



Overview report

Multilateral Environmental Agreements and their relevance to the Arctic

September 2006



Background report for the seminar on
***Multilateral Environmental Agreements
and their relevance to the Arctic***

21-22 September 2006 in Arendal, Norway

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Introduction

Rapid environmental changes are taking place in the Arctic, threatening the livelihoods of northern peoples and endangering arctic flora and fauna. These changes, and those predicted for the future, will have global effects. Sea level rise from melting ice, altered global ocean circulation from changes in the polar seas, and changes to arctic breeding grounds of migratory birds, fish and marine mammals are global issues that require global solutions.

Multilateral environmental agreements (MEAs) are internationally agreed upon measures to protect the environment and/or to promote sustainable development, and require the engagement of stakeholders at all levels to make them truly effective. While there are several global and regional MEAs relevant to the Arctic, none is exclusively arctic in scope. While most of the arctic countries have signed most of the global and regional MEAs relevant to the Arctic (see table 1), there has been limited co-operation between the Arctic Council working groups and the international organizations implementing these MEAs.

This report has been prepared as background and supplemental material for a seminar examining opportunities for improving the effectiveness of MEAs for addressing issues of arctic sustainable development and conservation. The seminar is co-organized by UNEP/GRID-Arendal and the Standing Committee for Parliamentarians of the Arctic Region (SCPAR), and co-sponsored by the Nordic Council of Ministers and will be held in Arendal, Norway, on 21-22 September 2006.

The seminar builds on the 7th Conference of the Parliamentarians of the Arctic Region in Kiruna, northern Sweden, held at the beginning of August this year. One of the main topics of the conference was “Innovation in the Arctic Governance: the possibilities and limitations of a binding legal regime for the Arctic.”

The Conference Statement from Kiruna included requests to governments in the arctic region and institutions of the European Union: “In light of the impact of climate change, and the increasing economic and human activity, [to] initiate, as a matter of urgency, an audit of existing legal regimes that impact the Arctic and to continue the discussion about strengthening or adding to them where necessary,” and to “Propose to the United Nations that the scope of the Annual Treaty Event in 2007, or at the earliest possible time, should be UN Treaties relevant to the Arctic.”

The objective of the Arendal seminar is to identify gaps, challenges, and steps that can be taken to make the global MEAs more relevant to the Arctic and more useful in ensuring good governance and sustainable development. The outcome of this seminar will be a set of recommendations. On Day 2 we will develop draft recommendations and decide on a process for review and endorsement. The aim is to submit these recommendations for consideration by Arctic Council, the Standing Committee for Parliamentarians of the Arctic Region, the Nordic Council of Ministers, the United Nations Environment Programme, and the MEA secretariats, and to distribute them widely to arctic stakeholders.

Table: Number of Arctic parties to global multilateral environmental agreements

	Biodiversity					Chemicals		Marine	Atmosphere		
	CBD	CITES	CMS	Heritage	Ramsar	Basel	POPs	UNCLOS	Ozone	UNFCCC	Kyoto
Canada	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Denmark	Yes	Yes	Yes	Yes	Yes	Yes*	Yes*	Yes	Yes	Yes	Yes
Finland	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Iceland	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Norway	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Russia	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Sweden	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
USA	No	Yes	No	Yes	Yes	No	No	No	Yes	Yes	No
Total Arctic countries	7	8	4	8	8	7	6	7	8	8	7
Total parties globally	188	169	98	182	152	168	130	150	190	189	148

NB! The above table represents best available information as of September 2006.

* With a territorial exclusion in respect of the Faroe Islands and Greenland

Convention on Biological Diversity (CBD)

Prepared by the Secretariat of the Convention on Biological Diversity

Area of work

The Convention establishes three main goals: 1) the conservation of biological diversity; 2) the sustainable use of its components; and, 3) the fair and equitable sharing of the benefits arising from the use of genetic resources.

The Convention translates its objectives into a series of binding commitments and key provisions on measures and incentives for the conservation and sustainable use of biodiversity, research and training; public awareness and education; assessing the impacts of projects upon biological diversity; regulating access to genetic resources and sharing of benefits from their utilization; access and transfer to technology; and the provision of financial resources. The Convention has developed a series of programmes of work covering all major ecosystems. The target to achieve by 2010 a significant reduction of the current rate of biodiversity loss at the global, regional and national levels as a contribution to poverty alleviation and to the benefit of all life on earth, adopted as the mission statement of the Convention's Strategic Plan 2002-2010, is the guiding principle for action.

All arctic countries except the USA are Parties to the Convention.

Issues affecting the Arctic

There is no specific programme of work on arctic issues. However, pursuant to article 4 of the Convention, all the relevant provisions of the Convention apply to all areas within the limits of national jurisdiction, including the Arctic. In addition, all cross-cutting issues, in particular the ecosystem approach, the work on interlinkages between climate change and biodiversity, the programme of work on protected areas, and the guidelines for biodiversity-inclusive impact assessment, are applicable to arctic ecosystems.

It should also be noted that Article 8(j) of the Convention and related provisions of the Convention are of direct relevance and concern to indigenous and local communities in the Arctic. Under Article 8 (j) of the Convention Parties are committed to respect, preserve maintain and promote traditional knowledge, innovations and practices, as well as the participation and involvement of indigenous and local communities.

Indigenous and local communities' concerns are treated as a cross-cutting issue within all the thematic programmes on agricultural biodiversity, forests, marine and coastal ecosystems, inland waters, mountain eco-

system and dry and sub-humid lands established under the Convention.

Indigenous and local communities of the Arctic also have an interest in other work programmes under the CBD such as the sustainable use of biological diversity and marine and coastal biodiversity.

Relevant activities

Within the programme of work on traditional knowledge a series of activities were carried out and considered by the fourth meeting of the Ad-Hoc Open-Ended Working Group on Article 8(j) and related provisions, including:

1. A revision of the first phase of a composite report on the status and trends regarding the knowledge, innovations and practices of indigenous and local communities relevant to the conservation and sustainable use of biodiversity. This included the development of a regional report on the Arctic and a decision by the eighth meeting of the Conference of the Parties (refer decision VIII/5.B, paragraph 6) for further research into indigenous and local communities highly vulnerable to climate change, including those in the Arctic.
2. The further promotion of guidelines for the conduct of cultural, environmental and social impact assessment regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities
3. Mechanisms to promote the effective participation of indigenous and local communities in matters related to the objectives of Article 8(j) and related provisions.
4. An assessment of the effectiveness of existing sub-national, national and international instruments, particularly intellectual property rights instruments, that may have implications for the protection of the knowledge, innovation and practices of indigenous and local communities, with a view to developing elements for a sui generis system for the protection of traditional knowledge.

Other activities include testing and application of the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (Decision VII/12, annex 2), and implementation of the programme of work on protected areas (Decision VII/28).

Need for future work

Much of the work under the Convention is focused on the promotion and achievement of the 2010 Biodiversity Target and on assessing progress towards this target within seven focal areas:

- a. Reducing the rate of loss of the components of biodiversity, including: (i) biomes, habitats and ecosystems; (ii) species and populations; and (iii) genetic diversity;
- b. Promoting sustainable use of biodiversity;
- c. Addressing the major threats to biodiversity, including those arising from invasive alien species, climate change, pollution, and habitat change;
- d. Maintaining ecosystem integrity, and the provision of goods and services provided by biodiversity in ecosystems, in support of human well-being;
- e. Protecting traditional knowledge, innovations and practices;
- f. Ensuring the fair and equitable sharing of benefits arising out of the use of genetic resources; and
- g. Mobilizing financial and technical resources, especially for developing countries, in particular Least Developed Countries and Small Island Developing States, and also for countries with economies in transition, for implementing the Convention and the Strategic Plan.

Within the programme of work on traditional knowledge, the Ad-Hoc Open-Ended Working Group on Article 8(j)

and related provisions will have to complete phase 1 and initiate phase two of the programme of work. Relevant tasks include the development of:

1. Guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure an equitable share of benefit sharing from the use and application of their knowledge;
2. Guidelines for the development of legislation or other mechanisms to implement Article 8(j) and related provisions;
3. Guidelines for the respect, preservation and maintenance of traditional knowledge, innovations and practices and their wider application;
4. A set of guiding principles and standards to strengthen the use of traditional knowledge and other forms of knowledge for the conservation and sustainable use of biological diversity;
5. Guidelines and proposals for the establishment of national incentive schemes for indigenous and local communities to preserve and maintain their traditional knowledge, innovations and practices;
6. Guidelines that would facilitate repatriation of information, including cultural property, in order to facilitate the recovery of traditional knowledge of biological diversity;
7. Standards and guidelines for the reporting and prevention of unlawful appropriation of traditional knowledge and related genetic resources.m

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Secretariat of the CBD, Montreal	www.biodiv.org	Ahmed Djoghlaif Ahmed.Djoghlaif@biodiv.org	7	188	COP9, Germany 2008

Ramsar Convention on Wetlands

Prepared by the Ramsar Convention Secretariat

Area of work

The Ramsar Convention's mission is: "the conservation and wise use of all wetlands through local, regional and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world" (Ramsar COP8, 2002).

