



# **ESG PROPOSALS FOR AN ENVIRONMENTAL CHARTER FOR GIBRALTAR**



produced by Janet E. Howitt

on behalf of the Environmental Safety Group

September 2005 – revised September 2006

---

---

---

## **Contents:**

1. Key Environmental issues in Gibraltar ..... pages 1-4
  
  2. Environmental Charter for the UK Overseas Territories and relevance to Gibraltar ..... pages 5,6
  
  3. Best available technology and the precautionary approach ..... pages 7,8
  
  4. Summary ..... page 9
- 
-



## Key Environmental Issues in Gibraltar

Governments the world over continue to prioritise economic growth and expansion above environmental considerations. This wide spread denial in the face of overwhelming scientific evidence that our current modern societies are completely unsustainable and the reluctance to change could result in untold devastation for future generations. This denial perpetuates the myth that many prefer to live by that visible and traditional economic growth models are the way to prosper in a sustainable manner.

It is agreed that Gibraltar is somewhat of an unusual case which does not fall within many typical situations. Nevertheless, sustainability spells out the need to conserve, preserve, nurture and protect what one has in a manner in which it can last and sustain communities beyond the needs of the immediate generation. Renewable energy systems, recycling, aiming for a carbon and waste neutral society and finding ways to create as many home grown economic options for a community which can withstand external economic forces has to be given active and serious investment in Gibraltar.

An important step in this necessary process is having an environmental charter. The ESG has consistently campaigned for such a policy or charter to be developed and implemented in Gibraltar without further delay. As such, the group welcomed the opportunity of participating in the consultation process driven by the current administration towards the Charter formation back in September of 2005.

This document provides the reader with a summary of the critical areas the ESG recommended for consideration by Government when drafting up its Environmental charter.

### Critical areas to be included are:-

#### **A) Awareness:**

- *Stakeholder and community participation in major decisions that will impact on the environment*
- *Sustained environmental education campaign, including an enhanced anti-litter policy to include a revised plan to tackle issues as highlighted in the recent ESG clean-up campaign*
- *Support NGO programmes already working towards raising awareness of environmental issues. For example, support the promotion and protection of our local biodiversity by taking appropriate actions as advised in the "Upper Rock Management Plan" produced by GONHS, this to be made public for enhanced awareness by Govt departments and the public alike*

**B) Renewables:**

- *Need for Gibraltar to supplement Gibraltar's energy requirements by harnessing renewable sources*
- *Set progressive targets for investment in renewable energy systems that can supplement growing energy requirements, thus reducing CO<sub>2</sub> and greenhouse gas emissions; providing ultimately cheaper energy choices*

**C) Recycling:**

- *Immediate and urgent launch of government sponsored recycling scheme as private initiatives have hit too many hurdles*
- *To explore how the proposed setting up of an incinerator will influence any recycling policy and its success as incineration will require substantial waste to burn efficiently*
- *Develop a waste and pollution (noise, air and water) policy aimed at reducing and recycling*

**D) Commercial Activity vs. the Precautionary Principle & Best Available Technology:**

- *Government to pursue "best available technology" and "the precautionary principle" in all decision making policies affecting the environment(see Principle 15 – Rio Declaration)*
- *Gibraltar has little industry but facilities such as power generation/water distillation/sewage treatment/bunkering/dockyard services all have a heavy environmental impact and require to be brought in line with environmental regulation and protection of public health and the environment; this needs to go beyond the letter of the law when Gibraltar's topography and size means legislation is often inadequate to protect people's right to an unpolluted environment*
- *Commercial dockyard operations frequently affect residential areas in the south district and inspections must be made into its standard practices to see whether improvements can be made to reduce impact (several environmental laws are believed to be broken on a regular basis)*
- *Bunkering levels having seen the reported 168% growth from 1995 to 2002 requires a policy in line with this degree of expansion : load on the environment, raising of risk threshold , need for vapour recovery systems to be applied at every point of fuel transfer etc. Non-explosive levels of benzene as well as other harmful gases pose great risk to human health so containment is therefore vital at every stage*
- *Intergovernmental dept. co-operation to embrace a greening up policy to lead by example; improved communication measures to maximise use of resources*

**E) Regulation:**

- *Make the Environment Agency truly independent with powers to enforce environmental legislation which is in place to safeguard health of community and environment. If this is not possible then alternately set up an independent regulatory body to enforce environmental regulation*
- *Continuous upgrading of our air and water monitoring systems*
- *Introduction of wardens in the Upper Rock & litter wardens throughout Gibraltar*

**F) Property Development:**

- *Urgent need for publication of an up-to-date Development Plan for Gibraltar and a cessation on all major developments until such time as the plan is produced*
- *Major developments to be subjected to environmental impact assessments, whether govt or privately owned*
- *All new development in Gibraltar to include sustainable technologies such as green roofing, solar panels and conservation of energy and water processes. Building in of green areas – and preservation of existing ones*

**G) Traffic & Transport:**

- *Develop a transport policy which aims at encouraging healthy forms of transport*
- *Creation of a traffic model for Gibraltar to control the increasingly dangerous state of our roads. Speed and load control – (example Athens odds and even numbers, alternate days)*

