Officer will report to the Director, Trade & Investment or his delegate(s). The position is based in Geneva, Switzerland. More information can be found [here](#).

EVENTS AND RESOURCES

Events

If you would like to see your event listed here or are interested in finding out more about publicising your event through ICTSD, write to biores@ictsd.ch. For a more comprehensive list of events for the trade and environment community visit the [BioRes online calendar](#).

Coming up in the next two weeks (19 September – 3 October)

19-21 September, Geneva, Switzerland. WTO PUBLIC FORUM. The 2011 Public Forum will provide an opportunity for the public at large to identify the principal trade challenges that impact the multilateral trading system and consider solutions to ensure that the WTO effectively adapts and responds to our quickly changing world. The discussion will encompass four core themes: food security; trade in natural resources;

made in the world and value-added trade; and what lies in store for the trading system. These themes will structure the discussion around the future of the multilateral trading system and how the WTO can promote coherence at the international level to better address world problems and contribute towards improved global governance. More information can be found on the event [website](#). Notable trade and environment-related sessions are listed at the end of the Events section.

19-21 September, Davos, Switzerland. WORLD RESOURCES FORUM 2011. The World Resources Forum (WRF) is a science-based platform to exchange knowledge about the economic, political and environmental implications of global resource use. The WRF 2011 is an event in a series of bi-annual conferences on global resources issues, formerly known as R-conferences (Recycling), which have been organised since 1993. The WRF aims to bring the broader issues of global resource consumption and resource productivity onto the agenda. More information can be found on the event [website](#).

20 September, New York, US. UNGA HIGH-LEVEL MEETING ON DESERTIFICATION. The UN General Assembly will be convening a one day high-level meeting on the theme, “Addressing desertification, land degradation and drought in the context of sustainable development and poverty eradication.” This meeting is meant to raise awareness on the effects of desertification, land degradation, and drought at the highest level, reaffirm the fulfilment of all commitments to the UN Convention to Combat Desertification and its ten-year strategic plan and framework, and ensure a higher priority for desertification, land degradation and drought on the international agenda, in particular at Rio +20. More information is available on the official [website](#).

21-23 September, Nadi, Fiji. PACIFIC REGIONAL FOREST TECHNICAL MEETING. This meeting, organised by the Secretariat of the Pacific Community (SPC), aims to review the Pacific celebration of the International Year of Forests, and present and discuss various emerging issues, challenges,

opportunities and possible ways forward for Pacific forestry. Further information can be found on the [SPC website](#).

26 September, Chicago, US. ENHANCING DECISION MAKING: A ROUNDTABLE WORKSHOP ON IMPROVING UNDERSTANDING OF THE ECONOMIC, ENVIRONMENTAL, AND OPERATIONAL IMPLICATIONS OF CLIMATE CHANGE. This one-day workshop is designed to foster cross-sector collaboration to develop tools and resources that will improve the understanding of the economic, environmental and operational implications of climate change. Hosted by the Association of Climate Change Officers (ACCO), US Global Change Research Program (USGCRP) and Local Governments for Sustainability USA (ICLEI), this workshop will bring participants together to identify needs and resources crucial to making the business and/or operations case for establishing sound climate change strategies. For more information and to register, visit the [ACCO website](#).

27 September, Jakarta, Indonesia. FORESTS INDONESIA: ALTERNATIVE FUTURES TO MEET DEMANDS FOR FOOD, FIBRE, FUEL AND REDD+. This event will provide a platform for leaders of government, parliament, the international and national business community, civil society and the research and development sector to discuss the challenges and opportunities faced by Indonesia in the sustainable use of its forests. It will focus on a series of forums under two themes: trade and investment implications for forests; and Reducing Emissions from Deforestation and Forest Degradation (REDD+) in transition to a low-carbon future. Further details can be found on the event [website](#).

