

# International environmental law (3)

Dra. Mar Campins Eritja

Departament de Dret Penal i Criminologia, i Dret  
Internacional Públic i Relacions Internacionals

Universitat de Barcelona

**EUUEL**  *Jean Monnet Chair  
on European Union  
Environmental Law*



# UN and international environmental protection

- Other UN bodies:
  - ✓ UN Center for Human Settlements (Habitat)
  - ✓ UN Development Program
  - ✓ UN Conference on Trade and Development

# UN and international environmental protection

- Other UN specialized agencies:
  - ✓ FAO (agriculture, forestry, fisheries, soil, plant protection)
  - ✓ WHO (health and environment)
  - ✓ UNIDO (industry and environment)
  - ✓ UNESCO (environmental education, scientific activities)
  - ✓ WMO( atmosphere and climate, including IPCC)
  - ✓ ILO (working environment and occupational safety)
  - ✓ IMO (marine pollution, dumping at sea)
  - ✓ ICAO (environmental aspects of civil aviation)

# UN Environmental Program (UNEP)

- Establishment: General Assembly's Resolution 2997(XXVII), September 15, 1972
- Restructured: Governing Council's Decision 19/1, February 7, 1997, Nairobi declaration on the role and mandate of the UNEP

# UNEP Governing bodies

- Governing Council
- Committee of Permanent Representatives
- *High-level Committee of Ministers and Officials*
- Secretariat

# UNEP Functional Programs

- ✓ Technology, Industry and Economics
- ✓ Regional Cooperation (Regional offices for Europe, North America, Africa, Asia and the Pacific, West Asia, Latin America and Caribbean)
- ✓ Environmental Policy Development and Law
- ✓ Early Warning and Assessment
- ✓ Environmental Policy Implementation
- ✓ Environmental conventions

# UNEP operational activities

- 6 fields:
  - ✓ Human settlements
  - ✓ Environment and health
  - ✓ Earth ecosystems
  - ✓ Oceans
  - ✓ Environment and development
  - ✓ Natural disasters
- 3 types of actions:
  - ✓ Evaluation
  - ✓ Management
  - ✓ Support

# UNEP priorities

- Environmental information, assessment and research, including environmental emergency response capacity and strengthening of early warning and assessment functions
- Enhanced coordination of environmental conventions and development and development of policy instruments;
- Fresh water
- Technology transfer and industry
- Support to Africa



# UNEP methodology of work

- Collection of data
- Definition of objectives, goals and strategies
- Choice of actions and activities to support
- Development of actions and activities

# IEL in a regional perspective: NAFTA (1992)

- Investment / industrial relocation
- International environmental agreements
- Standards provisions:
  - ✓ Sanitary and phytosanitary measures (Ch.7)
  - ✓ Other technical standards-related measures (Ch. 9)
  - ✓ Harmonization
  - ✓ Precautionary principle
- Dispute resolution

# IEL in a regional perspective: NAFTA – Environmental Side Agreement (1993)

- Objectives
- General commitments
- Consultation and dispute resolution
- Institutionalization: North American Commission for Environmental Cooperation
- Citizen submissions

# IEL in a regional perspective: OAS

- Objectives:
  - ✓ Provide support to the political organs of the OAS
  - ✓ Formulate and execute technical cooperation projects
  - ✓ Facilitate exchanges of information related to sustainable development in the region and build a basis for the participation of civil society in environmental management decision processes
  - ✓ Assist countries and regions in preparing investment projects for consideration by regional and international financing mechanisms
  - ✓ Support efforts to promote coordination and cooperation among bilateral and international agencies and NGOs
  - ✓ Implementation of the Bolivia Summit Plan of Action (Santa Cruz Summit on Sustainable Development, 1996)

# IEL in a regional perspective: OAS

- **Programs:**

- ✓ Biodiversity: Inter-American Biodiversity Information Network
- ✓ Climate Change and Coastal Zone Management: Caribbean-Planning for Adaptation to Global Climate Change (CPACC)
- ✓ Environmental Law: Inter-American Forum on Environmental Law (FIDA)
- ✓ Natural Hazards: Natural Hazards Project / Caribbean Mitigation Project (CDMP)
- ✓ Public participation: Inter-American Strategy for the Promotion of Public Participation in decision Making for Sustainable Development (ISP)
- ✓ Renewable Energy: Renewable Energy in the Americas Program (REIAS)
- ✓ Water Resources: Water Resources Management / Inter-American Water Resources Network (IWRN)

# IEL in a regional perspective

- Objectives (art.174 ECT):
  - ✓ Preserving, protecting and improving the quality of the environment
  - ✓ Protecting human health
  - ✓ Prudent and rational utilization of natural resources
  - ✓ Promoting measures at international level

# IEL in a regional perspective: EU

- Instruments:
  - ✓ Legislative instruments (regulations, directives, decisions)
  - ✓ Programmatic instruments (e.g. VI Action Program 2000)
  - ✓ Financial instruments (e.g. LIFE program, MED programs)
  - ✓ Technical instruments (e.g. eco-labeling, EMAs, EIA)
  - ✓ Market instruments (e.g. environmental accounting, voluntary agreements)

# IEL in a regional perspective: EU

- Policies:
  - ✓ Waste management
  - ✓ Water pollution
  - ✓ Air pollution
  - ✓ Noise pollution
  - ✓ Nature conservation
  - ✓ Natural and technological hazards
  - ✓ Enlargement
  - ✓ International cooperation