

THE MANAGEMENT OF THE AIR

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At its inaugural Conference held in Athens, May 6 - 10 1987, the Biopolitics International Organisation (B.I.O.) looked at many aspects of human life on earth in a spirit of respect for all forms of human life, of advanced research and development and of concern for man's irresponsibility in the face of so much damage and destruction of our environment.¹ We proposed a plan of "action on an urgent basis" seeking the full co-operation of governments, non-governmental organisations and individuals. We argued the need for the working out of "rules and laws to facilitate the imposition of legal and moral sanctions on states and organisations failing to protect the bio-environment."

In a speech on "Bios in the Next Millennium",² I developed the argument that, in considering environmental problems on a global scale, national frontiers offer no protection. I quoted Sir Shridath Ramphal, the Secretary-General of the Commonwealth, himself a member of the World Commission on Environment and Development (WCED), the Brundtland Commission³: "One country's cheap electricity is paid for elsewhere in polluted air and acid rain; unchecked desertification in one place manifests itself in a tide of refugees somewhere else; one community's ample diet of fish is at the expense of another's protein deficiency if stocks are being distributed; what is seen from a creditor's point of view as an admirably sound policy of exporting natural resources to pay foreign debts, is seen by the debtor as a reckless squandering of real capital."

It is these considerations which led the Brundtland Commission to call for a global order transcending competing national and sectional interests, where there has to be a balance of growth, equity and conservation objectives. It arises especially in respect of the so-called 'commons' - the oceans, including the sea-bed, Antarctica and space. These are all the world's resources owned by no individual or nation. They should be regarded as the common heritage of mankind and present trends are in that direction.

The common area "space" including the air surrounding our globe, is an essential requirement for all kinds of life - humans, wildlife and plants. These are surely areas in which there is not only a "common heritage of mankind" argument but where broad and enforceable global agreements are essential. Of course national frontiers are no protection where the management of the air is concerned.

In other areas, progress, though still inadequate, has been made. There are a substantial number of fisheries agreements and conventions on deep-sea waste disposal which, somewhat precariously, endeavour to maintain ecological balance in the oceans in the face of growing demands on them. The United Nations Environmental Programme (UNEP) Regional Seas Programme is a crucial element in bringing order to the world's seas and the United Nations Law of the Sea Convention (LOS) has created a legal basis by which maritime states can defend offshore resources.

A major unresolved problem relates to the ocean sea-bed, where the failure of the present American and British Administrations to sign the Convention, and of a number of industrialised countries to ratify it, has left a large hole in the evolving system of management of the global commons.

The Antarctica Treaty is a more positive case - at least in terms of conservationist objectives. There is growing restiveness among developing countries - reflected in debates in the United Nations General Assembly - that a self-elected group of strong countries should presume to have the right to manage a continent on behalf of the rest of mankind. While we would not normally regard the empty wastes of space as a global resource, there is a growing awareness of the potential for beneficial use. But these are huge problems which only the United Nations system, with its universal membership, can satisfactorily resolve.

We have been reminded of some of these problems in recent years: acid rain, drifting clouds of nuclear fall-out, river and sea spillages of poisonous chemicals or radioactive waste. We are becoming aware of others, even more profound in their impact: climatic changes and sea-level rises resulting from carbon dioxide and other 'greenhouse gas' build-up in the atmosphere; damage to the ozone layer inflicted by chemicals; the long-term regional and possibly global effects of deforestation. Forest clearance is eliminating permanently a substantial part of our biological inheritance and stocks of species which could be of great value to humanity. We know of indigenous forest-dwellers whose whole existence is threatened.

Perhaps the most serious of the global limits to sustainable development concerns the atmosphere. In relation to acid rain and the ozone layer there has been welcome, if belated, international co-operation. In particular, we must all welcome the successful conclusion of the talks in Montreal under UNEP auspices on the production of the offending chemicals. Already some leading chemical companies are ceasing

production of chloro-fluorocarbons in response to this agreement, others must be pressed to do so.

The fact that progress is being made in this area should not make us blind to the lack of progress on another problem on which scientific evidence is mounting but is currently circumstantial: the contribution of carbon dioxide emissions from fossil fuel burning to climatic change and, specifically, to global warming. Even the most modest predictions of rising sea levels could bring death and destruction to millions living on low-lying land - as in the Ganges estuary where people have been driven by need to live too close to the margin of safety. Some states, such as the Maldiv Islands, could disappear from the world's maps if sea levels were to rise even minutely. The whole pattern of world agriculture and settlement could be changed by manmade climatic change; perhaps in Africa we see the first spasm of that change. This issue must be taken beyond the realms of scientific seminars into the centre of policy-making.

I want this Conference of experts from so many countries, all with a deep commitment to biopolitics, to consider a very practical proposal in the spirit of that part of our declaration in May 1987, that "new international legislation should provide a code of action in cases where bios is threatened". Atmospheric pollution and other life-threatening challenges in the air present challenges which must be given a very high priority by the United Nations and its family of related specialised agencies.

Because of the urgency of these problems, there is no time to be lost. With the new prestige of the United Nations and the Secretary-General, following a series of highly successful peace initiatives, the time is now ripe for a new initiative in this field.

It is proposed that the Secretary-General, pursuant to a General Assembly Resolution on Atmospheric Pollution in 1989, should establish an International Commission on Atmospheric Pollution. He should act in consultation with Governments, with relevant international organisations including UNEP, the IAEA, the WMO, ICSU and other appropriate bodies.

The Commission would consist of some 20 persons serving in their individual capacities. They would be chosen on the basis of their expertise and international standing, and would include persons serving in governments, industry and scientific organisations. The widest possible geographic representation would be sought.

The Commission would be expected to issue a definitive report to the General Assembly within three years of its establishment. It would, to some extent, be comparable to the Brundtland Commission (WCED), but would have a much narrower focus and should produce sharper recommendations.

The Commission would investigate the nature and causes of all main forms of atmospheric pollution, including chloro-fluorocarbons and trans-boundary sulphur emissions but would concentrate especially on the 'greenhouse effect'.

The Commission's report would be expected to include general proposals for prevention or control of such pollution, for mitigation of its effects and for adaptative responses necessitated by it.

After receiving the Commission's report, the General Assembly, in co-operation with other international organisations and member states, would initiate appropriate international measures to implement the Commission's proposals. These may well include the adoption of guidelines and codes of conduct and (eventually) the negotiation of a network of international treaties with mechanisms for dispute settlement and provision for sanctions.

There is obviously some basis of comparison between this proposal and the Law of the Sea Conference with which I was involved on behalf of the United Kingdom government. There is much to commend the Law of the Sea procedure (LOS), but this new proposal would have a much more limited agenda than LOS, would short-circuit much time-consuming debate by putting the issues initially before 20 "wise" men or women, rather than involving all the delegates of 160 member governments. The procedure proposed, if found acceptable by the Secretary-General and the United Nations members, would put the management of the air into the forefront of world issues and secure urgent and practical consideration with a true sense of urgency.

REFERENCES

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The Right Honourable Lord **David Ennals** was educated in the U.K. and the U.S.A. He has held ministerial posts in the Home Office, the Foreign Office, and the Ministries of Defence, Health and Social Security. During the late 1970s he was member of the British Cabinet and became a member of the House of Lords in 1983. He is presently the Chairman of the UN Association of the UK, the Ockelden Venture for refugees, the National Association for Mental Health, the Parliamentary Food and Health Forum, the Children's Medical Charity, and the Asian Committee of the British Refugee Council, and President of the College of Occupational Therapy and the National Society of Non-Smokers.