



For Immediate Release

Multilateralism at Work: United Nations' deliberations on a Global Pact for the Environment

Nairobi, Kenya, March 21st 2019. Over the course of the past three days, delegates and stakeholders have come together at the United Nations in Nairobi to address the fragmentation, lack of coherence, and general inadequacy of international environmental law. In part, Member States of the UN are discussing options for establishing a Global Pact for the Environment, seeking to unify international environmental law principles. If adopted, the Global Pact would codify key environmental rights and duties as well as fill gaps in international environmental legislation. A coalition of international Non-Governmental Organisations hail the Pact as a concrete instrument that would raise environmental standards and norms and strengthen their enforcement.

For more than four decades the international community has sought multilateral answers to international environmental challenges. In the process, it has created international agreements such as the Stockholm Declaration (1972), the Rio Declaration (1992) and the Paris Agreement on climate change in 2015. A large number of sectoral and targeted environmental agreements and conventions have also been agreed in an attempt to address a diverse range of environmental challenges. But the damage to the environment persists.

On Monday, March 18th governments and stakeholders met in Nairobi, Kenya for the second substantive session of the Ad hoc open-ended working group, established by UN General Assembly resolution 72/277. The aim of the deliberations has been, *inter alia*, to discuss the “possible options to address the possible gaps in international environmental law and

environment-related instruments, as appropriate, and, if deemed necessary, the scope, parameters and feasibility of an international instrument..." (GA Res. 72/277, para. 2).

One option for addressing the gaps, supported by a number of governments, is the Global Pact for the Environment. The Pact, proposed by an international group of experts coordinated by the *Club des Juristes*, is not a reinvention of the wheel but rather a compilation of existing legal principles and a much needed step towards ensuring legal certainty and predictability. Despite provisions set forth in existing instruments, which have to some extent been disseminated and implemented through the help of governments and respective legal systems, the Global Pact would provide the legal community with the necessary tools to interpret existing gaps and ambiguities in international environmental law. Yann Aguila, one of the initiators of the Global Pact, confirmed the importance of the instrument by noting, "I can assure you that international treaties are very important to judges and legal practitioners alike. International law is taken seriously and each day, judges apply international treaties...they provide guidance for jurists all over the world."

As the second substantive session closed yesterday on Wednesday, March 20th we are hopeful that momentum has been created. Many countries have spoken in favour of addressing the gaps that have come to characterise international environmental law and the options for filling such gaps.

In 2022, governments will mark the 50th anniversary of the Stockholm Conference on the Human Environment. The conference marks the launch of international cooperation on the environment, and established the UN Environment Programme. We believe that the successful agreement of a Global Pact for the Environment would be a fitting way to mark this anniversary and begin a new era in international environmental cooperation. As representatives of civil society, we hope that governments will stand united in recommending to the UN General Assembly the convening of an international conference with a view to adopting an international instrument that addresses gaps in international environmental law, and which compiles existing environmental principles into one document.

Fabienne McLellan, Director of International Relations, OceanCare: "Last week, the Global Environmental Outlook Report passed at the fourth UN Environment Assembly painted a bleak picture: we are facing an environmental emergency. The first call for legal principles for environmental protection was already made in the famous Brundtland Report in 1987. Now, more than three decades later, a treaty on environmental law is more urgent than ever. We hope that Member States stand united in making this progressive effort and courageous step to protect the environment before it is too late."

Ana Barreira, CEO of Instituto Internacional de Derecho y Medio Ambiente (IIDMA) and member of the BoD of Common Home of Humanity:

"Science based knowledge alerts us to the urgency to take meaningful measures which are implemented in order to face this emergency by present generations. This process has opened a great opportunity to give a legal science-based response to establish a new basis for the

protection of our Earth. For this reason, the work undertaken in WG must finalise with a recommendation to impel the intergovernmental process for a Global Pact for the Environment if not for the Earth System.”

Leida Rijnhout, Stakeholder Forum for a Sustainable Future: “A Global Pact for the Environment will be a necessary complementary instrument to achieve the 2030 Agenda for Sustainable Development (SDGs). The coverage of the environmental dimension of the SDGs is still quite weak, while scientists agree on the urgency to act soon. They also agree that policy changes is not enough and we need also legally binding measures.”

Michel Prieur, President, Centre International de Droit Comparé de l'Environnement/International Center of Comparative Environmental Law (CIDCE): “All principles of environmental law are related to universal international human rights. Therefore, a Global Pact for the environment confirms and reinforces the strong relationship between environment and human rights, as demonstrated by the UN Human Rights Council.”

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Links and Further Information

- the IISD report/articles/analysis: <http://enb.iisd.org/unep/globalpact/oewg2/>
- UNEP Website : <https://www.unenvironment.org/events/conference/towards-global-pact-environment>
- Information on the Global Pact for the Environment: <https://globalpact.informea.org/>

Background Information:

The Third Substantive Session is scheduled for 19th to 22nd May 2019: At the third Ad hoc open-ended working group Member States and stakeholders will seek to forge an agreement on the next steps in the process, including the making of recommendations to the UN General Assembly. What is hoped for is either a Global Pact for the Environment or some other type of international instrument that will be binding and enforceable, and will strengthen the implementation of international environmental law.