

RECAP OF THE EVENT

Strengthening Implementation of International Environmental Law - Commentaries on the UN Secretary General's Report on International Environmental Law for the "Global Pact for the Environment"

Date: December 10, 2018, 1:15pm – 2:30pm

Location: United Nations Headquarters, Conference Room 11



This conference, organized on the 70th anniversary of the Universal Declaration of Human Rights, was an opportunity for leading experts to comment the UN Secretary-General's Report.

For the record, on December 3, 2018, UN Secretary-General Guterres released the UN's first report on the state of international environmental law, mandated by the UN General Assembly on May 10, 2018 (Res. [A/72/277](#)). The purpose of this report is to identify and assess possible gaps in international environmental law and environmental-related instruments, including the governance structure and implementation of international environmental law.

Entitled "*Gaps in International Environmental Law and Environment-Related Instruments: Towards A Global Pact for the Environment*" (Doc. [A/73/419](#)), the report reveals gaps and deficiencies at multiple levels. It examines how States could gather the fundamental principles of international environmental law into a single international instrument. It notes that today there are more than 500 agreements that protect the environment, but they are currently incomplete and not fully implemented.

This ambitious report is a major milestone in the [Global Pact for the Environment](#) process. It will set the basis for debate of States within the *Ad Hoc Open Ended Working Group* (a group established by the UN General Assembly) on how to strengthen environmental law implementation. The first substantive session of the working group will be held at UN Environment headquarters in Nairobi, Kenya, 14-18 January 2019. At this session, States will exchange their views on the project of a Global

Pact for the Environment. Supporting NGOs and jurists from across the globe will also be participants in the discussion.

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At the conference of December 10, 2018, leading experts commented the UN Secretary-General's Report.

François Delattre, Permanent Representative of France to the UN, emphasized the fact that the Global Pact for the Environment is solidly rooted in the UN Agenda and **Abdoulaye Barro**, Deputy Permanent Representative of Senegal to the UN, reiterated his support for the adoption of such a Pact.

Professor Nicholas A. Robinson, moderator of the discussions, emphasized the need to address codification of international environmental law.

Roy S. Lee, Permanent Observer for the Asian-African Legal Consultative Organization, said that “the Global Pact for the Environment is a great idea that we should all support”, observing the determination of the UNGA by organizing the first substantive session of the working group discussion at the early beginning of 2019.

Claudia De Windt, Senior Legal Advisor for the American-States Organization, highlighted fragmentation of international environmental law and the need for a framework of principles. Ms/Dr De Windt explained that principles are the guiding force for the jurists of international environmental law on a daily basis.

John C. Cruden, Former Assistant Attorney General for Environment and Natural Resources to US Department Justice, found the UN Secretary-General's Report “extraordinary”, commenting that action was required “for our kids to have a better place to live”.

Yann Aguila, Secretary General of the International Group of Experts for the Pact and Former Judge at the Conseil d'Etat (the administrative Supreme Court in France), highlighted the importance of the UN as an international legislator, because “International Law is taken seriously by judges. Each day, judges apply international treaties and lawyers invoke them before the courts”. He noted that a Global Pact for the Environment is a necessity, given the uncertainties detailed in the SG's Report regarding the principles of international environmental law and “their statute, their scope and their meaning”. He added that the GPE is also a key priority. Indeed, the report illustrated many gaps, leading to a long « to do list » for States. But the starting point must be the codification of the principles of law.

The discussions resulted in the conclusion that the Global Pact for the Environment presents an opportunity to return to the spirit of the Universal Declaration of Human Rights, within the environmental context.

Read for more on [the official UN Environment website supporting the process “Towards a Global Pact for the Environment”](#)