Wetlands under the Convention are inland wetlands (including tundra), coastal and near shore marine wetlands (to a depth of 6 metres) and human-made wetlands.

Ramsar acts for wetlands as a lead implementation partner of the CBD, which is operated through a Joint Work Plan.

All arctic countries are parties to the convention. Much of the arctic region could be considered a wetland under the terms of the Convention.

Issues affecting the Arctic

The Convention text (1971) recognises the interdependence of people and their environment, and that wetlands constitute a resource of great economic, cultural, scientific, and recreational value, the loss of which would be irreparable.

The Convention is implemented through three "pillars":

- conservation and wise use of all wetlands;
- designation and management of Wetlands of International Importance (Ramsar sites); and
- international cooperation.

The Convention has developed an increasingly comprehensive suite of scientific, technical and policy guidance designed to support implementation, published as the thematic Ramsar "toolkit" of Wise Use Guidelines, much of which is applicable to the Arctic. The Convention is currently focusing not just on maintaining the ecological character of wetlands themselves and the ecosystem services they provide, but also on addressing the drivers of change to wetlands and to the services they provide. Such services include mitigating and adapting to climate change; provision, protection and purification of water supplies; support for food provision through agriculture and fisheries; and tourism.

Relevant activities

Included in its "toolkit" are Guidelines adopted by the Convention for establishing and strengthening local

communities' and Indigenous Peoples participation in the management of wetlands (Ramsar Wise Use Handbook 5). Ramsar is undertaking further work on this issue in cooperation with CBD and UNCCD.

The ninth Conference of the Parties (Uganda, November 2005), considered a number of new issues, including mitigation against natural phenomena and the linkage between wetlands and livelihoods. It also agreed on the further development of indicators of ecological effectiveness to measure the effectiveness of the Convention.

Worldwide, as of 10 August 2006, there are 1611 wetland sites, totalling 145.2 million hectares, designated for inclusion in the Ramsar List of Wetlands of International Importance, making this the largest global network of sites recognised for their importance for biodiversity at ecosystem, species and genetic scales. The Convention has always paid particular attention to the role of wetlands in supporting feeding and breeding of migratory waterbirds and many of the Ramsar sites are designated as part of flyway-scale networks for waterbirds, including many species dependent on arctic systems for breeding. Designation of such site networks thus also provides a contribution by Ramsar Contracting Parties to their implementation of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), with which Ramsar has joint work plans.

Need for future work

Improved coordinated international action for wise use of wetlands, including trans-boundary systems, is critical. To avoid duplication of efforts, increased awareness of existing activities in other MEAs is critical.

Designation of more Ramsar sites in the Arctic is encouraged to achieve the comprehensive and coherent international network called for in Ramsar's 1999 Strategic Framework and in its guidelines for the future development of the List of Wetlands of International Importance.

An urgent issue is for attention to the implications of climate change in the Arctic in relation to the role of arctic wetlands in carbon sequestration and emissions and in relation to the impacts of change on wetland-dependent species.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Ramsar Convention Secretariat, Gland Switzerland	www.ramsar.org	Peter Bridgewater: pbwater@ramsar.org Nick Davidson davidson@ramsar.org	8	152	Changwon city, Korea 2008

UNESCO World Heritage Convention (WHC)

Prepared by the World Heritage Centre

The World Heritage Convention, adopted by UNESCO's General Conference (1972), has been ratified by 182 countries, including all arctic countries. This convention provides one of the most widely accepted universal international legal instruments for the protection of the cultural and natural heritage.

There are 830 World Heritage Properties in 138 States Parties. Until 2004 there were only two properties north of the Arctic Circle: Alta (Norway) and the Laponian Area (Sweden), but a number close to the Arctic (e.g. Nahanni, Canada).

In 2004 two natural properties were established: the Natural System of Wrangel Island Reserve, Russian Federation, and Ilulissat Icefjord (Denmark/Greenland).

More properties were nominated close to the Arctic such as the cultural landscape of Vegaøyan, the Vega Archipelago (Norway).

Enhanced cooperation in the Arctic is envisaged in view of International Polar Year 2007-08. All countries in the Arctic are States Parties to the World Heritage Convention. Collaboration with other biodiversity-related conventions is already taking place, and the World Heritage Committee made its first decision on climate change in 2006.

World Heritage also includes sacred natural sites and cultural landscapes relevant to Indigenous Peoples. For the first time an indigenous person has been elected Chairperson of the World Heritage Committee (Tumu Te Heuheu from New Zealand, 2007).

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next General Assembly of the States Parties to the World Heritage Committee
World Heritage Centre, UNESCO, Paris	whc.unesco.org	Mechtild Rössler m.rossler@unesco.org	8	182	31st session in Christchurch, 23 June to 1 July 2007

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

Prepared by the CMS Secretariat

Area of work

The Convention on the Conservation of Migratory Species of Wild Animals (also known as CMS or the Bonn Convention) aims to conserve terrestrial, marine and avian migratory species throughout their range. Parties to CMS work together to conserve migratory species and their habitats by providing strict protection for the endangered species listed in Appendix I of the Convention; by concluding multilateral agreements for the conservation and management of species listed in Appendix II, and by undertaking co-operative research activities.

Four arctic countries, Denmark (excluding Greenland), Finland, Norway, and Sweden, are Parties to the Convention.

Issues affecting the Arctic

CMS has no specific focus on the Arctic (or any other region). However, the ranges of many species covered by CMS include arctic areas and these species depend on arctic habitats/ ecosystems for at least parts of their life cycle. Many of the animals of the Arctic are migratory. While some species, for example polar bears and seals, are mostly resident in the Arctic, many others spend only part of their annual cycle in the Arctic. For instance a number of bird species have their breeding grounds in the Arctic and migrate southwards to winter at lower latitudes.

An upcoming CMS publication on Migratory Species and Climate Change contains results of a report commissioned by the UK Department for the Environment, Food and Rural Affairs, which notes that the number of migratory bird species varies with latitude – in the northern hemisphere, less than 10% of species living in tropical areas undertake migratory journeys, but this proportion increases with distance away from the equator. More than 80% of species living within the Arctic Circle migrate south. Climate induced changes in habitat are predicted to be greatest in the Arctic, where the importance of migratory species is highest. Migratory species in the Arctic have limited options for range shift due to limited availability of land at high latitudes and altitudes. Many migratory waders, such as the Red Knot, face large population declines and some, such as the endangered Spoon-billed Sandpiper, face extinction. Among mammals, polar bears and northern seals are

of key concern because of the loss of arctic sea ice. In terrestrial systems, changes to water regimes (such as increased water abstraction and drought frequency) and loss of vulnerable habitat (particularly arctic tundra) are likely to affect the greatest number of migratory species. Melting ice-sheets in the Arctic will reduce ocean salinities, which in turn will cause shifts in the distribution and biomass of major constituents of arctic food webs (differing between species according to their ecology), with a tendency for poleward shifts in species assemblages and the potential loss of some polar species (such as narwhal). Migratory whales, such as the grey whale, that use the Arctic for summer feeding grounds are likely to experience disruptions in the timing and distribution of their food sources (<http://www.defra.gov.uk/wildlife-countryside/resprog/findings/climatechange-migratory/index.htm>). The CMS brochure entitled Migratory Species and Climate Change – Risks and impacts of a changing environment on wild animals also features contributions of experts from around the world. It will be published in November 2006 and will be available through Earthprint.com.

In general, species listed in Appendix I of the Convention are to be protected strictly by all member states. However, to accommodate the needs of traditional subsistence, the Convention provides for the possibility of exceptions with respect to the prohibition of taking, thus allowing sustainable use and encouraging alternative livelihoods.

Two multilateral agreements concluded under the auspices of CMS include arctic regions in their area of application: the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) (see next section for details) and the Memorandum of Understanding concerning Conservation Measures for the Siberian Crane. Two other agreements cover arctic countries, namely EUROBATS, the Agreement on the Conservation of European Bats (www.eurobats.org), and the Agreement on the Conservation of Small Cetaceans in the North and Baltic Seas (ASCOBANS, www.ascobans.org), both of which count Denmark, Finland, Norway, Sweden and Russia among their range states. However, the text of ASCOBANS specifically excludes Arctic waters, with Denmark's participation in this agreement excluding the Faeroe Islands and Greenland.

Relevant activities

The Convention and its related agreements promote and support conservation and research activities on several migratory species spending part of their life cycle in the arctic region.

