The Arctic and International Agreements

The Arctic is playing an increasingly important role in a global environmental context. The table below was recently prepared by UNEP in collaboration with the Multilateral Environmental Agreements (MEAs) listed here to highlight their relevance to the Arctic. BY LAURA MESZAROS

MEAs are basically 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.

This new UNEP study highlights priority issues, ongoing activities and the need for future work for each MEA in the Arctic region.

Multilateral Environmental Agreements and their relevance to Arctic Ecosystems and Indigenous People

Area of work	Issues affecting Arctic ecosystems and indigenous peoples	Relevant activities	Need for future work

Stockholm Convention on Persistent Organic Pollutants (POPs) and UNEP Chemicals

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 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 • The Inuit Circumpolar Conference and other Arctic indigenous peoples' organizations participated throughout the treaty negotiations and contributed substantially to the final outcome, as did the Arctic Council member states • 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.

UNEP's global assessment programme focusing on POPs and other Persistent Toxic Substances (PTS) as well as UNEP's country support programme on POPs • The first and 2nd reports of the Arctic Monitoring and Assessment Programme, clearly state that the Arctic environment and its people are severely threatened by the presence of high levels of POPs in air, water and traditional food • UNEP Chemicals has initiated a Global Network for Monitoring of Chemicals. The Arctic environment plays an important role as a sentinel for new pollutants, POPs, heavy metals or others • UNEP Global Mercury Assessment report and Global Mercury Programme.

Pollutant concentrations in Arctic fauna have only been studied in a number of limited species. There is a need to study the effect (including long-term effects) of different levels of concentration and consequent health effects on different 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 possible other heavy metals for sensitive indigenous populations and animal species at the 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 possible re-distribution of pollutants within the ecosystem.

Convention on Biological Diversity (CBD)

The Convention establishes three main goals: the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising from the use of genetic resources. The Convention translates its objectives in 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 covering all ecosystems.

There is no specific focus 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, guidelines for the incorporation of biodiversity considerations in EIA and SEA procedures, 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 populations in the Arctic region, Under Article 8 (j) of the Convention Parties are committed to respect, preserve maintenance 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 ecosystem and dry and sub-humid lands established under the Convention • Indigenous and local populations of the Arctic also have an interest in other work programs under the CBD such as the sustainable use of biological diversity and marine and coastal areas.

Within the programme of work on traditional knowledge a series of activities are being carried out and will be considered by the third meeting of the Ad-Hoc Open-Ended Working Group on Article 8(j) and related provisions (December 2003), including: **1.** 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. **2.** The development 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 subnational, 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.

The Working Group 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; **4.** Guidelines for the respect, preservation and maintenance of traditional knowledge, innovations and practices and their wider application; **5.** 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; **6.** 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; **7.** Guidelines that would facilitate repatriation of information, including cultural property, in order to facilitate the recovery of traditional knowledge of biological diversity; **8.** Standards and guidelines for the reporting sand prevention of unlawful appropriation of traditional knowledge and related genetic resources.

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

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 migratory species listed in Appendix I of the Convention; by concluding multilateral Agreements for the conservation and management of migratory species listed in Appendix II and by undertaking co-operative research activities.

CMS has no specific focus on the Arctic region or Arctic issues. However, the range of many species of CMS interest includes Arctic areas, and these species depend on Arctic habitats/ ecosystems for at least part of their life cycle • Many of the animals of the Arctic region are migratory. While some species, e.g. polar bears and seals are mostly remaining in the Arctic, many others spend there only part of the annual cycle, as for instance a number of species of birds having in the Arctic their breeding grounds and migrating southwards to winter at lower latitudes • Of relevance for indigenous peoples, the Convention provides for the possibility of exceptions with respect to the prohibition of taking of species listed in Appendix I to accommodate the needs of traditional subsistence users of such species • Two multilateral agreements concluded under the auspices of CMS include Arctic Areas in their area of application: the African-Eurasian Migratory Waterbirds Agreement (AEWA) (see next section for details) and the Memorandum of Understanding concerning Conservation Measures for the Siberian Crane.

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 area • In connection with the conservation of migratory species, the Convention works on several cross-cutting issues of relevance to the Arctic region, such as by-catch, oil pollution, EIA and SEA.

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 NGO; e.g. 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 the 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 Consequences of climate change on the migratory behavior of species appear of particular importance for polar regions, and deserves to be studied in detail.

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

Although the AEWA was concluded under the auspices of CMS it is currently an independent international treaty • AEWA is a regional Agreement aiming the conservation of migratory waterbird that occur in the so-called Western Palearctic Flyway. The Agreement area encompasses Africa, Europe, Central Asia, Middle East and small part of Northern Canada.

The Arctic region is extremely important to AEWA because the Arctic region provides the breeding habitat for numerous AEWA species (e.g. Geese, Swans, Ducks, Waders and Cranes) • Subsistence hunting takes place on several AEWA species by indigenous people. The main aim of the Agreement is to restore of the maintain populations of migratory Waterbirds at a favorable conservation status. In the preamble of the Agreement text is stated that the Contracting Parties are aware of the economic, social, cultural and recreational benefits accruing from the taking of certain species of migratory Waterbirds • Currently only Sweden and Finland are Contracting Party to the Agreement. Norway and Iceland are in the process to join.

The Agreement promotes and directly and or indirectly supports conservation and research activities • The conclusion of an International Action Plan for the Dark-bellied Brent Goose (Branta bernicla ber-nicla) is underway. Again this Action Plans aims the conservation of the species.

The Arctic ecosystem might be threatened by impact of climate change. These future changes could have an impact on the suitability of the Arctic as breeding ground for many AEWA species and possible changes in migration routes. All this might lead to loss of biodiversity. Further research is needed to assess these possible impacts • World Population Estimate III, published by Wetlands International shows that most of the Wader populations breeding in the Arctic are in decline. More research is needed to identify the reasons for this decline.

Ramsar Convention on Wetlands

The Ramsar Convention deals with international cooperation for the conservation and wise use of wetlands.

All Arctic range states are contracting parties to the Ramsar Convention. Concerning Arctic wetlands, most of the Arctic region could be considered a wetland in its own right.

Guidelines on indigenous people for national level use. CBD and CCD are encouraging the use of these guides • Special group within the convention working on the participatory approach and are in the process of establishing a foundation.

Coordinated international action, to avoid duplication of efforts, increase awareness of existing activities including information on available funding sources • The nomination of more arctic sites is encouraged.