

An aerial photograph of a mountain range, likely the Andes, showing a valley with a river and some small settlements. The image is overlaid with a blue gradient.

Global Pact for the Environment

**It is time to
recognise the Earth
System as kingpin
of our Environment**



The global community has a golden opportunity in its hands, to take action now that will finally provide an urgently needed framework for sound environmental governance for generations to come.

This meeting of the Working Group, our second substantive session, offers a critical last chance to lay the groundwork for an agreement at the UN General Assembly Climate Summit in September. But the meeting does not come without its challenges.

Let's face it – the Paris Agreement within the United Nations Framework Convention on Climate Change is insufficient to stabilise the climate. Climatic pressures are dramatically increasing – and now our children are launching their own climate strikes, in an exasperated hope of getting politicians' attention on the regarding environment.

A system of global environmental governance can no longer be just another initiative that ends in disbelief and resignation with the impossibility of effectively facing the threat of irreversible climate crisis. The truly universal scale of the proposed Global Pact for the Environment – and the range of sectors on which it is expected to intervene – are such that it may well provide the paradigm shift necessary to reverse the current trend towards environmental disruption.

We may be approaching a level of international political alignment never before seen, that allows joint consideration of the multiple core drivers that influence how the Earth System

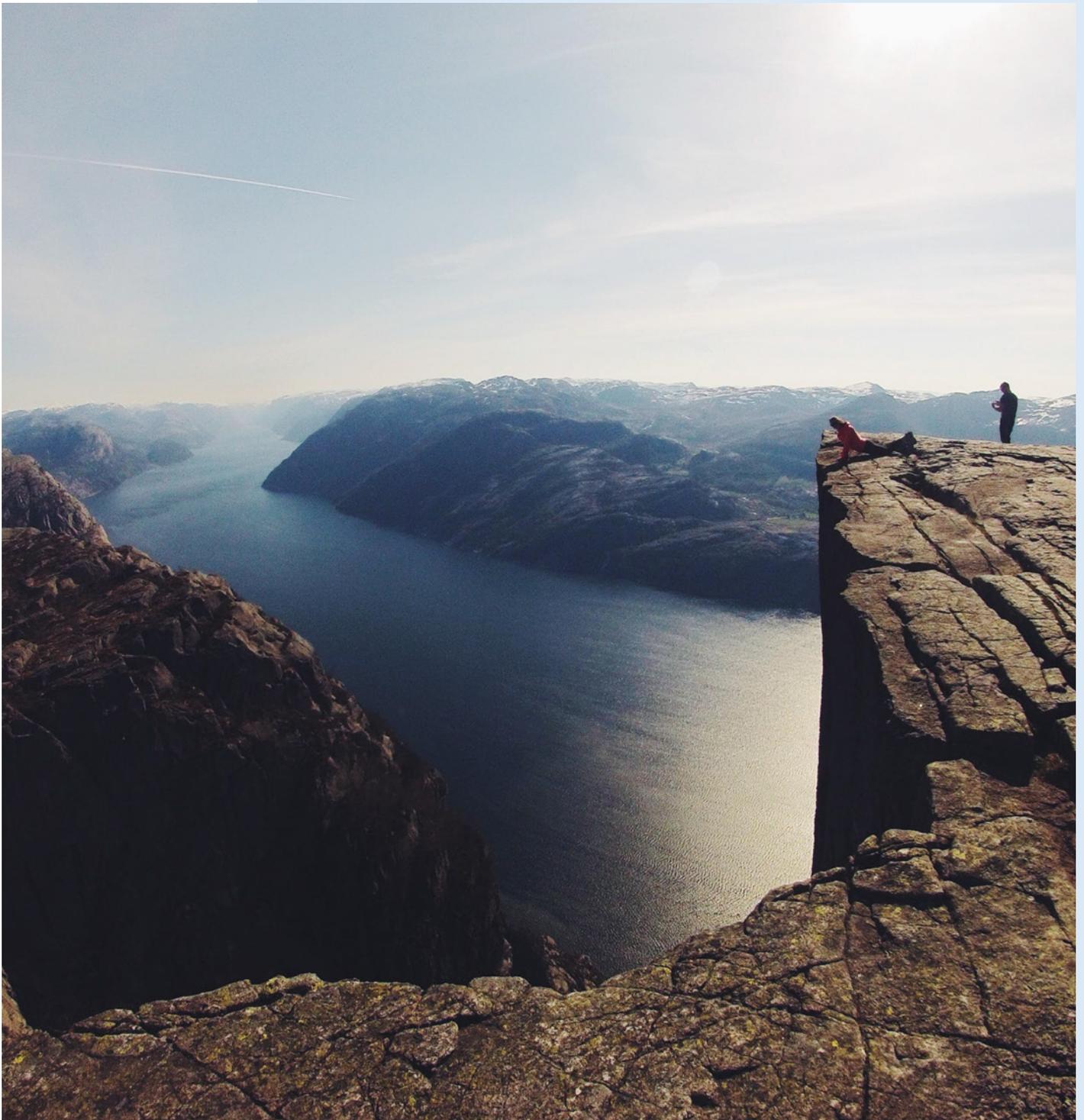
functions and the bio-geophysical boundaries of the planet. This is triggering a conceptual evolution that could form the baseline for international environmental law reform, enabling governments to embark on a scientifically informed path to build a successful environmental governance model that is able to restore the favorable state of the Earth System.

