

International environmental governance

Plenty of laws, little protection

IPS, Washington

THE international system governing environmental agreements and institutions must be reformed so that countries can better respond to the planet's problems, says an international group of scholars.

The number of international environmental treaties and institutions has multiplied ten-fold since the United Nations Environment Programme (UNEP) was founded in 1973, says a news report prepared by the Tokyo-based United Nations University.

"This has prompted some to argue that the current system of international environmental governance is not only too complicated, it is steadily getting worse," says the 40-page report, "International Environmental Governance - The Question of Reform: Key Issues and Proposals."

The document was released on March 28 during the United Nations Commission on Sustainable Development, which this week in New York opened the third preparatory meeting for the World Summit on Sustainable Development (WSSD) to be held from August 26 to September 4 in Johannesburg, South Africa.

The report notes that there are now more than 500 environmental treaties and agreements. But critics argue that few of these agreements contain specific targets and timetables, and most are weak on provisions for monitoring and enforcement.

"The manner in which these environmental institutions have been established has, to a large extent, been ad hoc, diffused, and somewhat chaotic, says the report, written by more than 20 experts.

The UNEP was opened in Nairobi, Kenya with the sole purpose of helping to centralise environmental treaties and governance. Since then, however, various treaties, organisations, and institutions have sprung up worldwide in a way that lacks coherence, says the report.

"Now that there are so many other institutions that has assumed environmental responsibilities within the international arena, some argue that it may be time to revisit the debate over the creation of a new centralised organisational structure," it says.

The "lack of coherency" in international environmental governance can be traced in part to the complexities of the issue involved and the inherently demanding nature of the international treaty making process, adds the document.

"Many multilateral environmental agreements are negotiated by specialised national ministries, or functional organisations, in forums that are often completely detached from the negotiating arena of other international agreements," it says.

Most countries seem to prefer a case-by-case approach to international environmental policymaking, through issue-specific treaties such as the

Kyoto Protocol on global warming, or the global agreement on Persistent Organic Pollutants.

But this does not mean, says the report, that lack of coherency is a permanent feature of the international governance system.

"It simply means that reform must be well thought out within each specific context while keeping the broader sustainable development goals in mind," it says.

Just how to reform the current system, however, remains the million-dollar question.

A number of reform proposals will be on the table at the summit in South Africa. Some advocacy groups want to create a World Environment Organisation. They say it would reduce overlap, ensure greater coherency, and provide checks and balances to the WTO.

Such an institution would possibly include a dispute settlement process, like the WTO's, to help enforce environmental laws. Giving teeth to an international environmental institution would have several benefits, argues the UN University reports.

"One of the core benefits to be offered by a judicial settlement system is that it could bring a much greater level of predictability to international environmental governance by ending serious violations of international environmental law regardless of the perpetrator," it argues.

Without a judicial branch of international environmental law, there is a danger that a "two-class society" of international norms will develop based on those that can be judicially enforced, such as WTO rules, and those that cannot, the report continues.

"Judicial enforcement of international environmental law would help ensure that environmental norms do not become second tier norms," it says. But some advocacy organisations argue that environmental treaties should dominate trade rules. Friends of the Earth International, for example, is calling for the establishment of a principle that ensures multilateral environmental agreements always take precedence over trade rules.

"Trade must be made subservient to sustainable development goals not vice versa, and global corporations should receive responsibilities to balance the extensive rights they currently hold," says the group's Daniel Mittler.

The report, however, says that most nations would probably not agree with creating an organisation that could challenge either global trade rules or domestic environmental conduct.

Such a system does not exist today, says the report, because "states are reluctant to grant jurisdiction to courts and tribunals that would allow states and or non-state actors to challenge their environmental policies or conduct."

Migratory birds dodge bullets to flock to Kashmir

AFP, Srinagar

BOMB blasts and fierce gun-battles are not preventing thousands of migratory birds from as far away as Siberia visiting insurgency-wracked Indian-administered Kashmir.

Wildlife officials say that nearly 400,000 migratory birds visited the Hokersar wetland in Kashmir this year - the highest number since the launch of a separatist Muslim militancy in 1989.

Mohammed Shafi, wildlife warden at Hokersar, which is 14 kilometres (nine miles) north of Kashmir's summer capital Srinagar, said he was delighted that the number of visiting birds had increased dramatically over the past 10 years despite violence which has left more than 35,000 people dead.

In 1992, some 25,270 migratory birds visited Hokersar, in 1998 the figure was 94,694 and it rose to nearly 400,000 in 2002, wildlife officials said.

"They come from places like Siberia, China, Central Asia, North Europe and South Asia," Shafi said.

The absence of human settlement on the lake at Hokersar, unlike most of Kashmir's other lakes, makes it extremely attractive to the

birds.

Nature lovers have been thronging there over the past few months to spot the flying visitors.

"Surrounded by snow capped peaks, Hokersar presents a breathtaking setting for the migratory birds," said bird watcher Khalid Bashir.

"These birds have rendered more beauty to the already beautiful Kashmir," he said.

