

Dret i polítiques mediambientals i de sostenibilitat

**Tema: El rol de las Naciones Unidas en la promoción de
la protección ambiental y los ODS**

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BARCELONA

Las Naciones Unidas: organización internacional

Asociación voluntaria de Estados (y/u otras OOI), constituida sobre la base de un **acuerdo jurídico internacional** (tratado constitutivo), con una **estructura orgánica permanente** a la que se le dota de **competencias** para la satisfacción de **intereses comunes** y con **voluntad autónoma** a la de los sujetos que la crearon.

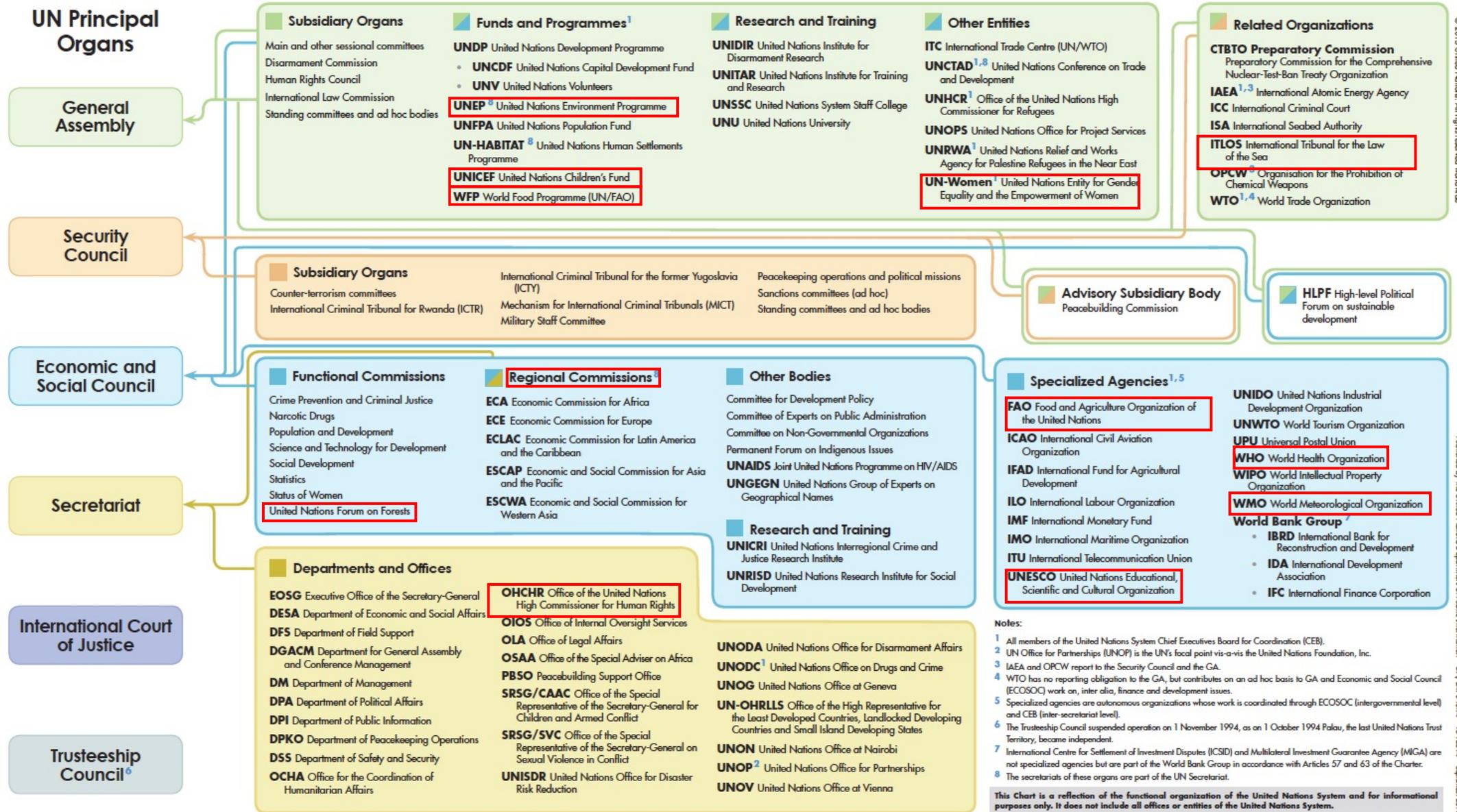
Las Naciones Unidas

- Creación: 1945
- La Carta de las Naciones Unidas