Indeed, the initiative to establish a legally binding international instrument – bringing together principles articulated in a range of existing political declarations on the environment – can only be successful with a conceptual upgrade. With the goal of codifying coherent principles of international environmental law, addressing gaps and – critically – introducing the idea of it being a basic human right to have access to an ecologically sound environment, the pact will be impossible unless the best available knowledge is used. A structurally coherent scientific theoretical framework is essential.

During the first substantive meeting of the Working Group, in January 2019, it was clear that delegates of all countries were bewildered by the lack of definition of the object of the pact itself. Yet today it is possible to define how the global environment functions to a high degree of scientific accuracy – and it is incomprehensible that a global pact does not use existing scientific knowledge about our Earth System.

If a Global Pact for the Environment fails to come to fruition now, it is highly unlikely that a similar opportunity to address the functioning of the Earth System as a whole in an integrated way – the only logical way we can hope for any success – will emerge in the next years. It may also mean that it is impossible to make a conceptual evolution of the Paris Agreement, moving from the exclusive consideration of CO₂ towards inclusion of the nine core drivers of the Earth System function, known as planetary boundaries – all of them necessary to ensure a

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stable climate. Postponing this process of integrating scientific knowledge into legal instruments may prove to be fatal given the urgency of the climate crisis and the pressures the planet is under.

Extending negotiation processes to encompass all elements of the Earth System, increasing the negotiating margin of each country and with it the prospect of success in terms of addressing the functioning of the Earth System, can also make this agreement fairer in terms of historic responsibilities. Equally, it would allow easier and clearer integration of the bio-geophysical cycles in the functioning of the economy.

Almost all nine indicators of planetary boundaries already have their own silo legislation, but there is no legal framework to represent their interconnections and their way of operating within a complex and interconnected system. Considering each planetary boundary in isolation in different legal documents without an integrated approach, has created only the illusion that something is being done, while acting dysfunctionally and with high likelihood of failure and getting unwanted results. It is impossible to coherently address the interconnections that lie at the heart of the proposed pact without resorting to the scientific knowledge available today.

The political process that has now been initiated, which could culminate in an intergovernmental conference to adopt a new international instrument for global environmental law, must not be a wasted opportunity. Its inter-sectoral and universal scope is an exciting opportunity to harmonise science, law and economics – and thus provide the theoretical framework that allows us to approach the current environmental crisis with some possibility of success.

Done right, this Global Pact for the Environment will recognise the critical and indivisible role of the Earth System in stabilising the conditions that make our very lives and livelihoods viable. Done wrong, the chance may not pass this way again for several decades – and the global community will have failed in its responsibility, and in its own self-interest, to be effective stewards of life.

And it may be too late then, given the irreversible changes of the Earth System expectable on the short term under current trends.

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