UNIT-INTERNATIONAL PROTOCOLS TREATIES AND CONVENTIONS

Stockholm and Basal convention, Copenhagen conference, Rio-Earth summit, Indian Scenario: Guidelines of MoEF and CPCB

Stockholm Convention

The Stockholm Convention on Persistent Organic Pollutants was adopted by the Conference of Plenipotentiaries on 22 May 2001 in Stockholm, Sweden. The Convention entered into force on 17 May 2004.

The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have harmful impacts on human health or on the environment.

Exposure to Persistent Organic Pollutants (POPs) can lead to serious health effects including certain cancers, birth defects, dysfunctional immune and reproductive systems, greater susceptibility to disease and damages to the central and peripheral nervous systems.

Given their long range transport, no one government acting alone can protect its citizens or its environment from POPs.

In response to this global problem, the Stockholm Convention, which was adopted in 2001 and entered into force in 2004, requires its parties to take measures to eliminate or reduce the release of POPs into the environment.The objective of the Stockholm Convention is to protect human health and the environment from persistent organic pollutants.

Main provisions

Among others, the provisions of the Convention require each party to:

- Prohibit and/or eliminate the production and use, as well as the import and export, of the intentionally produced POPs
- Restrict the production and use, as well as the import and export, of the intentionally produced POPs

- Reduce or eliminate releases from unintentionally produced POPs The Convention promotes the use of best available techniques and best environmental practices for preventing releases of POPs into the environment.

- Ensure that stockpiles and wastes consisting of, containing or contaminated with POPs are managed safely and in an environmentally sound manner.

The Convention requires that such stockpiles and wastes be identified and managed to reduce or eliminate POPs releases from these sources. The Convention also requires that wastes containing POPs are transported across international boundaries taking into account relevant international rules, standards and guidelines.

- To target additional POPs

BASEL CONVENTION

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was adopted on 22 March 1989 by the Conference of Plenipotentiaries in Basel, Switzerland, in response to a public outcry following the discovery, in the 1980s, in Africa and other parts of the developing world of deposits of toxic wastes imported from abroad.

Awakening environmental awareness and corresponding tightening of environmental regulations in the industrialized world in the 1970s and 1980s had led to increasing public resistance to the disposal of hazardous wastes – in accordance with what became known as the NIMBY (Not In My Back Yard) syndrome – and to an escalation of disposal costs. This in turn led some operators to seek cheap disposal options for hazardous wastes in Eastern Europe and the developing world, where environmental awareness was much less developed and regulations and enforcement mechanisms were lacking. It was against this background that the Basel Convention was negotiated in the late 1980s, and its thrust at the time of its adoption was to combat the "toxic trade", as it was termed. The Convention entered into force in 1992.

Objective

The overarching objective of the Basel Convention is to protect human health and the environment against the adverse effects of hazardous wastes. Its scope of application covers a wide range of wastes defined as "hazardous wastes" based on their origin and/or composition and their characteristics, as well as two types of wastes defined as "other wastes" - household waste and incinerator ash.

Aims and provisions

The provisions of the Convention center around the following principal aims:

- the reduction of hazardous waste generation and the promotion of environmentally sound management of hazardous wastes, wherever the place of disposal;

- the restriction of transboundary movements of hazardous wastes except where it is perceived to be in accordance with the principles of environmentally sound management; and
- a regulatory system applying to cases where transboundary movements are permissible.

The first aim is addressed through a number of general provisions requiring States to observe the fundamental principles of environmentally sound waste management (article 4). A number of prohibitions are designed to attain the second aim: hazardous wastes may not be exported to Antarctica, to a State not party to the Basel Convention, or to a party having banned the import of hazardous wastes (article 4). Parties may, however, enter into bilateral or multilateral agreements on hazardous waste management with other parties or with non-parties, provided that such agreements are "no less environmentally sound" than the Basel Convention (article 11). In all cases where transboundary movement is not, in principle, prohibited, it may take place only if it represents an environmentally sound solution, if the principles of environmentally sound management and non-discrimination are observed and if it is carried out in accordance with the Convention's regulatory system.