- Fines
- Membresía





The United Nations System

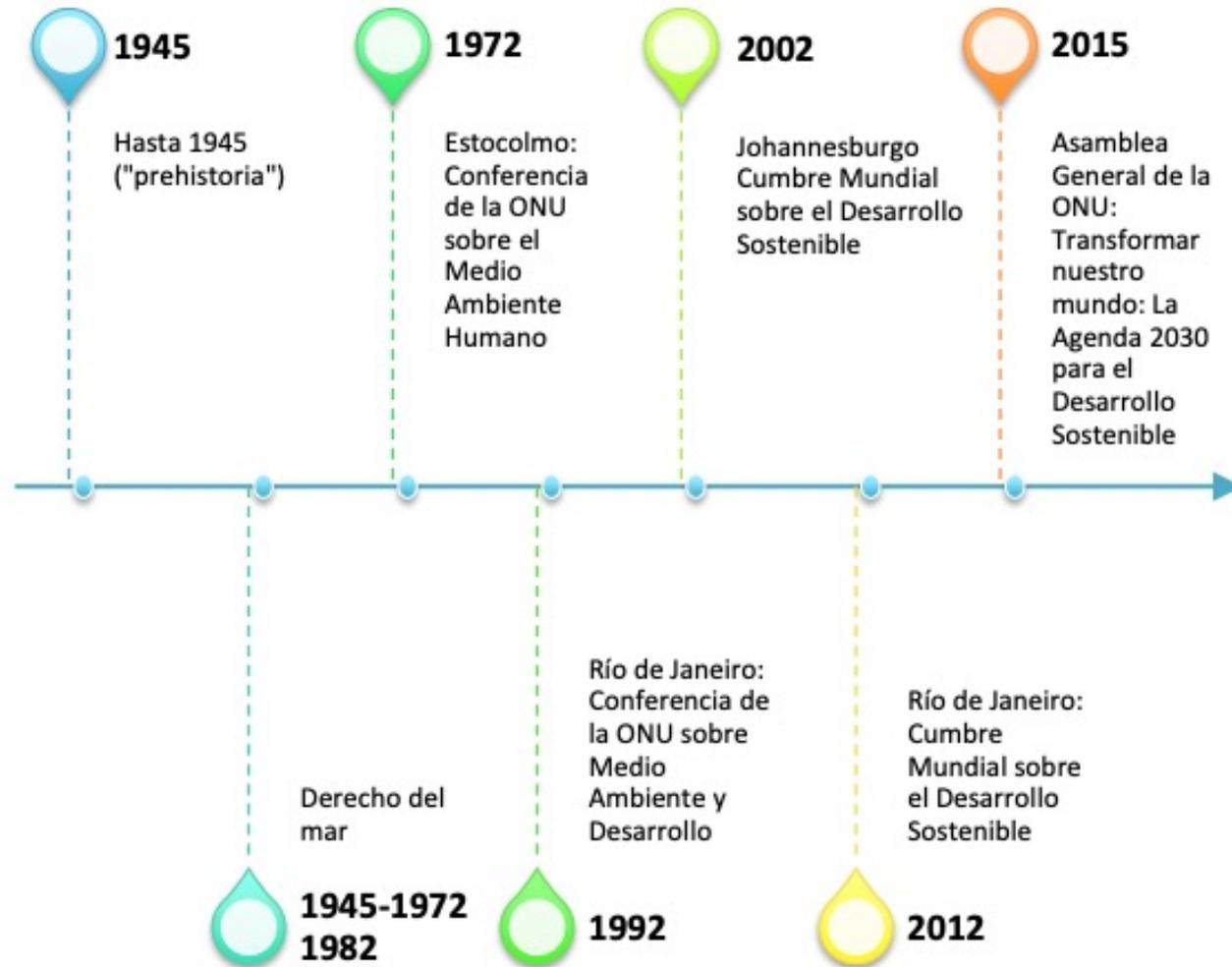


Notes:

- All members of the United Nations System Chief Executives Board for Coordination (CEB).
- UN Office for Partnerships (UNOP) is the UN's focal point vis-a-vis the United Nations Foundation, Inc.
- IAEA and OPCW report to the Security Council and the GA.
- WTO has no reporting obligation to the GA, but contributes on an ad hoc basis to GA and Economic and Social Council (ECOSOC) work on, inter alia, finance and development issues.
- Specialized agencies are autonomous organizations whose work is coordinated through ECOSOC (intergovernmental level) and CEB (inter-secretariat level).
