

ECONOMIC AND SOCIAL COUNCIL
Substantive session of 2008

IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Fifth periodic reports submitted by States parties under
articles 16 and 17 of the Covenant

Addendum
UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND
OVERSEAS TERRITORIES¹

[7 August 2007]

¹ The Pitcairn Islands did not have significant developments to highlight in respect of the previous report and no update was received from Montserrat. An overview of the developments in the British Overseas Territories is provided in the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland on its implementation of the Covenant (E/C.12/GBR/5, paras. 24-33).

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GIBRALTAR

627. Increased awareness of natural heritage is evident not just from the media, but from the Government's increased impetus in environmental matters, through the development of its own Environment Ministry, supported by the development of a scientific/technical base both at the Botanic Gardens and at the Museum, and a number of its other activities such as the World Environment Day activities and by means of the Government's Environment Charter.

628. A specific example of the use of scientific progress to benefit people, is the pollution monitoring equipment that is up and running. The setting up of the Climate Change forum is another way of responding practically to an increase in scientific knowledge.

629. Government encourages practical conservation by the way of such contracts as the management of the Botanic Gardens, the Macaque Management and support for the Biodiversity Project. Regarding freedom for scientific research, the Gibraltar Ornithological and Natural Heritage Society (GONHS) carry out a great deal of research,

as do the Botanic Gardens and the Museum, and this is encouraged and supported by the Government of Gibraltar.

630. In relation to the promotion of international cooperation, we would highlight the following:

- The signing of the Macaque Research Project with the University of Vienna;
- The Government's EU Unit supporting GIBMANATUR, the INTERREG IIIA collaborative project with Rabat University, the encouragement of GONHS collaboration with entities like the German Primate Centre, Notre Dame University in Indiana and the Botanic Gardens cooperation with botanic gardens worldwide through Botanic Gardens Conservation International.

631. Environmental legislation in Gibraltar is stated below: (Note: PHA stands for Public Health Act.)

Air

The Air Quality Framework Directive (96/62/EC) (1999/30/EC) (2000/69/EC) (2002/3/EC) (2004/67/EC) - PHA Air Quality Limit Values Rules 2002.

Ozone Daughter Directive (2002/3/EC) - PHA Air Quality Ozone Rules 2004. Substances that deplete the ozone layer. Regulation 2037/2000, 3093/94 – Environmental Protection (control of substances that deplete the ozone layer) Act 1997.

Directive on the limitation of emissions of certain pollutants into the air from layer combustion plants (2001/80/EC) - Large Combustion Plants Act 2003. (2002/84) Maritime safety and prevention of air pollution from ships - Gibraltar Merchant Shipping (safety etc) Act.

Amending Regulation EC No 2037/2000 of the European Parliament and of the Council with regard to the use of ozone depleting substances - to be transposed.

Waste

Disposal waste oils 75/439, 87/101, 91/692 - PHA Part VA (Waste).

Disposal of Hazardous Waste (91/689/EEC) (94/31/EC) (2000/532/EC) - PHA Part VA (Waste).

Waste Framework Directive (75/442/EC) (91/156/EC) - PHA Part VA (Waste).

The Landfill of Waste (1999/31/EC) - Landfill Act 2002.

The Incineration of Waste (2000/76/EC) - Waste (Incineration) Act 2003.

End of Life Vehicles (2000/53/EC) (2002/151/EC (2002/525/EC) - End of Life Vehicles Rules 2004.

EC Regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European Community - PHA Part IIB (Trans frontier Shipment of Waste).

Waste Electrical & Electronic Equipment - 2002/99/EC as amended by 2002/108/EC – to be transposed.

Disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) 96/59/EC - Environmental Protection (Disposal of dangerous substances) Ord 2000/PHA Part VA (Waste).

Incineration of hazardous waste (94/67/EC) - PHA Part VA (Waste).

Bathing Waters Directive (76/160/EEC) - PHA Quality of Bathing Water Rules 1992.

Water Framework Directive - Integrated River Basin Management (2000/60/EC) – PHA (Water Framework) Rules 2004.

Drinking Water Directive - PHA (Water Framework) Rules 2004.

Urban Waste Water Treatment 91/271/EEC, 98/15/EC - PHA (Urban Waste Water Collection & Treatment) Regulations 1999.

Drinking Water intended for human consumption (80/78/EEC) (98/83/EC) - PHA (Potable Water) Regulations (POTABLE WATER) Rules 1994.

Groundwater Directive (80/68/EC) - PHA (Water Framework) Rules 2004.

Pollution caused by certain dangerous substances discharged into the aquatic environment (76/464/EEC) (86/280/EEC) (90/415/EEC) - PHA (Pollution of the Aquatic Environment) Regulations and Rules 1994.