27-28 September, Geneva, Switzerland. GOING GLOBAL: IS CHINA INC. SUSTAINABLE? This Bridges China dialogue, jointly organised by ICTSD, the Swiss Chinese Chamber of Commerce, Business Europe, and China Entrepreneurs Magazine, will discuss a series of major questions regarding China's future, particularly with regards to sustainable development and global growth. These questions include how to interpret China's 12th Five Year

Plan and Going Global Strategy; how China and Europe can work together to overcome the ongoing crisis; what are the key opportunities and challenges for China's rising Outward Investment (ODI); and what business opportunities are available for European companies and Chinese investors. The Bridges China Dialogue is an international forum committed to improving China's integration into the world economy in a sustainable manner. More details are available at the event [website](#).

28-29 September, São Paulo, Brazil. WORLD BIOFUELS MARKETS BRAZIL. Sugar and ethanol are the lifeblood of the Brazilian biofuels industry. However, as international interest and investment in advanced biofuels in the country increases, it is paramount to the success of businesses to ensure a bigger picture to stay ahead of the curve is being examined. This event will expose the key future opportunities in the Brazilian biofuels market. With a focus on technology, finance and investment and the culture of partnerships in first and second generation biofuels - this event will cater to both local and international key industry players and explore the synergy between traditional and second generation biofuels. More information is available [here](#).

29-30 September, Geneva, Switzerland. UNCTAD AD HOC EXPERT MEETING ON CLIMATE CHANGE IMPACTS AND ADAPTATION: A CHALLENGE FOR GLOBAL PORTS. This meeting will discuss the crucial roles that international shipping and ports play in global supply chains and the likely ways ports will be affected directly and indirectly by climatic changes. Rising sea levels, extreme weather events and rising temperatures, will be examined for their broader implications for international trade and development prospects in vulnerable nations, particularly LDCs and SIDS. More details on the meeting and the topics for discussion are available [here](#).

1 October, Brussels, Belgium. GURN WORKSHOP ON GREEN ECONOMY. The Global Union Research Network (GURN) is a platform for trade unionists and researchers dealing with the challenges of globalisation from a

labour perspective. In collaboration with the International Trade Union Confederation (ITUC), GURN is hosting a workshop that will bring together an international group of trade unionists and researchers to discuss the challenges that a green economy poses for organised labour. Papers will be presented on the following themes: Working Conditions in "Green Jobs"; Environmental Rights and Collective Bargaining on Environmental Issues; and Green Taxation and Fairness. Please note: this date is tentative, and could be changed; please visit the GURN [website](#) for more updates and final date confirmation.

Other upcoming events

11-12 October, Copenhagen, Denmark. FIRST GLOBAL GREEN GROWTH FORUM. The Global Green Growth Forum (3GF) is an initiative by the Danish Government, launched with the support of the Government of the Republic of Korea and developed in association with the international Global Green Growth Institute (GGGI). 3GF will hold annual high-level forums in Denmark for representatives from governments, global corporations, investors and experts in order to come up with solutions on how to reap the economic growth potential of the industrial transition to a green economy. 3GF is coordinating with the Clean Energy Ministerial (CEM) and the World Economic Forum to strengthen public-private collaboration on clean energy as an important component of green growth. Selected outcomes and recommendations from the 3GF sessions will flow into the third meeting of the CEM in London in April 2012, as well as its related initiatives. More information is available on the official [website](#).

27-28 October, Mexico City, Mexico. EL DERECHO ECONÓMICO INTERNACIONAL: DESAFÍOS DEL MEDIO AMBIENTE (INTERNATIONAL ECONOMIC LAW: ENVIRONMENTAL CHALLENGES). This joint conference of the WTO Chairs of Chile and Mexico will bring together regional experts to discuss the challenges that the multilateral trading system is facing. The conference will examine the relationship between international economic law and the environment.

The aim of the conference is to determine the most important lessons for the region regarding investment, services, subsidies, intellectual property, dispute settlement, and the creation of policies and agreements. The conference will serve to generate original Spanish-language research that will be published in the *Revista de Derecho Económico Internacional* (Journal of International Economic Law). For more information visit the Centro de Derecho Económico Internacional [website](#).