- The Trusteeship Council suspended operation on 1 November 1994, as on 1 October 1994 Palau, the last United Nations Trust Territory, became independent.
- International Centre for Settlement of Investment Disputes (ICSID) and Multilateral Investment Guarantee Agency (MIGA) are not specialized agencies but are part of the World Bank Group in accordance with Articles 57 and 63 of the Charter.
- The secretariats of these organs are part of the UN Secretariat.

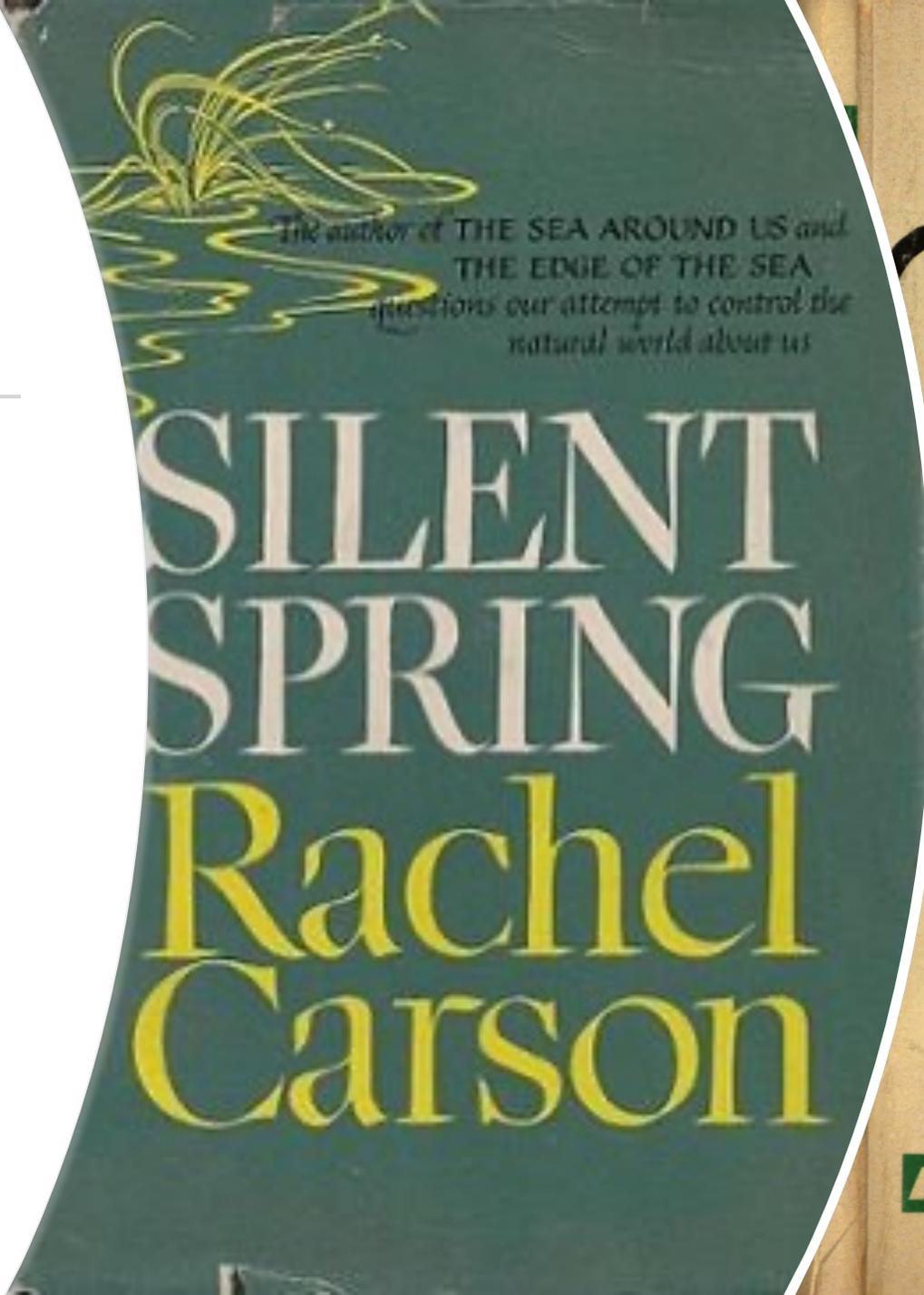
This chart is a reflection of the functional organization of the United Nations System and for informational purposes only. It does not include all offices or entities of the United Nations System.