In connection with the conservation of migratory species, the Convention works on several cross cutting issues of relevance to the Arctic, such as by-catch, oil pollution, environmental impact assessment, barriers to migration, the effects of climate change on migratory species and their ecosystems and the transmission of animal/human diseases such as avian influenza. Much of this work is undertaken through the Convention's Scientific Council which meets approximately every 18 months and has a number of working groups.

At the 8th Meeting of the Conference of the Parties in November 2005, Resolution 8.13 on Climate Change and Migratory Species was adopted. This resolution urges the Scientific Council and the Parties to the Convention to afford climate change related issues high priority in their research and conservation activity. On the margins of the same conference a roundtable on Migratory Species and Climate Change was held, with experts from various MEAs and research institutions participating.

CMS (and AEWa) are also in negotiations with Central Asian Range States, including Russia, on a new CMS multilateral agreement to cover the Central Asian Flyway. A further agreement for the East Asian flyway is likely to take the form of a World Summit on Sustainable Development (WSSD) Partnership, as one of the key actors (Japan) is not a CMS Party. There are already non-CMS arrangements for the Arctic-American flyways. There are also many issues of common interest with the Arctic Council's Program for the Conservation of Arctic Flora and Fauna (CAFF), which will hopefully allow for closer cooperation in future.

Need for future work

Arctic Range States to join CMS and relevant agreements (in particular: AEWa for Waterbirds); use the CMS instruments in cooperation with other Range States authorities, scientists and NGOs. For example, they:

- carry out regular research and monitoring over the whole migration range to assess the conservation status, habitat use and migration routes of respective species (in collaboration with non-Arctic Range states);
- draw relevant conclusions for conservation and sustainable use in the arctic part of the migration range;
- study the inter-relationship of migratory species with other components of biodiversity in the respective habitats/ ecosystems.

Climate Change will increasingly put pressure on human and natural systems in the future. Arctic regions are among the most vulnerable, but changes in these areas will have profound effects on ecosystems in other parts of the globe as well, be it through sea-level rise, population or behavioural changes of migrating birds, or cetacean abundance and distribution, to name only some examples. Changes in the Arctic also greatly change the living conditions of local and Indigenous Peoples, whose culture has strong ties with the annual migration patterns of many species that CMS aims to conserve.

A high priority for CMS is to increase membership in the Arctic: Canada, Greenland, Iceland, Russia, and the USA are not yet Parties to the Convention. All of them are important range states for species covered by CMS. Since conservation of migratory species can only be successful if the species are protected jointly throughout their range, making use of the experience in transboundary conservation and the legal framework provided by the Convention is crucial in achieving the WSSD 2010 target to reduce biodiversity loss.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
CMS Secretariat, UNEP, Bonn	www.cms.int (164 Arctic references)	Marco Barbieri mbarbieri@cms.int	4	98	COP9, Autumn 2008

Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)

Prepared by the AEWA Secretariat

Area of work

AEWA is a regional agreement aiming at the conservation of migratory waterbirds that occur in the Western Palearctic Flyway. Concluded under the auspices of the Convention on Migratory Species in 1995, AEWA is now an independent international treaty. Its agreement area encompasses Africa, Europe, Central Asia, Middle East and a small part of northern Canada.

Sweden, Finland and Denmark are Arctic Contracting Parties to the Agreement. However, because of its inner political structure Denmark has ratified the Agreement with territorial exclusion in respect of the Faroe Islands and Greenland. Norway and Iceland are in the process of becoming Parties. The USA is not a range state.

Issues affecting the Arctic

Most of the world's known flyways originate in the Arctic, which provides the breeding habitat for numerous waterbirds (e.g. geese, swans, ducks, waders and cranes). Thus, the Arctic region is of extreme importance to AEWA.

The main aim of the Agreement is to restore and maintain populations of migratory waterbirds at a favourable conservation status. Contracting Parties to the AEWA are also aware of the economic, social, cultural and recreational benefits of certain species of migratory waterbirds. Furthermore, subsistence hunting takes place on several AEWA species by Indigenous Peoples in arctic regions, leading to the crucial need to involve local communities and their traditional local knowledge in waterbird management.

Relevant activities

Effective monitoring of migratory waterbirds is essential for the functioning of the Agreement, and it is vital that comparable data are collected between sites, regions and years. The Agreement actively promotes and supports monitoring and research activities as well as information exchange networks. From 5-9 June 2006 the Executive

Secretary participated in the Eleventh Biennial Meeting of the Conservation of Arctic Flora and Fauna Working Group (CAFF XI) in Ylläs, Finland to strengthen the cooperation with other organisations in the Arctic, in particular with the CAFF Secretariat, Circumpolar Biodiversity Monitoring Program (CBMP), Circumpolar Indigenous Youth Conservation (CPIYC) and Circumpolar Seabird Group (CBIRD).

Furthermore, the AEWA Secretariat plays an important role in direct conservation activities for habitats as well as for single waterbird species. One specific AEWA activity affecting a single species and the arctic region is the International Action Plan for the conservation of the Light-bellied Brent Goose – East Atlantic High Arctic Population (*Branta bernicla hrota*), which was adopted at the third Meeting of the Parties to AEWA in Dakar, Senegal in October 2005.

Need for future work

Priorities for the Agreement are the recruitment of the Russian Federation, Greenland and Canada as Contracting Parties.

The effects of climate change are likely to be most pronounced in the arctic region. The consequences of climate change for waterbirds will be multiple, and will greatly exacerbate current negative impacts such as influencing the suitability of the Arctic as breeding ground for many AEWA species or possible changes in migration routes. There is need for wide-scale planning, at landscape and flyway scales, to reduce or mitigate these impacts on waterbird populations and their habitats. Research that explores a range of potential future scenarios will be required to underpin this planning and will need data from long-term monitoring and surveillance.

Another area for urgent research is the identification of reasons for the decline of most of the wader populations breeding in the Arctic, which was shown by Waterbird Population Estimates III (published by Wetlands International in 2005).

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Meeting of the Parties (MOP)
AEWA Secretariat, UNEP, Bonn	www.unep-awea.org (228 Arctic references)	B. Lenten blenten@unep.de	3	57	MOP4 Antananarivo, Madagascar, 23-27 November 2008

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Prepared by the CITES Secretariat

Area of work

CITES works towards ensuring that international trade in specimens (or derivatives) of wild animals and plants does not threaten their survival. Because the trade in wild animals and plants crosses international borders, the effort to regulate it requires international cooperation. Although CITES is legally binding on the Parties – in other words they have to implement the Convention – it does not take the place of national laws. Rather it provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level. Levels of exploitation of some animal and plant species are high and the trade in them, together with other factors, such as habitat loss, is capable of heavily depleting their populations and even bringing some species close to extinction. Many wildlife species in trade are not endangered, but the existence of an agreement to ensure the sustainability of the trade is important in order to safeguard these resources for the future.

All arctic countries are Parties to the Convention.

Issues affecting the Arctic

There is no geographic focus on regions like the Arctic, but rather a focus on CITES listed species. The role of indigenous and local communities in the management and regulation of trade in CITES listed fauna and flora is recognized by the parties and reflected in a number of CITES activities and decisions. CITES resolution 8.3 recognizes that unless conservation programmes take into account the needs of the local people and provide incentives for the sustainable use of wild flora and fauna, conversion to alternative forms of land use may occur. The parties recognized that commercial trade may be beneficial to the conservation of species and ecosystems and/or to the development of local

people when carried out at levels that are not detrimental to the survival of the species in question. CITES resolution 12.30 on compliance and enforcement recommends that parties promote incentives to secure the support and cooperation of local and rural communities in managing wildlife resources and therefore combating illegal trade.

Relevant activities

A number of species relevant to the Arctic are listed in the three CITES Appendices. Trade in these species and their parts and derivatives is subject to the provisions of the Convention.

Cetaceans are listed in the Appendices with a special provision for indigenous subsistence hunting in West Greenland of minke whales. The narwhal is included in Appendix III for Canada.

Need for future work

Under the CITES Action Plan, parties to the Convention are encouraged to develop and implement appropriate economic, education and awareness programmes that lead to local involvement in wildlife management and stimulate participation in combating illegal trade within and from producing countries.

At CoP 14, next June in The Hague, the Netherlands, the parties have set themselves the task of agreeing on a Strategic Vision for 2008-2013. A working group is currently drafting this document, which will be discussed by the Standing Committee 2-10 October 2006. The draft shows increased awareness when undertaking CITES activities of the goals set in other fora, notably the 2010 biodiversity goal and the millennium development goals. Livelihoods feature more and more as a partner to help conservation issues and ensure that where trade takes place it is non detrimental.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
CITES Secretariat, UNEP, Geneva	www.cites.org	Marcel van Nijnatten Marcel.vannijnatten@cites.org	8	169	COP 14, The Hague, Netherlands, 3-15 June 2007

Stockholm Convention on Persistent Organic Pollutants (POPs)

Prepared by UNEP and UNEP/GRID-Arendal

Area of work

The Stockholm Convention is a global treaty to protect human health and the environment from persistent organic pollutants (POPs). POPs are chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of living organisms and are toxic to humans and wildlife. POPs circulate globally and can cause damage wherever they travel. In implementing the Convention, governments will take measures to eliminate or reduce the release of POPs into the environment.