As migratory bird numbers are increasing, the authorities are planning to set up watchtowers at Hokersar for visitors.

But the famous wetland is facing danger from a flood channel, which has been diverted into the habitat and is depositing silt into the wetland.

As a result the body of water has shrunk from 13.75 square kilometres (5.5 square miles) in 1970 to six square kilometres in 2002.

"If immediate steps are not taken it will soon turn into a marshy land," Shafi said.

But for the moment the birds keep coming.

Winter birds, which start arriving in August and stay on until April, include Graylag Geese, Mallards, Pintails, Ruddy Shell Ducks, Shovellers, Coots, Common Teals



and Gargeny Teals.

"The migration from Kashmir starts in mid-February and lasts till end of April, when the last migrant Gargeny Teal leaves," said Ghulam Sofi, an officer in Kashmir's Wildlife Department.

"The birds while in Kashmir take daily flights to post-harvest paddy field and neighbouring lakes for search of food," said Sofi, whose department also ensures there is sufficient feed for the birds.

Sofi said he had recently observed the Graylag Geese outsmarting poachers who go on the prowl waiting for the birds to leave

the wetland.

"For the first time this year the birds took the return flight during moonlight and not during the daytime," he said. "Some of the unsuspecting birds used to fall prey to poachers waiting for them on their flight route."

A growing awareness of the environment as well as stiff anti-poaching laws has meant fewer birds are killed by humans, but vultures are also a threat to the birds.

"A vulture can eat three to four birds per day and even catches them in mid-flight," Sofi said.

Death sentence to dugongs

OKINAWA'S dugongs - the gentle marine mammals believed to be the reality behind the mermaid myth - are rarely seen by fishermen these days and fears are mounting they risk extinction from the planned construction of a new US military heliport here.

"The dugongs in Okinawa are already threatened by coastal construction, fishing nets and US military activities," Takenobu Tsuchida, the secretary-general of the non-governmental organisation Dugong Network Okinawa, told AFP.

"I am very worried building the US heliport could wipe out the entire population of dugongs," Tsuchida said.

There is no accurate count of the dugong population in Okinawa, but Tsuchida estimates less than 50 dugongs now live in the opalescent waters off the sub-tropical Japanese island, the northern-most dugong habitat in the world.

The most recent sighting was of two adults and a baby on February 4 and before that in November, he said.

Of particular concern to Tsuchida's group is that Henoko, the proposed site of the US military heliport, is along the coastline where the dugongs are most frequently sighted in Okinawa.

"The heliport will destroy the sea-grass beds, which are a vital food resource for the dugongs," Tsuchida said, showing pictures of dugong feeding trails of uprooted sea-grass off Henoko, 50 kilometres (31 miles) north of Naha, Okinawa's capital.

The US plan to build a new heliport amounts to a virtual relocation of the sprawling Futenma US Marine air station near Naha.

It is aimed at easing simmering local sentiment against US military bases on the island after the 1995

Proposed US military heliport in Okinawa puts the gentle marine mammals at risk of extinction, writes Shino Yuasa of AFP from Naha, Japan



rape of a 12-year-old Okinawan schoolgirl by three US servicemen. Okinawa alone houses 25,000 out of the total 52,000 US troops in Japan.

The new heliport in Henoko could accommodate 2,500 troops and 60 helicopters but timing of construction has yet to be decided.

Meanwhile, the Japanese government has taken steps to save the Okinawan dugongs as the environment agency launched its first comprehensive dugong research project in February.

The programme includes sending divers to investigate dugong habitats and feeding grounds.

"We are aware that the dugongs in Okinawa are facing extinction. That is why we are doing our research," said Toshio Torii, assistant director of the agency's wildlife

animals division.

"The dugongs in Okinawa are very isolated, they hardly interact with dugongs in the Philippines," the nearest colony to the Japanese dugongs, Torii said, adding the agency's research would continue until June.

The dugongs' life span is 50 years on average and they have a low rate of reproduction as it takes them five to seven years to give birth to their next offspring after the first calf, he said.

They are listed as in danger of extinction on a global scale by the Swiss-based World Conservation Union.

Japan bans the hunting and killing of dugongs, but has yet to recognise them as an endangered species.

Torii, however, said the agency

planned to designate Okinawan dugongs as an endangered species by the end of this year.

"If approved, we could run special programs to increase dugong breeding," he said.

But activist Tsuchida said the dugongs would disappear from Okinawa unless the government established a sanctuary.

"To protect them, the government should create a sanctuary free from US military bases and harmful fishing nets that trap them so they drown," he said.

"The government is acting too slowly. All the Okinawan dugongs may be gone by the time the government decides to do something about it," he said.

Fending off the silent killer

Arsenic is a multidimensional problem. Scientists, researchers, planners, medical professionals, engineers, executives and media people need to work together to guide the nation. Their collective efforts can contribute to the development of a framework that will ensure provision of safe water for all, writes Shafiqul Islam

DETECTION of arsenic in groundwater has aroused widespread concern among the people in Bangladesh. It occurs in different forms, organic and inorganic, with different toxicity. Humans are exposed to arsenic mainly through ingestion and inhalation. The World Health Organisation (WHO) has set a provisional guideline value of 10ppb for total arsenic in drinking water. The Government of Bangladesh (GOB) has set a provisional water quality standard of 50ppb for drinking water.