Las Naciones Unidas y la promoción de la protección ambiental



Surgimiento de la 'conciencia ambiental'

- *Silent Spring*, Rachel Carson (1962)
- Aparición del movimiento ambientalista (década del 60') junto con otros "nuevos movimientos sociales"
- Tragedias ambientales de impacto mundial
- *The Tragedy of the Commons*, Garret Hardin (1968)
- *Limits to Growth*, Meadows et al (1972)



THE LIMITS TO growth

Donella H. Meadows
Dennis L. Meadows
Jørgen Randers
William W. Behrens III

*A Report for THE CLUB OF ROME'S Project on the
Predicament of Mankind*



A POTOMAC ASSOCIATES BOOK

\$ 2.75

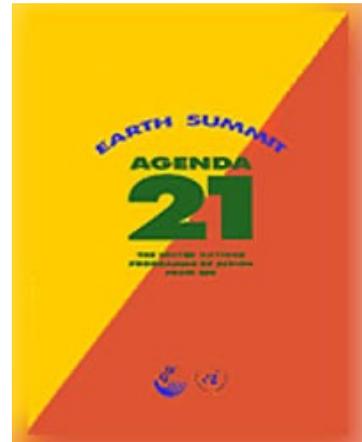
La Conferencia de Naciones Unidas sobre el “Medio Humano” de 1972 (Estocolmo)

- Antecedente: Conferencia sobre la Conservación y el Uso Racional de los Recursos de la Biosfera (París, 1968)
- Declaración sobre el Medio Humano (Preámbulo y 26 “principios”)
- Programa de acción (109 recomendaciones)
- Creación del PNUMA
- Proliferación normativa general y sectorial



La Conferencia Naciones Unidas sobre el Medio Ambiente y el Desarrollo de 1992 (Río de Janeiro)

- Antecedente: - Informe de la Comisión Mundial sobre el Medio Ambiente y el Desarrollo (1987) – “Informe Brundtland” “Nuestro futuro común”
- Declaración de Río sobre el medio ambiente y el desarrollo (27 principios)
- Programa 21 – Plan de acción
- Declaración de principios no vinculantes sobre bosques
- Convención Marco de Naciones Unidas sobre el Cambio Climático (CMNUCC)
- Convenio sobre la Diversidad Biológica (CDB)
- Continuación de la proliferación de tratados ambientales