27-28 October, Bangkok, Thailand. ASIA-PACIFIC CLIMATE CHANGE ADAPTATION FORUM. This Forum is being organised by the Regional Climate Change Adaptation Knowledge Platform for Asia and the Asia Pacific Adaptation Network. Convening under the theme "Mainstreaming Adaptation in Development: Adaptation in Action," this Forum will provide an opportunity to share findings and innovations, opportunities and challenges in mainstreaming climate change adaptation into development. Panel sessions will address, inter alia: managing water for food and agriculture; disaster management and climate change adaptation; transport and communication infrastructure; gender and adaptation mainstreaming; business responsibilities and contributions; options for small island states; climate-induced migration and livelihood security; and integrating adaptation and mitigation actions. More information is available on the official [website](#).

1-3 November, Geneva, Switzerland. SEVENTH MEETING OF THE INTERGOVERNMENTAL FORUM ON MINING, MINERALS, METALS AND SUSTAINABLE DEVELOPMENT. The Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development, with the support of the UN Conference on Trade and Development (UNCTAD), aims to enhance and promote the contribution of the mining, minerals and metals sector to sustainable development, and provide governments with a framework in which to discuss the opportunities and challenges of the sector. These annual meetings of the involve the sharing of experiences and information, consideration and provision of advice and, where

appropriate, the making of recommendations for consideration by governments, intergovernmental bodies and others. More information is available on the official [website](#).

8-13 November, Honolulu, US. APEC 2011. The United States will host the 2011 meeting of the Asia Pacific Economic Cooperation (APEC) forum in November 2011, in Hawaii. The Concluding Senior Officials Meeting will take place from 8-9 November. The Finance Ministers will meet on 10 November, and a Ministerial Meeting will take place on 11 November. The APEC Economic Leaders Meeting will take place on 12-13 November. More information is available on the official event [website](#).

16-18 November, Bonn, Germany. Bonn 2011 Conference. This event, organised under the auspices of Germany's Federal Development Ministry (BMZ) and Federal Environment Ministry (BMU), aims to contribute to the run-up to the UN Conference on Sustainable Development (UNCSD, or Rio+20) scheduled for 2012. The theme of the conference is "The water, energy and food security nexus - water resources in the green economy." For more information, visit the event [website](#).

14-16 March, Vancouver, Canada. GLOBE 2012. GLOBE 2012 is hosted by the GLOBE Foundation, as part of its collaboration with the UN Environment Programme Finance Initiative (UNEP FI), to offer platforms for thinking, dialogue and action by the worldwide financial services and investment community in preparation for the UN Conference on Sustainable Development (UNCSD, or Rio+20). The annual meeting is one of North America's largest environmental technology trade shows and sustainable business conferences. The aim of the meeting and of the overall collaboration with UNEP FI is to enhance communication among bankers, insurers and investors to achieve a sustainable finance environment where responsible investment is a priority, and to provide opportunities for discussing a roadmap to a financially sustainable economy. More information is available on the official [website](#).

Select WTO Public Forum Events

(ICTSD events in bold)

Monday, 19 September

- **12:00-14:00: “A WTO Framework Agreement for Sustainable Energy,” Meeting Room E, organised by ICTSD and IDDRI**
- **16:15-18:15: “The Post TRIPS World,” Meeting Room D, organised by ICTSD and the Max Planck Institute for Intellectual Property and Competition Law (MPI)**

Tuesday, 20 September

- 11:15-13:15: “Advancing Trade and Environment in the Absence of Negotiations,” Meeting Room CR, organised by IISD
- 14:00-16:00: “Encouraging Innovation and the Deployment of Environmental Technologies,” Meeting Room CR, organised by WTO Trade and Environment Division
- 14:00-16:00: “Trade in Natural Resources — Curse or Blessing? A Parliamentary Perspective,” Meeting Room D, organised by Inter-Parliamentary Union and European Parliament
- 14:00-16:00: “Are FAO/WHO pesticide standards distorting trade and increasing food costs?,” Meeting Room E, organised by AgroCare
- 16:15-18:15: “International Carbon Flows: Sustainability, Trade and Climate Change,” Meeting Room D, organised by The Carbon Trust

Wednesday, 21 September

- 14:15-16:15: “Strategies for Promoting Green Innovation and Disseminating Environmentally Friendly Technologies — What Role for Intellectual Property?,” Meeting Room CR, organised by WTO Intellectual Property Division

- 14:15-16:15: “Preparing for Rio 2012: Trade Opportunities and Challenges in a Green Economy,” Meeting Room CR, organised by ICTSD.
- 14:15-16:15: “Africa, Emerging Economies and Trade in Natural Resources,” Meeting Room D, organised by The Energy and Resources Institute (TERI)

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 to the [editor](#).