The Convention bans 12 of the most toxic POPs, including DDT, PCBs and toxaphene. It contains a mechanism for adding other POPs in the future. Six arctic countries (Canada, Denmark with a territorial exclusion in respect of the Faroe Islands and Greenland, Finland, Iceland, Norway, and Sweden) are parties to the Convention.

Issues affecting the Arctic

The Stockholm Convention is strongly linked to arctic issues and the concerns of the Inuit and other Indigenous Peoples of the Arctic, since arctic ecosystems and indigenous communities are particularly at risk because of the biomagnification of persistent organic pollutants and that contamination of their traditional foods is a public health issue.

Arctic Indigenous Peoples' Organizations participated throughout the treaty negotiations and contributed substantially to the final outcome, as did the Arctic Council member states.

Arctic Monitoring and Assessment Programme (AMAP) reports on arctic pollution show that mercury pollution is an increasing concern for the arctic environment. Mercury levels in the Arctic are already high, and are not declining despite significant emissions reductions in Europe and North America. Recent research

shows that the Arctic may act as a global sink for atmospheric mercury. Human exposure to mercury is closely related to traditional food of marine origin in some parts of the Arctic.

Relevant activities

UNEP's global assessment programme focusing on POPs and other Persistent Toxic Substances (PTS) as well as UNEP's country support programme on POPs.

UNEP Chemicals has initiated a Global Network for Monitoring of Chemicals. The arctic environment plays an important role as a sentinel for new pollutants, including POPs, heavy metals or other types of toxic substances.

Need for future work

Pollutant concentrations in arctic fauna have been studied in a limited number of species. There is a need to study the effects (including over the long term) of different concentrations of POPs and consequent health effects on a range of biota. Data from the Arctic will continue to play a crucial role as the Convention moves towards its first effectiveness evaluation four years after entry into force, as required by Article 16 of the Convention. Existing monitoring stations in the Arctic should be maintained, and, resources permitting, extended. The risk due to exposure from persistent organic pollutants, mercury and possibly other heavy metals for sensitive indigenous populations and animal species at the upper end of the food chain in the Arctic should be assessed regularly. Data from the Antarctic should be used to inform the hazard and risk assessment for the Arctic. Models for long-term transport by air and water should be further refined. The effects of climate change on the ecosystem should be closely followed, including mechanisms and impacts of possible re-distribution of pollutants within the ecosystem.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
POPs Secretariat, UNEP, Geneva	www.pops.int	Secretariat for the Stockholm Convention on Persistent Organic Pollutants, ssc@pops.int	6	130	COP 3, Senegal, 30 Apr - 4 May 2007

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Prepared by the Secretariat of the Basel Convention

Area of work

The Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal is the world environmental agreement on wastes. Its main objectives are: to reduce transboundary movements of hazardous wastes and other wastes to a minimum consistent with their environmentally sound management, to treat and dispose of hazardous wastes and other wastes as close as possible to their source of generation in an environmentally sound manner, and to minimize the generation of hazardous wastes and other wastes. The Basel Convention came into force in 1992. All arctic countries except the USA are Contracting Parties to the Convention. However, Denmark has signed the Convention with a territorial exclusion in respect of the Faroe Islands and Greenland.

The central instrument for achieving the objectives of the Convention is the requirement of environmentally sound management (ESM) of wastes, which means that all practical steps need to be taken to ensure that wastes are managed, during their whole life cycle, in a manner which will protect human health and the environment against the adverse effects that may result from such wastes. Furthermore, the Convention establishes a regulatory system for transboundary movements of hazardous and other wastes, based on written prior informed consent.

Parties to the Convention have adopted two further instruments to reinforce its provisions. In 1995 an amendment to the Convention was adopted prohibiting exports of hazardous wastes from Parties listed in Annex VII (members of the EU, of the OECD and Liechtenstein) to States not listed in Annex VII. In 1999, a Protocol on Liability and Compensation was adopted, establishing a comprehensive regime on liability (including strict liability) and compensation for damage due to an incident occurring during a transboundary movement and disposal of hazardous and other wastes. The amendment and the Protocol have not yet entered into force.

Issues affecting the Arctic

The arctic ecosystem is particularly at risk when wastes containing persistent organic pollutants (POPs) or heavy metals, such as cadmium or mercury (e.g. used batteries), are mismanaged and enter into the environment. As a result, fish and other wildlife in the Arctic become contaminated by these substances, even when the source of the pollution lies outside the Arctic. This in turn poses a serious public health risk to the indigenous communities in the Arctic. Wastes containing POPs or heavy metals are considered as “hazardous wastes” un-

der the Basel Convention. The Basel Convention actively promotes the environmentally sound management, including disposal, of such wastes.

Moreover, if warming of the Arctic leads to increased marine traffic and to the opening of a northern east-west corridor linking Europe and Asia, it is foreseeable that wastes may be shipped through this route. This would present further human health and environmental risks to the fragile arctic ecosystem. The control system of the Basel Convention on transboundary movements of hazardous wastes seeks to prevent such risks. While there is no explicit prohibition under the Basel Convention of waste exports to the Arctic (as there is for waste exports to the Antarctic Region), fragile ecosystems are protected in the Convention by the underlying requirement that transboundary movement of hazardous wastes and other wastes only be permitted when their transport and ultimate disposal is conducted in an environmentally sound manner.

Relevant activities

The “Strategic Plan for the Implementation of the Basel Convention” identifies focus areas for achieving the environmentally sound management of hazardous and other wastes during the current decade, some of which are of particular relevance to the arctic region. These include the active promotion and use of cleaner technologies and production methods (including through establishing partnerships with industry), improvement of institutional and technical capabilities at the regional domestic level (including through regional centres for training and technology transfer) and the prevention and monitoring of illegal traffic (i.e. all transboundary movements of hazardous and other wastes that are not in compliance with the control system of the Basel Convention).

With regard to POPs wastes, Parties to the Basel Convention have adopted general technical guidelines in implementation of obligations both under the Basel and Stockholm Conventions, for the ESM of wastes consisting of, containing or contaminated with POPs, as well as more specific guidelines on specific categories of POPs, such as PCBs, PCTs and pesticides. With regard to wastes containing heavy metals, Parties to the Basel Convention have adopted technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds, as well as technical guidelines on the ESM of used lead-acid batteries. Widespread application of these guidelines may serve a crucial role in the prevention of contamination of the Arctic by these substances.

In case of emergency, such as a hazardous waste spill, the Secretariat of the Basel Convention cooperates with Parties and relevant international organizations (such as the UN Office for the Coordination of Humanitarian Affairs) to provide rapid assistance in the form of expertise and equipment. Moreover, the Secretariat may, upon request of a concerned Party, draw on the special contributions made for this purpose to the Technical Cooperation Trust Fund of the Convention to provide emergency assistance to developing countries or countries with economies in transition and to fund measures taken by such countries to prevent accidents and damages to the environment caused by transboundary movements. Once the Protocol on Liability and Compensation enters into force, the Fund may also provide compensation, up to certain limits, for damage to and reinstatement of the environment of a developing country or of a country with an economy in transition, resulting from an incident occurring during a transboundary movement or a disposal.

The Secretariat has also been mandated to strengthen its cooperation with the Stockholm Convention and the OSPAR Commission with a view to enhancing synergies and complementarities between chemical and waste issues, as well as with the Stockholm Convention, the Montreal Protocol, CITES and the biosafety-related conventions or protocols on enforcement matters.

Need for future work

The Strategic Plan needs to be further implemented in order to minimize the generation of hazardous wastes and to improve their environmentally sound management during their whole life cycle.

Increased adherence to the Basel Protocol on Liability and Compensation, leading to its prompt entry into force, is also of high importance to the arctic region, as it would make exporters and disposers strictly liable for damage to the environment, including for the actual costs of its reinstatement, resulting from the transboundary movement of hazardous and other wastes.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Secretariat of the Basel Convention, Geneva	www.basel.int	Secretariat of the Basel Convention, sbc@unep.ch	7	168	COP8, Nairobi, Kenya, 27 November - 1 December 2006

Convention on Long-range Transboundary Air Pollution

Prepared by the Executive Secretary of the Economic Commission for Europe

Area of work

Since 1979 the Convention on Long-range Transboundary Air Pollution (LRTAP) has addressed some of the major environmental problems of the UNECE region through scientific collaboration and policy negotiation. Besides laying down the general principles of international cooperation for air pollution abatement, the Convention sets up an institutional framework bringing together research and policy.