Biodiversity/wildlife/nature conservation

Habitats Directive 92/43/EEC) - Nature Protection Act.

Wild Birds Directive - Nature Protection Act.

Keeping of Wild Animals in Zoos (99/22/EC) - Keeping of Wild Animals Act.

CITES & EC Regulation 1332/2005 amending EC Regulation 338/97 – Endangered Species Act.

Emissions reductions/trading

Greenhouse Gas Emissions Trading Directive (2003/87/EC), amendment establishing a scheme for greenhouse gas allowance trading (2004/101) - Greenhouse Gas Emissions Trading Scheme Rules 2004.

Emissions Ceiling Directive 201/81/EC - PHA (National Emissions Ceilings) Rules 2003.

Noise

Assessment and Management of Environmental Noise Directive - 2002/49/EC - to be transposed.

Access to information/data protection/public participation

Public Access to Environmental Information - Directive 2003/4/EC - The freedom of access to information on the Environment Regulations 2005.

Public Participation on decision-making - 2003/35/EC - Public Health Amendment No. 2 Act.

Fuel/energy

Promoting the use of Bio fuels or other renewable fuels for transport - 2003/30/EC - Environment Bio fuels Regulations 2005.

Sulphur content in fuels 99/32/EC, 2005/33/EC - Motor fuel composition and content Act 1998 and 2001.

Fuel Economy Directive (99/94/EC) - Transport (passenger car fuel consumption & CO2 emission Information) Regulations 2003.

Directive 2001/77/EC on the Promotion of electricity from renewable energy sources in the internal market - to be transposed.

Hazards/dangerous substances/radiation

Control of major accident hazards (96/82/EC) (2003/105/EC) - PHA Part IIA (Control of Major Accident Hazard).

Control of Asbestos at Work Directive 98/24/EEC - to be transposed.

96/29/Euratom Radiation (Emergency Preparedness & Public Information) Regulations 2004 - Control of high activity sealed radioactive sources and orphan

sources - 96/29/Euratom Radiation (Emergency Preparedness & Public Information) Regulations 2004.

Pollution

Large Combustion Plants (88/609/EC) - Large Combustion Plants Act.

The Prevention of Air Pollution from New Municipal Waste-Incineration Plants (84/360/EEC) (89/369/EC) - PHA (Offensive Trade) Rules 1990.

The reduction of pollution from existing Waste-Incineration Plants (89/429/EC) – PHA (Offensive Trade) Rules 1990.

Environmental assessment/management

Strategic Environmental Assessment - Environment act 2005.

Environmental Impact Assessment - Town Planning (Environmental Impact Assessment) Regulation 2000.

Assessment of certain plans and programmes on the environment (2001/42/EC) - Environment Act 2005.

Industry

Large Combustion Plants (88/609/EC) - Large Combustion Plants Act.

The prevention of air pollution from New Municipal Waste-Incineration Plants (84/360/EEC) (89/369/EC) - PHA (Offensive Trade) Rules 1990.

The reduction of pollution from existing Waste-Incineration Plants (89/429/EC) – PHA (Offensive Trade) Rules 1990.

Emissions/discharges

Limitation of Emissions of VOCs due to use of organic solvents in certain paints and varnishes and vehicle refinishing products (2004/42) - Solvent Emissions Act 2005.

Control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations (94/63/EC) Amended Regulation (EC) No 1882/2003 - Petroleum Rules 2001.

Limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry (82/176/EEC) (84/156/EEC) - PH (Pollution of the Aquatic Environment) Regulations and Rules 1995.

Limit values and quality objectives for discharges of hexachlorocyclohexane (84/491/EEC- PHA (Pollution of the Aquatic Environment) Regulations and Rules 1996.

Genetically modified organisms

Controlled use of genetically modified micro-organisms (90/219/EEC) (94/51/EC) – PHA Part IV A GMO (Contained Use) Regulations 2001.

Deliberate release into the environment of genetically modified organisms (90/220/EEC) (84/15/EEC) - PHA Part IV A (GMO) Deliberate Release Regulations 2003.

Liability

(204/35/EC) on Environmental Liability with regard to the prevention and remedying of environmental damage - to be transposed.

Shipping/marine

Minimum requirements for vessels bound for leaving community ports and carrying dangerous or polluting goods (93/75/EEC) as amended by 96/39/EEC, 97/34/EC, 98/55/EC - Merchant Shipping (carriage of dangerous or polluting goods) Act 2000.

Port reception facilities for ship generated waste and cargo residues (2000/59/EC) - Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations 2002.

There have been few legislative measures, which deal specifically with cultural and scientific life. One of the few has been the Copyright Act 2005 which introduced a new copyright law for Gibraltar setting out the rights of copyright owners, including moral rights and also setting out what acts are permitted and restricted in relation to work under copyright as well as providing for remedies for infringements of the rights.