THE TRADE EFFECTS OF PHASING OUT FOSSIL-FUEL CONSUMPTION SUBSIDIES. Published by the Organisation for Economic Co-operation and Development (OECD) (26 August 2011). A coordinated multilateral removal of fossil-fuel consumption subsidies over the 2013-2020 period would increase global trade volumes by 0.1 percent by 2020, according to this report. While seemingly negligible, this increase hides large disparities across countries (or regions) and products. Oil-exporting countries are the most affected in relative terms since they record a large decrease in exports of their energy-intensive industries. This decrease is partly compensated by an increase in exports of OECD countries and their higher imports of energy products that result from lower world energy prices. A multilateral removal of fossil-fuel consumption subsidies would also result in a 10 percent reduction in global greenhouse-gas emissions by 2050, compared to a scenario where subsidies are not removed. For more information, or to download the paper, please visit the [website](#).

THE GREAT RECESSION AND IMPORT PROTECTION : The Role of Temporary Trade Barriers. Published by the Centre for Economic Policy Research (July 2011). The authors of this book argue that while the 2008–9 recession did not lead to a set of catastrophic protectionist policies on anywhere near the scale of the 1930s Great Depression, the facts simply do not support

the idea that countries did not adjust their trade policies during this period. Many countries were quite active with their trade policy during the crisis, they say, pointing out that policies like anti-dumping, safeguards and countervailing duties (CVDs) – referred to collectively as temporary trade barriers (TTBs) – played an important and perhaps even critical role. An understanding of the details of this activity is required in order to generate insight into how the trading system withstood the threat of collapse. This volume offers a collection of research that begins to fill a major information gap by providing empirical details of many of the important changes that took place under these trade policies during 2008–9. The book is available for download or purchase [online](#).

FORESTS AND PEOPLE: PROPERTY, GOVERNANCE, AND HUMAN RIGHTS. Published by Earthscan (August 2011). A human rights-based agenda has received significant attention in writings on general development policy, but less so in forestry. *Forests and People* presents a comprehensive analysis of the rights-based agenda in forestry, connecting it with existing work on tenure reform, governance rights, and cultural rights. As the editors note in their introduction, the attention to rights in forestry differs from 'rights-based approaches' in other natural resource fields in three critical ways. First, redistribution is a central demand of activists in forestry but not in other fields. Second, the rights agenda in forestry emerges from numerous grassroots initiatives, not international organisations. Third, forest rights activists attend to individual as well as peoples' collective rights whereas approaches in other fields tend to emphasise one or the other. *Forests and People* is a timely response to the challenges that remain for advocates as new trends and initiatives, such as market-based governance, REDD, and a rush to biofuels, can sometimes seem at odds with the gains from what has been a two decade expansion of forest peoples' rights. It explores the implications of these forces, and generates new insights on forest governance for scholars and provides strategic guidance for activists. The book is available for purchase [online](#).

FARM POLICY IN THE US AND THE EU: THE STATUS OF REFORM AND THE CHOICES AHEAD. Published by the International Food & Agricultural Trade Policy Council (September 2011). As the EU prepares for further reforms to its Common Agricultural Policy (CAP) for the post-2013 period and the US Congress seeks to pass a new Farm Bill for 2012, both are likely to face heightened scrutiny as to whether these reforms will meet budgetary standards and whether they will be consistent with environmental objectives. This paper examines various approaches for helping agriculture and biofuels to meet the stated and implicit objectives of US and EU farm policy, while remaining cognizant of the likely impacts on the US and EU's international objectives. It ends with recommendations for policy improvements, focusing on how direct payments and risk management tools in the farm sector can be used in conjunction with measures to improve competitiveness. The publication is available [here](#).