In 1978, the first tube-well waters with greater than 50ppb were found in West Bengal. In 1983, the first arsenicosis patient was diagnosed in West Bengal. In 1987 the first arsenic patient from Bangladesh was identified. In 1993 the DPHE confirmed arsenic in tube-well in Chapai Nawabganj in the Rajshahi division. The arsenic issue was internationally recognised in 1995, when the first international conference on the subject was organised.

Two hundred and sixty-five out of 463 upazilas in 59 out of 64 districts are affected by arsenic. There are six to 10 million tube-wells in the country. At the current pace, by the end of 2002, half of these will have been tested. It is estimated that between 26-60 million people are at risk of contacting arsenicosis.

About 14,000 patients have been reported and this is just the tip of an iceberg. Possibly two million people are now in pre-arsenicosis stage. Countrywide situation is not yet fully clear five years after the government has recognised this as a public health problem.

In order to address this issue the government sought World Bank loan and got US\$40 million for national response. The Bangladesh

Arsenic Mitigation Water Supply Project (BAMWSP) has been established to carry out emergency screening programme. It was given the responsibility to co-ordinate with other agencies willing to carry out arsenic mitigation work. On the basis of this it has allocated 268 hot-spot upazila to the following organisations to complete the screening programme by June 2002: BAMWSP (188), Unicef (45), WATTSAN Partnership (13), DANIDA(08) and World Vision (14).

The five-thana Community-based Arsenic Mitigation Action Research project implemented during 1999-2000 developed a four-part integrated strategy: communication for awareness, blanket testing of tube-wells, patients identification, and safe water options.

Although the above is a DPHE Project that was implemented with large NGOs such as BRAC, GB, DCH, ROTARY/ISDCM thus able to implement with speed. It became necessary to have interface with DPHE, NGOs and the local government so that the initiatives become sustainable.

Communication for awareness: A strategy for communication campaign was developed involving the eight concerned government departments under the DPHE leadership. Those materials were pre-tested before production for large-scale use. This package was formally launched by the then minister of health and family planning along with the UNICEF EXD in December 1999. The objectives were to inform without creating panic-factual, inter-personal approach; establish trust-use credible and familiar figures in mass media materials; promote active role for women in decision making; and promote role for adolescents.

Blanket testing of wells: In order to carry out the blanket tube-well testing, testers were selected within the community and they were trained to test tube wells using field kits. They conducted blanket testing of all tube-wells to identify safe as well as contaminated sources. On the basis of the test results mark red, if arsenic is detected; green if tube well water is safe for drinking.

Patient identification: As arsenic is a new phenomenon, medical professionals are not fully aware of the treatment procedures for arsenicosis. As such a training programme for medical professionals and workers of the DGHS has been taken up and a treatment protocol has been developed by a qualified agency. Patients are being diagnosed by trained physicians in house to house survey or by health camps. Provisions for palliative ointment were made. Referral for advanced cases is encouraged.

Safe water options: Traditionally, surface water, ponds are used. Ponds are still abundant, but many given over to fish culture and thus unsuitable for drinking purpose. Bangladesh enjoys a good rainfall, average 1,500 to 3,000 mm per year. Besides arsenic, other issues with groundwater exist, such as manganese, boron, uranium.

During the first five upazila Community-based Arsenic Mitigation Action Research during 1999-2000 Rotary in Bangladesh came forward and joined hands with the Unicef to provide safe water options to the suffering people of Manikganj upazila. The basis of that work, out of the four-part integrated strategies, the Unicef would do the screening, awareness building and arsenic patient identifications and Rotary would provide financial supports for providing safe water

options keeping in view of the GoB Water Supply and Sanitation Policy 1998. Under that scheme Rotary spent about US\$50,000 on alternative safe water options. With that fund 28 deep tube-wells, four-continuous arsenic removal filters (SIDKO), one iron-cum-arsenic removal filters, 50 DPHE-DANIDA Bucket Filter, nine family size surface water treatment units, four RWH and other home-based filters were provided which showed the actors in arsenic mitigation a way to address this gigantic problem. In the implementation process three Rotary Clubs in Dhaka and the Rotary Club of Manikganj were involved in the selection of arsenic testers, safe water option sites, quality control of the options, and cross checking of tube well screening. In addition to that the Manikganj club was involved in the motivation and training activities at local level along with ISDCM a NGO that implemented the project. Lessons learnt in Manikganj may be used as reference to other Rotary initiatives for mitigation of arsenic problem.

Strategies have to be developed for encouraging the private sector involvement. For practical challenges, attempts have to be made to develop long term community led approaches to safe water provision, develop emergency approaches for heavily affected communities, collect reliable information to base advice on ground water chemistry, option performance. Last but not least is to stay abreast of and develop the mitigation programme based on new information on water, food chain, etc.

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