**G) Marine activity:**

- *Attention given to the activity of marine recreational users and impact on marine and human life*
- *Attention given to the uncontrolled and unmonitored raping of our seas in what is strictly a marine reserve again emphasising the need for wardens to protect our natural heritage*
- *Bunkering...*
- *Sewage – an ongoing issue – with untreated sewage going into the Bay from mushrooming populations' raw sewage can no longer be considered harmless as organic waste. Bacteria often present in sea during bathing season which leads to sicknesses, sometimes serious; Is being phased out so Gibraltar should follow suit*

**H) Large Scale Hazards:**

- *An Emergency Safety Plan for the Bay of Gibraltar to be in place without further delay to cover all activity in the Bay on a cross border basis*
- *An eventual nuclear-free Gibraltar with an interim policy to introduce a workable evacuation plan for a mild to medium nuclear accident that would facilitate a safe public response to a necessary wide scale movement of people. In the “unlikely” but not “impossible” scenario of a serious nuclear accident the experience with Tireless highlighted the impossibility of safely carrying out any evacuation model (known only to the services), due to panic, an international border, high density of numbers etc. As such, the ESG supports a nuclear-free Gibraltar. It should also be stated that there is no known threshold of safety of exposure to radiation. Gibraltarians should also have the minimum standards of information and safety as offered to UK residents near Nuclear Submarine berths which include information booklets and where to go for your potassium iodate tablets should an accident take place*

**I) Transborder Environmental issues**

*The ESG has dedicated a few years and a lot of its resources towards addressing Bay pollution produced by the heavy industries in Spain, across the border to Gibraltar. Much of its lobbying has been aimed at the European Commission via EU legislation as local legislation does not offer much recourse. The scale of this cross border pollution is of huge proportions and is undoubtedly contributing significantly to the ill health and the higher mortality known to exist in this region. This situation has largely been ignored by authorities on both sides of the border. In spite of the Bay being one ecosystem and shared environment commercial and industrial activities as well as massive reclamation projects get underway from either side with insufficient accountability both to its own citizens and to those across the border. The environment must take a central role in all cross border negotiations in good faith, with transparency and full accountability to the communities who reside here*

*These complicated issues presenting factors outside our own jurisdiction nevertheless need to be tackled and incorporated into any Environmental Policy wanting to make a real difference to the environment in Gibraltar and a safer future for our children.*

---

---

## Environmental Charter for the UK Overseas Territories Suitability and relevance to local issues

- 1.5 The ESG supports the **ten guiding principles** and commitments upheld within the Environmental Charter for the UK Territories

It understands that implementation of such a charter will require a lot of planning, discussion and agreement between all parties for action to be taken and for progress to be felt. This will undoubtedly take time. However, the main issue will be whether transparent enforcement of environmental legislation will be encouraged under the Charter and whether activities and technologies that benefit the environment will be actively pursued

If not, the group considers that the far-reaching and sound principles contained therein will be worthless and simply a paper exercise

- 1.6 One example is **guiding principle 9** which aims to control pollution by enforcing the “polluter paying principle”. In reality this would affect our power stations, bunkering businesses, and commercial dockyard among others. All these activities produce noise nuisances as well as air or water pollution of a hazardous nature. To date, the system and authorities have been overly protective of such industries as Gibraltar’s economy struggles to reach equilibrium through a politically turbulent period. Slop Oil as well as the plants based near Waterport Terraces are all heavily impacting the local environment (and if you doubt this please go round the estates and witness the condition of the walls and the quality of the air people are breathing most of the time. The recent expansion of SLOP Oil receiving Govt and EU funding begs the question of whether this would have gone ahead under **principle 3** which talks about identifying environmental opportunities, costs and risks in all policies and strategies. With the location of SLOP oil being very close to residential areas and the waste oil separation treatment being an open air process, fumes can often be smelt from different sectors in that vicinity. These smells are harmful containing the same toxins as in any fuel processing plant. The ESG understands that an impact assessment is being conducted on this plant but considers that the procedure should have been done ahead of the funding and licensing in case the study agrees that proximity to such a plant is dangerous and life threatening
- 1.7 Another example of an impacting activity on the Rock is that of bunkering on a 24 hour period producing round the clock noise and air emissions that recently were affecting so many that reports were constantly being made to all environmental bodies (including ourselves) with people suffering with nausea and vomiting, throat problems and headaches, problems usually attributed to the Oil Refinery. It is clear that since the massive increase in the bunkering service, fuel gases are frequently present in our ambient air and unfortunately we do not have adequate air monitoring data to explain what is in the air that we are breathing (only diffusion tube testing in these areas). Neither is this likely to change in the foreseeable future. It is hoped that in embracing **Principle 15 –Rio**

## 6

**Declaration** the use of vapour recovery systems at every point of fuel transfer will become compulsory. The ESG intends therefore to investigate the quality of the air at these peak moments using the bucket technology (an EPA tried and tested methodology) to accelerate obtaining this important information