The Convention came into force in 1983 and currently has 50 Parties. Eight arctic countries (Canada, Denmark with a territorial exclusion in respect of the Faroe Islands and Greenland, Finland, Iceland, Norway, Sweden, Russian Federation and the United States) are Parties to the Convention.

The Convention has been extended by eight protocols that identify specific measures to be taken by Parties to cut their emissions of various air pollutants. Two protocols adopted by the Executive Body of the Convention in Aarhus, Denmark, in 1998, address persistent organic pollutants (POPs) and heavy metals. The six other protocols address acidification, eutrophication and ground-level ozone (Gothenburg, 1999), sulphur emissions (1985, 1994), volatile organic compounds (1991), nitrogen oxides (1988) as well as the long-term financing of the Cooperative Programme for Monitoring and Evaluation of Long-range Transmission of Air Pollutants in Europe (EMEP) (1984).

Issues affecting the Arctic

The Convention is strongly linked to arctic issues since arctic ecosystems and indigenous communities are particularly at risk from some pollutants. The long-range atmospheric transport of POPs to the Arctic, the subsequent accumulation in food chains and associated risks to human health, represents a special hazard that has stimulated action from the Convention through its 1998 Protocol on POPs. The Protocol entered into force in 2003 and focuses on a list of 16 substances that have been singled out according to agreed risk criteria. The Protocol has 28 Parties, and includes all arctic countries except the Russian Federation among its 36 Signatories.

Reports by the Arctic Monitoring and Assessment Programme (AMAP) on arctic pollution show that mercury concentrations are a continuing concern for the arctic environment. Human exposure to mercury is closely related to traditional food of marine origin in some parts of the Arctic. The Aarhus Protocol on Heavy Metals cur-

rently targets cadmium, lead and mercury. It has 28 Parties (as of 22 June 2006), including all arctic countries except Iceland and the Russian Federation.

The “traditional” air pollutants of sulphur and nitrogen also have impacts on the arctic environment. AMAP has carried out various assessments drawing upon the work and expertise of scientific groups that contribute to the Convention’s work. Results of such assessments are therefore harmonized with the Convention’s own findings.

Relevant activities

The Convention’s Working Group on Effects assesses the results of monitoring the effects of air pollution in the UNECE region, which includes much of the Arctic. The work contributes to the review of protocols and the development of new ones. Similarly, the Convention’s EMEP centres compile emission inventories, collect data from monitoring stations and develop models that describe the movement of air pollution in the northern hemisphere. The scientific data are made available to AMAP for work on the Arctic.

Outside the Convention, the Stockholm Convention on POPs takes a global approach to controlling and preventing emissions of POPs into the environment. The LRTAP Convention collaborates with the Stockholm Convention through its Parties and through the secretariats. The World Meteorological Organization (WMO) has a Global Atmosphere Watch programme that is the global equivalent to the EMEP monitoring network; EMEP and WMO collaborate closely. UNEP Chemicals has initiated a Global Network for Monitoring of Chemicals; for this network, the arctic environment plays an important role as a sentinel for pollutants such as POPs and heavy metals. The LRTAP Convention centres provide expert assistance to these UNEP activities. UNEP also maintains a global interest in mercury through its Global Mercury Assessment report and Global Mercury Programme. The Convention and its Parties contribute to the process.

Need for future work

Because of the long-term persistence of some pollutants, especially POPs and mercury, as well as their known toxicity, the LRTAP Convention will continue to implement its protocols to meet their objectives. Parties will review periodically the existing provisions of the protocols and decide whether further action is required. Some amendments to protocols, e.g. addition of substances to the Protocol on POPs, are already under discussion.

To support the development of policy, the scientific work of the Convention, both monitoring, research and modeling, must continue to be developed to ensure that up to date information underpins future decision making. New complicating factors such as a changing climate must also be taken into account to allow for changes in transport of pollution or its effects on the environment. However, since some pollutants and greenhouse gases are emitted from the same sources, and some of the gases are even

the same, there are possibilities for policy development that exploits such synergies to achieve co-benefits for pollution control and greenhouse gas mitigation.

The future of the Convention's work is at a critical stage. Review of the Aarhus Protocols will soon be concluded and review of the Gothenburg Protocol will finish by 2008. A workshop is planned on air pollution policy to look at the future work of the Convention and how it might address priority issues (Sweden, spring 2007).

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Executive Secretary of the Economic Commission for Europe	www.unece.org/env/lrtap	United Nations Economic Commission for Europe (UNECE), air.env@unece.org	8	50	Executive Body (twenty-fourth session), Geneva, Switzerland, 11-14 December 2006

United Nations Convention on the Law of the Sea (UNCLOS)

From UNEP Shelf Programme (UNEP/GRID-Arendal) (www.continentalshef.org/index.cfm?pageID=10)

Background

The law of the sea developed from the struggle between coastal states who sought to expand their control over marine areas adjacent to their coastlines. By the end of the 18th century, it was understood that states had sovereignty over their territorial sea. The maximum breadth of the territorial sea was generally considered to be three miles - the distance that a shore-based cannon could reach and that a coastal state could therefore control.

After the Second World War, the international community requested that the United Nations International Law Commission consider codifying the existing laws relating to the oceans. The commission began working towards this in 1949 and prepared four draft conventions which were adopted at the first UN Conference on the Law of the Sea (1958). These are commonly known as the 1958 Geneva Conventions:

- The Convention on the Territorial Sea and Contiguous Zone;
- The Convention on the High Seas;
- The Convention on Fishing and Conservation of the Living Resources of the High Seas; and
- The Convention on the Continental Shelf.

While considered to be a step forward, the conventions did not establish a maximum breadth of the territorial sea.

The Second United Nations Conference on the Law of the Sea (UNCLOS II, 1960) did not result in any international agreements.

UNCLOS III (1973-1982) addressed the issues brought up at the previous conferences. Over 160 nations participated in the nine-year convention, which finally came into force on November 14, 1994, 21 years after the first meeting of UNCLOS III and one year after ratification by the 60th state. The first 60 ratifications were almost all developing states. A major feature of the convention included the definition of maritime zones - the territorial sea, the contiguous zone, the exclusive economic zone, the continental shelf, the high sea, the international seabed area and archipelagic waters. The convention also

made provision for the passage of ships, protection of the marine environment, freedom of scientific research, and exploitation of resources.

UNCLOS Articles of particular relevance to the Arctic

“Article 123: Cooperation of States bordering enclosed or semi-enclosed seas

States bordering an enclosed or semi-enclosed sea should cooperate with each other in the exercise of their rights and in the performance of their duties under this Convention. To this end they shall endeavour, directly or through an appropriate regional organization:

- (a) to coordinate the management, conservation, exploration and exploitation of the living resources of the sea;
- (b) to coordinate the implementation of their rights and duties with respect to the protection and preservation of the marine environment;
- (c) to coordinate their scientific research policies and undertake where appropriate joint programmes of scientific research in the area;
- (d) to invite, as appropriate, other interested States or international organizations to cooperate with them in furtherance of the provisions of this article.”

“Article 234: Ice-covered areas

Coastal States have the right to adopt and enforce non-discriminatory laws and regulations for the prevention, reduction and control of marine pollution from vessels in ice-covered areas within the limits of the exclusive economic zone, where particularly severe climatic conditions and the presence of ice covering such areas for most of the year create obstructions or exceptional hazards to navigation, and pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance. Such laws and regulations shall have due regard to navigation and the protection and preservation of the marine environment based on the best available scientific evidence.”

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Division for Ocean Affairs and the Law of the Sea, United Nations, New York	www.un.org/Depts/los/	Division for Ocean Affairs and the Law of the Sea, doalos@un.org	7	150	Spring 2007

The UNEP Regional Seas Programme (UNEP/RSP)

Prepared by UNEP/GRID-Arendal with input from the Regional Seas Secretariat

Area of work

The Regional Seas Conventions and Action Plans cover issues ranging from chemical wastes and coastal development to the conservation of marine animals and ecosystems. The role of the global Regional Seas Programme is to enhance linkages, coordination and synergies within and amongst global, regional and partner programmes, organizations and actors. In return, the regional programmes support the implementation of the global Regional Seas strategic directions, and report regularly on their progress. The UNEP Regional Seas Programme covers 18 regions of the world, making it one of the most globally comprehensive initiatives for the protection of marine and coastal environments. The Arctic is one of the regions covered by the programme; the North-East Atlantic Region is another. There is no Convention for the arctic region, while the North-East Atlantic Region has the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR).