CUMBRE
DE LA
TIERRA
RÍO 1992

El nuevo milenio: “la deriva desarrollista”

- Declaración del Milenio de 2000 (AGNU A/RES/55/2)
- La Conferencia de Johannesburgo de 2002:
 - La Declaración de Johannesburgo sobre el Desarrollo Sostenible
 - Plan de Aplicación de las Decisiones
- La segunda Conferencia de las Naciones Unidas sobre el Desarrollo Sostenible (Río +20)
 - Documento final: “El futuro que queremos” (AGNU A/RES/66/288)

- Quiebre ambiente/
crecimiento económico
- Neoliberalismo
- Desregulación ambiental
- Puesta en duda de la ciencia
- “Captura” del Desarrollo
Sostenible (*Green economy*)
- Tecno-optimismo

La Agenda 2030 (AGNU A/RES/70/1, 2015)



Contribución de la ONU: Principios del Derecho Ambiental

- Deber de cooperación (notificación, consulta)
- Obligación de no causar un daño ambiental
- Prevención de la contaminación transfronteriza: Tomar medidas que neutralicen o mitiguen al máximo posible los daños ambientales previsibles.
- Evaluación del impacto ambiental transfronteriza
- Responsabilidades comunes pero diferenciadas
- Equidad intergeneracional
- Principio de precaución: Cuando haya peligro de daño grave o irreversible, la falta de certeza científica absoluta no deberá utilizarse como razón para postergar la adopción de medidas eficaces en función de los costos para impedir la degradación del medio ambiente.
- Principio “quien contamina, paga”

Contribución de la ONU: Proliferación de tratados multilaterales ambientales

1.	Convention on long-range transboundary air pollution. Geneva, 13 November 1979
1.a.	Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP). Geneva, 28 September 1984
1.b.	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent. Helsinki, 8 July 1985
1.c.	Protocol to the 1979 Convention on long-range transboundary air pollution concerning the control of emissions of nitrogen oxides or their transboundary fluxes. Sofia, 31 October 1988
1.d.	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes. Geneva, 18 November 1991
1.e.	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Further Reduction of Sulphur Emissions. Oslo, 14 June 1994
1.f.	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals. Aarhus, 24 June 1998
1.g.	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants. Aarhus, 24 June 1998
1.h.	Protocol to the 1979 Convention on Long-range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone. Gothenburg (Sweden), 30 November 1999
1.i.	Amendments to the Text and to Annexes I, II, III, IV, VI and VIII to the 1998 Protocol on Persistent Organic Pollutants. Geneva, 18 December 2009
1.j.	Amendments to Annexes I and II to the 1998 Protocol on Persistent Organic Pollutants. Geneva, 18 December 2009
1.k.	Amendment of the text and annexes II to IX to the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone and the addition of new annexes X and XI. Geneva, 4 May 2012
1.l.	Amendments to the Text of and Annexes Other than III and VII to the 1998 Protocol on Heavy Metals. Geneva, 13 December 2012
2.	Vienna Convention for the Protection of the Ozone Layer. Vienna, 22 March 1985
2.a.	Montreal Protocol on Substances that Deplete the Ozone Layer. Montreal, 16 September 1987
2.a.b.	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. London, 29 June 1990
2.c.	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. Copenhagen, 25 November 1992
2.d.	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer adopted by the Ninth Meeting of the Parties. Montreal, 17 September 1997
2.e.	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. Beijing, 3 December 1999
2.f.	Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. Kigali, 15 October 2016