- 1.8 It is clear that it is important for Government to include **guiding principle 3** as a priority on how environmental considerations should be integrated within social and economic planning processes and the promotion of sustainable patterns of production and consumption within the territory. This brings us round to the need to :

**REDUCE - RE-USE - RECYCLE**

and to launch an information awareness campaign on pollution, waste, litter, value of recycling, and the constituents and benefits of sustainable lifestyles (eg water consumption)

- 1.9 Under Critical Areas and awareness, we mention the need for open and consultative decision-making on developments and plans which may affect the environment, with impact assessments also including consultation with stakeholders. This links directly with **Commitment 5** on the UK Territories Charter outline
- 2.0 The ESG notes that many environmental campaigns and educational programmes focus on broad environmental themes, the main areas of pollution, climate change, depletion of world resources, species extinction..etc. In its rounds of informal talks at schools, the group has been interested to see the gap of knowledge (not just the children) in some of fundamental issues of our local environment; the good and bad issues. As such, and in order to promote civic pride, awareness and sense of involvement, it would be of great value to introduce an awareness raising programme for schools to inform on “how and where what and why “ - relating to the basics of running our society today. From energy production to waste disposal, to alternatives and to seek participation in problem solving would help create a more responsible culture. This would fit in to **Commitment 9**
- 2.1 Through the recent Clean up Campaign organised by the ESG it became very clear that our green areas are considered dumping grounds by some in our community. Hence a vigorous anti-litter/enforcement/and investment of funds to restore and replant neglected areas is a priority. It is hoped that the Upper Rock Management Plan will provide this type of recommendations at least for the Upper Rock Nature Reserve, this in keeping with **Commitment 2**



**“Best Available technology” and the “precautionary approach”**  
**As per European Directives**

- 2.2 On the issue of our dirty facilities and polluting industries the ESG understands that economic needs have dictated local legislature to some extent in allowing certain impacting activities to continue unabated. However, if Gibraltar is at long last going to embrace ideologies and principles as set out in the Environment Charter it must do so with intentions of carrying these through over a scheduled time-table. This is what the ESG has been asking of Government for some years now
- 2.3 The pursuit of “**best available technology**” and application of the “**precautionary approach**” are two key concepts worthy of consideration when advocating any set of rules or ideologies. In this regard the ESG has been studying and researching alternative energy options for Gibraltar in an attempt to help influence a move away from old technology that is our diesel powered generating stations. ESG’s technical advisors do not believe that best available technology is being sought. Another concern is that the public perception of noise and pollution from our facilities does not appear to be shared by those in the industry, who consider that our stations are operating to good standards
- 2.4 The ESG knows that the power stations on Rosia Road (both Civil and Mod) contravene air and noise regulations. The problems are of a very serious nature to the thousands who live in the area adjacent to the dockyard and therefore if any technical solution exists to ameliorate these appalling emissions, it should be implemented. It is believed that noise insulation and filters on the chimneys as available technology could go some way towards reducing impact from these facilities but this is not being pursued

Now that Gibraltar is setting up replacement generating stations for electricity production, it is an ideal time for Government to be looking at all options and consider those put forward by the ESG on gas powered turbines and solar energy. (See also MoD report on renewable energy options for Gibraltar)

- 2.5 With the precautionary approach (**Principle 15 Rio Dec**), in place this would perhaps flag up a series of considerations before future actions are taken that may cause environmental degradation in any new development or activity. These considerations should be given as much value as the potential economic value it may bring with it in the short term.

The funicular project springs to mind in terms of erring on the safe side and the potential for degrading a pristine green area. In Gibraltar one would also consider the placing of polluting and noisy installations alongside prospective residential

development sites to benefit from using the precautionary approach and **await the new development plan that would enable more efficient and holistic planning**

The location of bunkering barges near housing estates and moorings close to shore with the constant fuel emissions permeating the coastal neighbourhoods; the regularity of spray painting undertaken by Cammel Laird with over spray affecting many; lack of adequate disposal of hazardous waste by the same company, asbestos works undertaken with poor information support by the same company; suggests a pattern of economic interests winning time and again over environmental and health considerations

---



## **In Summary**

**The ESG hopes that it has been able to put its views across on the areas it considers would of most benefit and be affected by an Environmental Charter in Gibraltar.**

**As mentioned earlier in the document, the “easy” part will be in the writing up of appropriate principles, terms and conditions that everyone who is inputting in the consultation process will support.**

**The hard part will be to see action emanate from these principles which will undoubtedly require similarly progressive levels of enforcement, investment, co-operation, and compromise. The ESG hopes that this first step towards rectifying many of our harmful practices on our environment by way of setting up an Environmental Charter is very welcome and should mark a change for the better.**

**The group hopes that the information supplied in this document will be accepted as coming from a committed group of volunteers who have our environment and wellbeing of Gibraltar, and our local and global environment as our priorities. A group that has long campaigned for an Environmental Charter and Policy for Gibraltar in order to help bring about necessary changes and improvements in many of our activities and help create a more sustainable Gibraltar.**