Issues affecting the Arctic

The environmental, economic and socio-cultural changes occurring in the Arctic today are primarily driven by two key factors: Climate change and increasing economic activity. Scientific findings (e.g. IPCC and ACIA) have estimated that warming of the Arctic with longer ice-free season will lengthen the navigation season followed by increased access to arctic resources. Activities such as development of hydrocarbon and mineral resources, cruise ship tourism and commercial fishing are expected to expand with improved access and the opening of

a northern east-west corridor linking Europe and Asia. Increased accessibility and marine transportation in the Arctic will require greater support and pose increased environmental risks to the arctic marine environment and its ecological processes.

Relevant activities

Both the Arctic Region and the North-East Atlantic Region are independent Regional Seas programmes that have not been established under the auspices of UNEP. The independent regional programmes participate in the global meetings of the Regional Seas, share experiences and exchange policy advice and support to the developing RSPs. Thus, they are significant members of the Regional Seas Programme family and are significant partners in the protection and restoration of the marine and coastal environment. The basic responsibility for the implementation of regional policies lies with the states and their sub-regional administrations.

However, cooperation within the Arctic Council establishes a common knowledge base, spreads information on best practices and lessons learned and has an important role in the development of policy recommendations for national, regional and local leaders. The Protection of the Arctic Marine Environment (PAME) is one of five working groups of the Arctic Council. PAME was established in 1993 with the mandate to address policy and non-emergency pollution prevention and control measures related to the protection of the arctic marine environment from both land and sea-based activities. These include coordinated action programmes and guidelines complementing existing legal arrangements.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Regional Seas Secretariat, UNEP	www.unep.org/regional-seas	Veerle Vandeweerd, veerle.ra@unep.nl			8th Global Meeting, 13-14 October 2006, Beijing, People's Republic of China

Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR)

Prepared by UNEP and UNEP/GRID-Arendal

Area of work

The OSPAR Convention entered into force in 1998. The objectives of the convention are: to safeguard human health and to conserve marine ecosystems and, when practicable, to restore marine areas which have been adversely affected; and to take all possible steps to prevent and eliminate pollution and enact the measures necessary to protect the sea area against the adverse effects of human activities. The Annexes to the Convention deal with the prevention and elimination of pollution from land-based sources, by dumping or incineration and from offshore sources, and with assessment of the quality of the marine environment.

The most recent Annex on the Protection and Conservation of Ecosystems and Biological Diversity of the Maritime Area has now entered into force. The work under the convention is managed by the OSPAR Commission. It brings together 15 countries (Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom), the European Union, and observers from 27 non-governmental organizations, representing both environmental groups and industry.

In addition to the Convention, the OSPAR Commission agreed on five long-term strategies: the protection and conservation of ecosystems and biological diversity; the cessation of discharges of hazardous substances; progressive and substantial reductions in discharges of radioactive substances; combating eutrophication; and controlling offshore activities. These strategies will be the focus of OSPAR's work over the next decade, during which time the Commission will track their implementation through a Joint Assessment and Monitoring Programme.

Need for future work

In implementing the new strategic directions of the Regional Seas Programme (RSP), one of the elements calls for promoting a common vision and integrated management, based on ecosystem approaches. Through joint activities with the National Oceanic and Atmospheric Administration (NOAA) Large Marine Ecosystem (LME) Programme, UNEP/RSP is currently supporting the Arctic in reviewing the boundary areas of the Arctic LMEs. This work is being carried out by an expert from the Russian Federation.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
OSPAR Secretariat, London	www.ospar.org	OSPAR Secretariat, secretariat@ospar.org	5 (all eligible countries has ratified OSPAR)	15 (all eligible countries has ratified OSPAR)	Belgium, 25-29 June 2007

Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA)

Prepared by UNEP and UNEP/GRID-Arendal

Area of work

The main objective of the programme is to prevent the degradation of the marine environment from land-based activities by facilitating the realization of the duty of States to preserve and protect the marine environment. The GPA recognizes that effective action and measures will have to be taken primarily at the regional and national levels through, respectively, Regional Programmes of Action (RPAs) and National Programmes of Action (NPAs).

Issues affecting the Arctic

Land-based activities affect the quality and quantify of water flowing into rivers, streams and eventually the coastal and marine environment. Up to 80% of marine pollution is land-based and it is important to recall that certain arctic populations are among the most exposed populations in the world to certain environmental contaminants. Healthy coastal environments are essential to human health, the development of economic activities, as well as to the survival of the marine environment.

Relevant activities

In 1998 the Arctic Council adopted a Regional Programme of Action for the Protection of the Arctic Marine Environment from Land-Based Activities. The RPA is a regional, non-binding action plan without convention. The RPA follows UNEP's GPA methodology. The highest priority is given to sources of pollution by persistent organic pollutants (POPs), heavy metals and radionuclides which present an immediate and concrete threat to the arctic marine environment. Another prior-

ity of the RPA is the strengthening of regional cooperation and capacity building particularly in relation to addressing regional priority pollution sources found in the Russian Federation.

The Arctic RPA has six goals:

1. protect human health
2. prevent and reduce degradation of the marine environment and coastal areas
3. remediate contaminated areas
4. support conservation and sustainable use of marine resources
5. maintain biodiversity
6. maintain cultural values

The Arctic Council working group, Protection of the Arctic Marine Environment (PAME), undertakes various activities in the Arctic as part of implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA).

Need for future work

A report on the review of the RPA is expected to be completed in time for the second Intergovernmental Review Meeting of the GPA in 2006. In addition, the National Plan of Action for the Protection of the Marine Environment from Anthropogenic Pollution in the Arctic Region of the Russian Federation (NPA-Arctic), supported by the Global Environment Fund (GEF) will also implement the GPA and has been recognized as an important component of realization of the RPA/LBA.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
GPA Secretariat, UNEP	www.gpa.unep.org	Veerle Vandeweerd, veerle.ra@unep.nl			

United Nations Convention Framework Convention on Climate Change (UNFCCC)

Prepared by the Secretariat of the UNFCCC

Area of work

The UNFCCC has the ultimate objective of stabilizing the greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level is to be achieved within a timeframe sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.

All arctic countries have ratified the UNFCCC. All except the USA have signed the Kyoto Protocol.

Issues affecting the Arctic

The Arctic is extremely vulnerable to observed and projected climate change and its impacts according to the Intergovernmental Panel on Climate Change (IPCC) (see below) and the 2004 Arctic Climate Impact Assessment (ACIA) report prepared by the Arctic Council. The Arctic is now experiencing some of the most rapid and severe climate changes on earth. Over the next 100 years, climate change is expected to accelerate contributing to major physical, ecological, social, and economic changes, many of which have already begun. Changes in arctic climate will also affect the rest of the world through increased global warming and rising sea levels.

Relevant activities

There are no specific decisions made by the parties related to the Arctic. However, the decision on the adoption of the Five-year programme of work of the Subsidiary Body for Scientific and Technological Advice (SBSTA) on impacts, vulnerability and adaptation to climate change by the Conference of Parties to the UNFCCC in Montréal in 2005 for the first time specifically noted “significant changes in the Arctic”. The mandated objective of the programme of work is to assist all Parties to improve their understanding and assessment of impacts, vulnerability and adaptation; and to make informed decisions on practical adaptation actions and measures. An important aspect of this programme is fostering international cooperation and joint work on these issues.

Arctic Indigenous Peoples are participating in the UNFCCC process as a special group.

Need for future work

Further research is needed on the impacts of, and adaptation to, climate change in polar regions, and on the global impact from deterioration of the polar ecosystems (sea level rise, global ocean currents, and migrating species).

Work is needed to further efforts by the Parties on stabilising GHG concentration in the atmosphere to mitigate climate change. Policies, projects and activities need to be developed and international cooperation needs to be enhanced to sustainably manage arctic ecosystems, as well as to enhance the adaptive capacity of Arctic Indigenous Peoples as part of adaptation strategies.

Intergovernmental Panel on Climate Change (IPCC)

The Intergovernmental Panel on Climate Change (IPCC) is a Panel of experts nominated by governments open to all members of the UN and WMO established by, and open to all members of, the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP). The role of the IPCC is to assess on a comprehensive, objective, open and transparent basis the scientific, technical and socio-economic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts and options for adaptation and mitigation.

Although the IPCC is a major source of scientific information to the international climate change process, the Panel is an independent body that provides policy-relevant, but not policy prescriptive information to the UNFCCC.

Issues affecting the Arctic

The IPCC Third Assessment Report (2001) contains comprehensive analyses of impacts of climate change on the arctic region, as well as vulnerability and adaptive capacity of its ecosystems and human systems.

Relevant activities

The IPCC reports together with the ACIA report constitute the most relevant science base for policy making on climate change in the Arctic.