3.	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Basel, 22 March 1989
3.a.	Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Geneva, 22 September 1995
3.b.	Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal. Basel, 10 December 1999
4.	Convention on Environmental Impact Assessment in a Transboundary Context. Espoo, Finland, 25 February 1991
4.a.	Amendment to the Convention on Environmental Impact Assessment in a Transboundary Context. Sofia, 27 February 2001
4.b.	Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context. Kiev, 21 May 2003
4.c.	Amendment to the Convention on Environmental Impact Assessment in a Transboundary Context. Cavtat, 4 June 2004
5.	Convention on the Protection and Use of Transboundary Watercourses and International Lakes. Helsinki, 17 March 1992
5.a.	Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes. London, 17 June 1999
5.b.	Amendments to Articles 25 and 26 of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes. Madrid, 28 November 2003
6.	Convention on the Transboundary Effects of Industrial Accidents. Helsinki, 17 March 1992
7.	United Nations Framework Convention on Climate Change. New York, 9 May 1992
7.a.	Kyoto Protocol to the United Nations Framework Convention on Climate Change. Kyoto, 11 December 1997
7.b.	Amendment to Annex B of the Kyoto Protocol to the United Nations Framework Convention on Climate Change. Nairobi, 17 November 2006
7.c.	Doha Amendment to the Kyoto Protocol. Doha, 8 December 2012
7.d.	Paris Agreement. Paris, 12 December 2015
8.	Convention on Biological Diversity. Rio de Janeiro, 5 June 1992
8.a.	Cartagena Protocol on Biosafety to the Convention on Biological Diversity. Montreal, 29 January 2000
8.b.	Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity. Nagoya, 29 October 2010
8.c.	Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety. Nagoya, 15 October 2010

9.	Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas. New York, 17 March 1992
9.a.	Amendment to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas. Esbjerg, 22 August 2003
10.	United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. Paris, 14 October 1994
11.	Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora. Lusaka, 8 September 1994
12.	Convention on the Law of the Non-Navigational Uses of International Watercourses. New York, 21 May 1997
13.	Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Aarhus, Denmark, 25 June 1998
13.a.	Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Kiev, 21 May 2003
13.b.	Amendment to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. Almaty, 27 May 2005
14.	Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. Rotterdam, 10 September 1998
15.	Stockholm Convention on Persistent Organic Pollutants. Stockholm, 22 May 2001
16.	Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes and to the 1992 Convention on the Transboundary Effects of Industrial Accidents. Kiev, 21 May 2003
17.	Minamata Convention on Mercury. Kumamoto, 10 October 2013
18.	Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. Escazú, 4 March 2018

Contribución de la ONU: Soft Law



Naciones Unidas

A/76/L.75



Asamblea General

Distr. limitada
26 de julio de 2022
Español
Original: inglés

Septuagésimo sexto período de sesiones

Tema 74 b) del programa

Promoción y protección de los derechos humanos:
cuestiones de derechos humanos, incluidos otros
medios de mejorar el goce efectivo de los derechos
humanos y las libertades fundamentales

Alemania, Andorra, Angola, Antigua y Barbuda, Armenia, Bahamas, Bhután, Bosnia y Herzegovina, Bulgaria, Burkina Faso, Cabo Verde, Chequia, Chile, Chipre, Colombia, Congo, Costa Rica, Croacia, Djibouti, Ecuador, Eslovaquia, Eslovenia, España, Fiji, Finlandia, Francia, Georgia, Grecia, Guatemala, Guinea Ecuatorial, Honduras, Islas Marshall, Jordania, Kenya, Letonia, Libano, Luxemburgo, Macedonia del Norte, Maldivas, Mali, Malta, Marruecos, Micronesia (Estados Federados de), Mónaco, Montenegro, Nigeria, Países Bajos, Palau, Panamá, Perú, Portugal, Qatar, República de Corea, República Dominicana, Rumania, Samoa, Senegal, Suiza, Togo, Ucrania, Uruguay y Vanuatu: proyecto de resolución*

**El derecho humano a un medio ambiente limpio, saludable
y sostenible**

La Asamblea General,

Guiada por los propósitos y principios de la Carta de las Naciones Unidas,

Discusión:

¿Éxito o fracaso?

¿Cuentas pendientes?

¿Síndrome del bufé?