The regulatory system is the cornerstone of the Basel Convention as originally adopted. Based on the concept of prior informed consent, it requires that, before an export may take place, the authorities of the State of export notify the authorities of the prospective States of import and transit, providing them with detailed information on the intended movement. The movement may only proceed if and when all States concerned have given their written consent (articles 6 and 7). The Basel Convention also provides for cooperation between parties, ranging from exchange of information on issues relevant to the implementation of the Convention to technical assistance, particularly to developing countries (articles 10 and 13). The Secretariat is required to facilitate and support this cooperation, acting as a clearing-house (article 16). In the event of a transboundary movement of hazardous wastes having been carried out illegally, i.e. in contravention of the provisions of articles 6 and 7, or cannot be completed as foreseen, the Convention attributes responsibility to one or more of the States involved, and imposes the duty to ensure safe disposal, either by re-import into the State of generation or otherwise (articles 8 and 9).

The Convention also provides for the establishment of regional or sub-regional centres for training and technology transfers regarding the management of hazardous wastes and other wastes and the minimization of their generation to cater to the specific needs of different regions and subregions . Fourteen such centres have been established. They carry out training and capacity building activities in the regions.

Copenhagen conference

The UN Conference on Climate Change in Copenhagen presents a critical opportunity to strengthen the international response to global climate change. The aim in Copenhagen should be a comprehensive political agreement that puts countries on a clear path to concluding a legally binding agreement in 2010. This interim agreement should deliver both immediate action and the broad architecture of a future treaty, including:

- Ambitious political commitments for mid-term action by all major economies: economy-wide emission reduction targets for developed countries, and quantified mitigation actions by major developing countries;
- A "prompt start" on adaptation, forestry, technology and capacity-building activities and support in developing countries;
- The core elements of a legally binding agreement to be finalized over the coming year, including: a framework for verifiable mitigation commitments by all major economies; new arrangements for sustained mitigation and adaptation support to developing countries; and a system to verify countries' actions and support; and,
- A clear mandate to conclude negotiations on a legally binding agreement at COP 16 in December 2010.

The Ultimate Goal: A Ratifiable Treaty

Negotiations are proceeding on parallel tracks under the UN Framework Convention on Climate Change (UNFCCC), which includes the United States, and under the UNFCCC's Kyoto Protocol, which does not. The ultimate outcome could take many forms; the most coherent would be a single comprehensive agreement under the UNFCCC.

Whatever its particular form, it is important that this final outcome be legally binding. Countries will deliver their strongest possible efforts only if they are confident that their major counterparts and competitors are as well. This confidence is best instilled and maintained through mutual and verifiable commitments. While the United States and other countries are moving to strengthen their domestic climate efforts, and most will be ready to announce political commitments in Copenhagen, not all are prepared to take on binding legal commitments. An interim agreement in Copenhagen would significantly advance the global climate effort by settling fundamental legal and design issues so that governments can then negotiate specific commitments in a ratifiable agreement post-Copenhagen.

In Copenhagen: A Strong Framework Agreement

Much of the focus in Copenhagen will be on the political commitments announced by governments on their domestic climate efforts, and on the decisions and "prompt-start" finance needed to quickly operationalize new support for developing countries. It is critical that the Copenhagen agreement also begin to establish the legal and institutional framework for converting these interim pledges and decisions into an effective treaty with legally binding commitments. It should go as far as possible to define:

Ambitious Goals. The agreement should recognize the imperative of limiting warming to 2 degrees Celsius and set an aspirational goal of reducing global emissions at least 50 percent by 2050.

A Framework for Mitigation Commitments. The agreement should clearly define the nature of mitigation commitments and how they are to be reflected in a final agreement (e.g., through "appendices" or "schedules"). Consistent with the UNFCCC's principle of "common but differentiated responsibilities," it should allow varying forms and levels of commitments depending on national circumstance:

- Absolute economy-wide emission targets for all developed countries; and
- A wider range of quantifiable policy-based commitments for major developing countries (e.g., sectoral emission targets, energy efficiency standards, renewable energy targets, sustainable forestry goals).

The agreement should launch and support a process, such as a "registry" process, to elaborate country-specific commitments for the major developing countries and to align support for them. It also should go as far as possible in defining implementation and accounting rules.