Need for future work

Polar climate change (Arctic and Antarctic) topics are likely to be key issues in the 4th Assessment Report of the IPCC to be issued in 2007.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Secretariat of the UNFCCC, UN, Bonn	www.unfccc.int	Secretariat of the UNFCCC, secretariat@unfccc.int	UNFCCC: 8	UNFCCC: 189	UNFCCC: COP12, 6-17 Nov 2006 Nairobi, Kenya
			Kyoto Protocol: 7	Kyoto Protocol: 148	Kyoto Protocol: COP2, 6-17 Nov 2006 Nairobi, Kenya

Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol on substances that deplete the Ozone Layer

Prepared by the Ozone Secretariat

Area of work

The objective of the Vienna Convention is to protect human health and the environment against the adverse effects resulting from modifications of the ozone layer.

The Montreal Protocol, which operates under the framework of the convention, has the objective to phase out ozone-depleting substances taking into account technical and economic considerations. All arctic countries are parties to the Vienna Convention and the Montreal Protocol.

Issues affecting the Arctic

Under the Montreal Protocol's assessment process, the Scientific Assessment Panels look at the ozone layer depletion in the stratosphere including over Antarctic and Arctic.

Relevant activities

Parties to the Vienna Convention cooperate directly or through competent international bodies in conducting research and scientific assessment on (a) the physical and chemical processes that may affect the ozone layer;

(b) the human health and other biological effects deriving from any modifications of the ozone layer, particularly those resulting from changes in ultra violet solar radiation having biological effects (UV-B); (c) climatic effects deriving from any modifications of the ozone layer; (d) effects deriving from any modifications of the ozone layer and any consequent change in UV-B radiation on natural and synthetic materials useful to mankind; (e) substances, practices, processes and activities that may affect the ozone layer, and their cumulative effects; (f) alternative substances and technologies; and (g) related socio-economic matters. Under the Montreal Protocol, every four years and with annual information updates, the Parties assess the control measures to phase out ozone-depleting substances on the basis of available scientific, environmental technical and economic information through appropriate panels of experts. The Environmental Effects Panel looks at the effects of ozone layer depletion on various ecosystems including in the Polar Regions.

Need for future work

Continued monitoring of the ozone layer.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP) or Meeting of the Parties (MOP)
Ozone Secretariat, UNEP, Nairobi	www.unep.org/ozone	Gilbert Bankobeza Gilbert.Bankobeza@unep.org	8	Ca. 190	Vienna Convention COP 8 (2008) & Montreal Protocol MOP18 New Delhi, India 30 October-3 November 2006

Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)

Prepared by the Executive Secretary of the Economic Commission for Europe

Area of work

The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters is about government accountability, transparency and responsiveness. It grants the public the right to access environmental information, to participate in decision-making processes and, if need be, to go to court to protect the environment. The main thrust of the obligations contained in the Convention is towards public authorities from all sectors and at all levels (national, regional, local, etc.). The Convention's information pillar includes the obligation to respond to public requests for information and to maintain up to date environmental information which is accessible to the public. The Convention sets out minimum requirements for public participation in various categories of environmental decision-making, including in the making of plans, programmes and policies and on whether to license or permit certain types of activity. The third pillar of the Convention aims to provide review procedures with respect to information requests and specific project decisions subject to public participation requirements as well as challenges to breaches of environmental law in general.

The Convention was adopted in 1998 and came into force in 2001. It now has 39 Parties, including the European Community, whose institutions are bound by the Convention. Four arctic countries (Denmark with a territorial exclusion in respect of the Faroe Islands and Greenland, Finland, Norway and Sweden) are Parties to the Convention and Iceland is a Signatory.

The Parties negotiated the Protocol on Pollutant Release and Transfer Register requiring companies to provide information on their releases of certain polluting substances, such as greenhouse gases, dioxins and heavy metals, to a national register which is accessible through the Internet. Pollution registers are expected to put significant downward pressure on the amounts of pollution released to the environment.

The Protocol was adopted in 2003 and has 37 Signatories. As with the Convention, it is open to accession by any Member State of the United Nations.

Issues affecting the Arctic

The Aarhus Convention's information, public participation and access to justice provisions are highly relevant to efforts to protect arctic ecosystems and indigenous communities. Increasing activities in mining and oil drilling, forestry development, land drainage and road building, bring in their wake significant impacts on the arctic environment. Robust public participation in strategic and environmental impact assessment and other decision-making processes affecting the development of the region is needed to protect natural resources and arctic community health and security.

Relevant activities

The governing body of the Aarhus Convention is the Meeting of the Parties, which meets every 2-3 years to review progress in the ratification and implementation of the Convention and decide on future work under its auspices through adopting a work programme. Five working groups or task forces have been established by the Parties to work on specific issues, including public participation in decisions related to the deliberate release onto the market of genetically modified organisms, pollutant release and transfer registers, access to justice, electronic information tools and financial arrangements.

The secretariat to the Aarhus Convention convenes annually a capacity building coordination meeting of the Intergovernmental and regional organizations and regional environmental centres working collaboratively to implement the instrument.

The PRTR Protocol's negotiators drew heavily from the experience of PRTR systems operating in Canada and the United States as well as from European experience. The European Commission and European Environment Agency are jointly developing a European-wide PRTR in which Norway is also expected to contribute. The annual Taking Stock report, published by the Commission for Environmental Cooperation, integrates PRTR release and transfer data from Canada, Mexico and the United States. It may provide a model of a regional register that could be adapted to give a more comprehensive picture of pollutant releases and transfers across the Arctic.

Need for future work

Capacity building to promote effective public participation in environmental decision-making at the local and regional level is recommended.

Encouragement of other interested arctic states to ac-

cede to the Convention and Protocol.

Development of an arctic regional PRTR report drawing from CEC's Taking Stock report and Nordic Council countries' national pollutant release and transfer register systems and the future "European PRTR" could be considered.

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP) or Meeting of the Parties (MOP)
Executive Secretary of the Economic Commission for Europe, Geneva	www.unece.org/env/pp	United Nations Economic Commission for Europe (UNECE), public.participation@unece.org	4	39	Meeting of Parties (third session), Latvia in 2008

UNECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention)

Prepared by the Executive Secretary of the Economic Commission for Europe

Area of work

The Espoo Convention was negotiated to help countries carry out such an assessment when a project is likely to have a transboundary impact. It specifies what needs to be considered at an early stage of planning. It also lays down the general obligation of countries to notify and consult each other and the public on all major projects that are likely to have a significant adverse environmental impact across borders.

The Convention was adopted in 1991 and entered into force in 1997. It currently has 41 Parties. Eight arctic countries (Canada, Denmark, Finland, Iceland, Norway, Sweden, Russian Federation and the United States) are Signatories to the Convention. Canada, Denmark, Finland, Norway and Sweden have so far ratified the Agreement. The territorial inclusion in respect of the Faroe Islands and Greenland for Denmark should be noted.

The Convention's Protocol on Strategic Environmental Assessment (SEA Protocol) is intended to apply the principles of the environmental impact assessment (EIA) to plans, programmes, policies and legislation. The Protocol, once it comes into force, will require its Parties to evaluate the environmental consequences of their official draft plans and programmes earlier in the decision-making process than EIA. It was adopted in 2003 and has 37 Signatories, four of which have now become Parties. Among arctic countries, Finland ratified the SEA Protocol in 2005 and Sweden ratified it in 2006.

Issues affecting the Arctic

The Arctic holds the world's largest remaining untapped gas reserves and some of its largest undeveloped oil reserves. The development of oil and gas resources, large-scale hydroelectric projects, and extensive mining and smelter works are activities that may have significant transboundary impacts even when conducted far from border areas. In addition, several smaller activities, such as forestry development, land drainage and road building may cause transboundary impacts when these activities occur close to borders. Climate change and road development are opening up new areas of the region to industrial development and are becoming a combined threat to many Indigenous Peoples.

Relevant activities

The Rovaniemi Declaration on the Protection of the Arctic Environment, adopted in 1991, commits the eight arctic countries to a joint Action Plan of the Arctic Environmental Protection Strategy. The Action Plan calls for assessment of potential environmental impacts of development activities. Guidelines for Environmental Impact Assessment in the Arctic–Arctic environmental protection strategy were therefore adopted in 1997.

Need for future work

Because of the sensitivity of the arctic environment, relevant activities requiring EIA, other than those listed in the ECE Convention, need to be agreed upon for the arctic region. For those activities listed in the ECE Convention, lower threshold levels may also be needed for projects in the Arctic. All activities requiring EIA under national laws should also be screened for likely transboundary impact, according to the Guidelines for Environmental Impact Assessment.

In the Eastern Europe, Caucasus and Central Asia (EECCA) countries of the former Soviet Union, the practice of state environmental review (SER) used to verify the environmental acceptability of a proposed activity. This approach is largely unacceptable when dealing with plans and programmes that must be judged based on the totality of their environmental implications as weighed against social and economic effects. Documentation and disclosure of information, which are central to the SEA Protocol, play only a marginal role in the SER system. Schemes proposed for consideration for the EECCA countries to address these weaknesses include creating and building a "regional SEA community of practice" by means of organizing regional workshops, conferences and training on SEA, creating e-networks and issuing an e-mail newsletter on SEA in EECCA, and operating a website in Russian (and English). It is proposed that such regional networking, if supported, be closely linked to international professional networks for impact assessment such as the International Association of Impact Assessment (IAIA).

