

# Towards a Global Pact for the Environment

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## Introduction

Environmental law delegates gathered at a high-level meeting in Paris towards the end of June 2017 to finalise a draft [“Global Pact for the Environment”](#). This was after a three-month iterative process whereby environmental lawyers throughout the world, including members of the IUCN Academy of Environmental Law and the IUCN World Commission on Environmental Law, provided substantial input into the process prior to the meeting. The initiative was spearheaded by the President of the French Constitutional Court, Laurent Fabius, who also led and was no doubt buoyed by the successful adoption of the landmark Paris Agreement in December 2015. Thus, the current name of what will eventually hopefully become an international treaty is “Pact” rather than “Convention” as the French word for “Convention” is “Pact”. The end result after the draft has been steered through the various UN processes may well be that it will be called the “Global Environmental Convention” or “Covenant on the Environment”. Whatever the eventual title of the treaty, all delegates, including newly-elected French President Emmanuel Macron and climate law ambassadors Ban Ki-Moon, Mary Robinson and Arnold Schwarzenegger, were unanimous that the time for the adoption of such a treaty was well overdue as environmental degradation continues apace.

## Underlying motivation for an international environmental treaty

The underlying motivation for such a global pact or treaty on the environment is laudable in that both the 1972 Stockholm and 1992 Rio Summits or UN Conference on the Human Environment (UNCHE) and UN Conference on Environment and Development (UNCED) produced significant soft law declarations (the “Stockholm” and “Rio” Declarations respectively). But these are just that: “soft” law declarations rather than “hard” law. Thus, while some of the principles in these declarations have undoubtedly become crystallised over time as principles of customary international law — Rio Principle 15: the Precautionary Approach, being arguably one example — the time has now come to strengthen these and give them the international law *gravitas* that they deserve.

In so-doing the underlying motivation for this initiative is for the global environment what the 1948 Universal Declaration on Human Rights was or human rights. Thus the Universal Declaration was concretised in 1966 by first, the International Covenant on Civil and Political Rights, and second, by the International Covenant on Economic, Social and Cultural Rights. If and when the Global Pact is adopted, it will add an important international “hard” law dimension to environmental principles (S)-6(oc)7(oc)7(oc)