Support for Developing Countries. The agreement should broadly establish the mechanisms, sources, and levels of support to be provided in a final agreement for adaptation, capacity building, forestry and technology deployment in developing countries. It should: set initial funding levels and a timetable for periodic replenishment; set criteria to determine countries' contributions to and/or eligibility for support; rely on, rather than replicate, existing multilateral financial mechanisms; provide for stronger developing country representation in the governance of climate finance; and, recognize the full range of multilateral and bilateral funding sources.

A Sound System of Verification. The agreement should establish basic terms for the measurement, reporting and verification of countries' mitigation actions, and of support for developing country efforts, as called for in the Bali Action Plan. Building on existing reporting and review requirements under the UNFCCC and Kyoto Protocol, it should require annual emissions inventories by all major-emitting countries (with a phase-in period and support for developing countries); national verification of countries' mitigation commitments; and, regular

implementation reports subject to international review. The review process should culminate in a clear determination of whether or not a country is complying with its commitments, with facilitative remedies in cases of non-compliance.

RIO EARTH SUMMIT

The **United Nations Conference on Environment and Development** (**UNCED**), also known as the **Rio de Janeiro Earth Summit**, the **Rio Summit**, the **Rio Conference**, and the **Earth Summit** (Portuguese: ECO92), was a major United Nations conference held in Rio de Janeiro from 3 to 14 June in 1992.

Earth Summit was created as a response for Member States to cooperate together internationally on development issues after the Cold War. Due to issues relating to sustainability being too big for individual member states to handle, Earth Summit was held as a platform for other Member States to collaborate. Since the creation, many others in the field of sustainability show a similar development to the issues discussed in these conferences, including non-governmental organizations (NGOs)

The issues addressed included:

- systematic scrutiny of patterns of production — particularly the production of toxic components, such as lead in gasoline, or poisonous waste including radioactive chemicals
- alternative sources of energy to replace the use of fossil fuels which delegates linked to global climate change
- new reliance on public transportation systems in order to reduce vehicle emissions, congestion in cities and the health problems caused by polluted air and smoke
- the growing usage and limited supply of water

An important achievement of the summit was an agreement on the Climate Change Convention which in turn led to the Kyoto Protocol and the Paris Agreement. Another agreement was to "not to carry out any activities on the lands of indigenous peoples that would cause environmental degradation or that would be culturally inappropriate".

The Convention on Biological Diversity was opened for signature at the Earth Summit, and made a start towards redefinition of measures that did not inherently encourage destruction of natural ecoregions and so-called uneconomic growth.

Although President George H.W. Bush signed the Earth Summit's Convention on Climate, his EPA Administrator William K. Reilly acknowledges that U.S. goals at the conference were

difficult to negotiate and the agency's international results were mixed, including the U.S. failure to sign the proposed Convention on Biological Diversity.[2]

Twelve cities were also honoured by the Local Government Honours Award for innovative local environmental programs. These included Sudbury in Canada for its ambitious program to rehabilitate environmental damage from the local mining industry, Austin in the United States for its green building strategy, and Kitakyūshū in Japan for incorporating an international education and training component into its municipal pollution control program.

The Earth Summit resulted in the following documents:

- Rio Declaration on Environment and Development
- Agenda 21
- Forest Principles

Moreover, important legally binding agreements (Rio Convention) were opened for signature:

- Convention on Biological Diversity
- Framework Convention on Climate Change (UNFCCC)
- United Nations Convention to Combat Desertification

In order to ensure compliance to the agreements at Rio (particularly the Rio Declaration on Environment and Development and Agenda 21), delegates to the Earth Summit established the Commission on Sustainable Development (CSD). In 2013, the CSD was replaced by the High-level Political Forum on Sustainable Development that meets every year as part of the ECOSOC meetings, and every fourth year as part of the General Assembly meetings.

Critics point out that many of the agreements made in Rio have not been realized regarding such fundamental issues as fighting poverty and cleaning up the environment.

Green Cross International was founded to build upon the work of the Summit.

The first edition of Water Quality Assessments, published by WHO/Chapman & Hall, was launched at the Rio Global Forum.