Secretariat	Information	Contact	Arctic Countries Ratified	Total Countries Ratified	Next Conference of the Parties (COP)
Executive Secretary of the Economic Commission for Europe, Geneva	www.unece.org/env/eia	United Nations Economic Commission for Europe (UNECE), eia.conv@unece.org	5	41	Fourth meeting of the Parties to the Espoo Convention, Bucharest, May 2008

Convention concerning Indigenous and Tribal Peoples in Independent Countries (ILO 169)

Prepared by the International Labour Office

Convention No. 169 is a comprehensive instrument covering a range of issues pertaining to indigenous and tribal peoples, including land rights, access to natural resources, health, education, vocational training, conditions of employment and contacts across borders. The Convention was adopted in 1989 by the General Conference of the International Labour Organisation (ILO) and entered into force in 1991.

Application to the Arctic

There are Indigenous Peoples in all the arctic countries. Two northern countries, Denmark and Norway are among the 17 nations which have so far ratified this Convention. ILO 169 is the only ratifiable international instrument that applies directly to these peoples. The Convention's ratification has also been under consideration in Finland, the Russian Confederation and Sweden.

In general terms, the Convention is fully applicable to the Indigenous Peoples of the Arctic, and might provide guidance for solutions to some of the problems facing these peoples in the region. This may be particularly important for the Russian Federation where relations with Indigenous Peoples is less systematic and less developed than in the other Arctic countries. But even in highly-developed countries the examples below will illustrate that the Convention and its supervision can provide guidance and help.

Consultation and Participation

These are the driving concepts of Convention No. 169, and are contained principally in Articles 6 and 7 of the Convention. The two countries from the region that have ratified have made provisions that are unusual compared to other ratifying countries. Denmark ratified for the applicability of the instrument to Greenland, which has home rule, and provides for uniquely high self-government component that develops the concepts in the Convention to a very high degree. The Greenland Home Rule Government participates directly in the application and supervision of the Convention. In Norway, the Government has asked that the Saami Parliament to participate directly in the supervision of the Convention as a full partner with the Government, the only such arrangement known to the ILO in the application of an international instrument.

Other countries in the Arctic also have relations of respect and collaboration with the Indigenous Peoples living in their territories, in particular Canada, Sweden, Finland and the United States, with varying degrees of internal self-government that represent very complete realizations of these two fundamental Articles of the Convention. These concepts are particularly well developed in the Articles relating to land and resource use.

Land and resource rights

Articles 13, 14 and 15 of the Convention are highly applicable to northern countries. A representation (a form of complaint) under article 24 of the ILO Constitution concerning Denmark's implementation of Convention No. 169 was examined, and concluded that the measures taken by the Greenland Home Rule Government concerning land rights at the site of former Thule air-base were consistent with the Convention. As concerns Norway, the ILO Committee of Experts was asked to provide advice on the draft Finnmark legislation providing for shared land rights between Saami and non-Saami. The solution adopted closely resembled the Committee's own position, and the text of the Convention was one of the references in concluding this arrangement. It is worth mentioning the provision in Article 14 that arrangements shall be made to recognize shared rights especially concerns nomadic peoples, as perhaps particularly relevant to herding peoples in the Arctic.

In terms of resources and the environment, attention is drawn to Article 13(2), which relates the term "land" to the much wider concept of territories, "which covers the total environment of the areas" concerned. This is made applicable to Article 15 in particular, which mandates involvement of Indigenous Peoples in every aspect of resource exploration and exploitation.

Contacts across borders

A final item of particular relevance to the Arctic is Article 32, providing for governments to take measures to facilitate contacts and cooperation among Indigenous Peoples across borders. This is particularly important, taking into account the multinational locations of the Indigenous Peoples of the Arctic.

Secretariat	Information	Contact	Arctic Member Countries of Convention No. 169	Total Member Countries of Convention No. 169	Next Conference of the Parties (COP)
International Labour Office, Geneva	www.ilo.org	ilo@ilo.org	2	17	

Appendix:

Global environmental governance: Number of parties to multilateral environmental agreements

The following graph and table are taken from the UNEP GEO Year Book 2006
(<http://www.unep.org/geo/yearbook/yb2006/o84.asp>)

The continuing increase in the number of ratifications of major multilateral environmental agreements (MEAs) shows the growing commitment of countries and regions to address global environmental issues. At the end of 2005, 78 per cent of the potential participants had become parties to 13 major MEAs when taken together (Table). In particular, there have been significant increases in the number of Parties to the relatively recent Kyoto Protocol to the UN Framework Convention on Climate Change and the two conventions related to chemicals – the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous

Chemicals and Pesticides in International Trade (PIC) and the Stockholm Convention on Persistent Organic Pollutants (POPs). The Kyoto Protocol entered into force in February 2005. The PIC and POPs agreements entered into force in 2004. By now, a number of MEAs are approaching the maximum number of Parties, including the Vienna Convention and Montreal Protocol on Substances that Deplete the Ozone Layer (“Ozone”), the UN Convention to Combat Desertification (UNCCD), the Convention Concerning the Protection of the World Cultural and Natural Heritage (“World Heritage”), and the Convention on Biological Diversity.

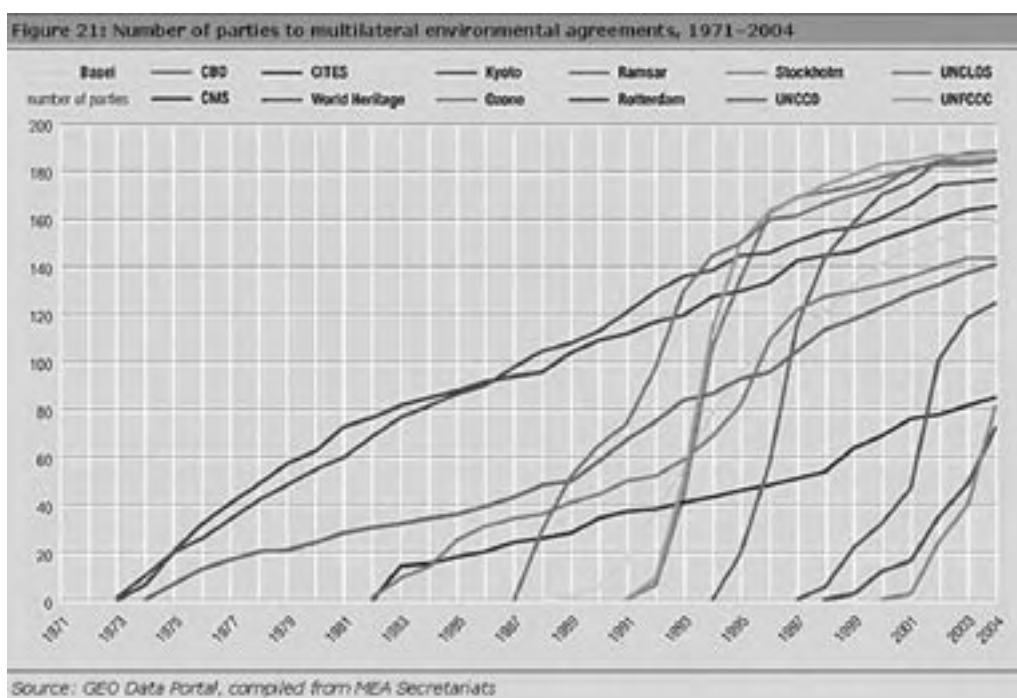


Table 2: Number of parties to multilateral environmental agreements, by GEO region

	CBD	CMS	CITES	Heritage	Kyoto	Ozone	Ramsar	PIC	POPs	UNCCD	UNCLOS	UNFCCC	Basel	Total	Potential	%
Africa (53)	52	29	51	45	26	51	40	22	23	53	38	52	39	521	689	76
Asia + Pacific (45)	45	9	30	40	33	43	24	16	18	44	33	44	33	410	585	70
Europe (49)	46	36	44	48	36	46	46	22	23	46	46	47	46	522	637	82
LAC (34)	32	8	32	31	27	33	25	9	13	33	27	33	30	333	442	75
North America (2)	1	0	2	2	1	2	2	1	1	2	1	2	1	18	26	69
West Asia (12)	10	3	7	11	2	10	4	5	3	10	9	10	10	94	156	60
Global (195)	186	85	166	177	125	185	141	72	81	189	144	188	159	1898	2535	75

See Annex for full convention names.

Source: GEO Data Portal, compiled from MEA Secretariats

