

100 Jurists Call for action for the adoption of a *Global Pact for the Environment*

Paris October 9, 2018

On 10 May 2018, by an overwhelming majority, the United Nations General Assembly adopted a resolution that paved the way to negotiations on a Global Pact for the Environment. This international treaty would combine the guiding legal principles for environmental action into one single text. For over thirty years, the international community of jurists has been calling on States to adopt such a text, from the legal experts associated with the 1987 Brundtland report, to the initial 1995 IUCN draft Covenant on Environment and Development, and the draft created in 2017 by a group of experts composed of around 100 jurists from 40 southern and northern countries and of all legal traditions.

In 2015, the adoption of the Sustainable Development Goals and the Paris Climate Agreement created a new global momentum for environmental protection and conservation. These texts represented major progress. However, damage to the environment persists and is more serious than ever before. The years 2017 and 2018 have seen record-breaking temperatures. Biodiversity continues to decline at a rapid pace. It is therefore necessary to step up to a higher level. Beyond the question of climate, the need for a comprehensive text arises, establishing the guiding principles of global environmental governance.

With the Global Pact for the Environment, the international community would be equipped for the first time with a treaty of a general nature that covers all environmental areas. It would be the cornerstone of international environmental law and constitute an “umbrella text” that thereby oversees the different existing sectoral agreements (climate, biodiversity, waste, pollution, etc). The Pact is not intended to substitute for these sectoral treaties. Instead, it aims to complement them and facilitate their implementation. It would therefore fill their gaps and could be applied in addition to them where there is no incompatibility, thus making them more effective and efficient.

With regards to its content, the new treaty would reflect principles on the environment found in the majority of constitutions worldwide and enshrined in several key international texts, such as the 1982 World Charter for Nature, and the 1992 Rio Declaration on Environment and Development, which are not currently legally binding. It would benefit all those involved in environmental governance by systematically bringing together the international, constitutional, and legislative provisions already in existence in many countries, as a consistent foundation for implementation. In each State, legislators would find references for the adoption of new, more robust laws on the environment. Supreme Courts would draw from it as a common source of inspiration and build the foundations for global environmental law within the framework of a dialogue between judges. Citizens and NGOs would see their environmental rights strengthened. Businesses would be able to take advantage of global harmonisation of the rules of the game, which would favour greater legal certainty and fair competition conditions.

While we celebrate seventy years since the 1948 Universal Declaration of Human Rights, and fifty years since the adoption of the two International Covenants adopted by the United Nations in 1966, one relating to civil and political rights and the other to economic, social, and cultural rights, the moment has come to open up a brand-new chapter in the history of international law. That is why we are calling for the adoption of a third Pact, enshrining a new generation of fundamental commitments: the rights and duties of States, public and private entities and individuals relating to the conservation, protection and restoration of the environment.

Signatories:

Yann Aguilu, President of the Environment Commission of the Club des juristes, **Antonio Herman Benjamin**, Justice at the National High Court of Brazil, Chair of the IUCN World Commission on Environmental Law, **Laurent Fabius**, former President of the COP 21, **Bruce Ackerman**, Sterling Professor of Law and Political Science, Yale Law School, **Laurence Boisson de Chazournes**, Professor, Faculty of Law, University of Geneva, **David Boyd**, Professor of Law, Policy and Sustainable Development, University of British Columbia, UN Special Rapporteur on human rights and the environment, **Lord Robert Carnwath**, Justice UK Supreme Court, **Parvez Hassan**, Senior Advocate, Supreme Court of Pakistan Chairman Emeritus IUCN World Commission on Environmental Law, **Marie Jacobsson**, former Member of the UN International Law Commission and Special Rapporteur, Donald Kaniaru, former Director of Environmental Implementation at UNEP, **Swatanter Kumar**, former Judge at the Supreme Court of India, former Chairperson of the Indian National Green Tribunal, **Luc Lavrysen**, Judge at the Constitutional Court of Belgium, President of the European forum of Judges for the Environment, Professor of Environmental Law, Ghent University, **Pilar Moraga Sariago**, Professor at Environmental Law Center of Faculty of Law, University of Chile, Head of the Human Dimension research line of the Center for Climate and Resilience Research (CR)2, **Tianbao Qin**, Professor at the Wuhan University, Secretary

General of Chinese Society of Environment and Resources Law, **Nicholas A. Robinson**, Professor at the Elisabeth Haub School of Law, Pace University, Executive Governor, International Council of Environmental Law (ICEL), **Jorge E. Vinales**, Harold Samuel Chair of Law and Environmental Policy Fellow of C-EENRG Fellow of Clare College, University of Cambridge, Chairman of the Compliance Committee of the UNECE/WHO-Europe Protocol on Water and Health, **Margaret Young**, Associate Professor, Melbourne Law School, **Pauline Abadie**, Lecturer, University Paris Saclay, **Domenico Amirante**, Full Professor of Comparative Law and Environmental Law, Director of the PhD School in Human Sciences, University "Luigi Vanvitelli", **Marisol Angles Hernandez**, Full-time researcher at the National Autonomous University of Mexico, Institute for Legal Research, **Dr. Virginie Barral**, Associate Professor in International Law, University of Hertfordshire, **Mishig Batsuuri**, Presiding Justice of Chamber for Administrative Cases, The Supreme Court of Mongolia, **Ben Boer**, Distinguished Professor, Research Institute of Environmental Law, Wuhan University, Emeritus Professor, University of Sydney, former Deputy Chair, IUCN World Commission on Environmental Law (2012-2016), **Klaus Bosselmann**, Professor, University of Auckland, Chair, IUCN World Commission on Environmental Law Ethics Specialist Group, Chair, Ecological Law and Governance Association, **Simone Borg**, Legal Expert in International Law, President of the Institute for Climate Change and Sustainable Development, Head of the Department of Environmental and Resources Law, Professor of International Law, University of Malta, **Ioana Botezatu**, International Civilian - Environmental Safety, **Michael Bothe**, Professor Emeritus of Public Law, J.W. Goethe University Frankfurt/Main, former President, European Environmental Law Association, former Vice-Chair, IUCN Commission for Environmental Law, former Secretary General, German Society for Environmental Law, **Thomas Boudreau**, Ph.D. Interdisciplinary Professor Salisbury University Maryland, **Edith Brown Weiss**, Francis Cabell Brown Professor of International Law, Georgetown Law, **Soukaina Bouraoui**, Director of the Centre of Arab Women for Training & Research, **Stefano Burchi**, Chairman of the Executive Council International Association for Water Law, **Mingde Cao**, Professor at the China University of Political Science and Law, **Joëlle Casanova**, former Director of legal and administrative affairs, Prince Albert II of Monaco Foundation, **Fernando Carillo Florez**, Inspector Attorney General of Colombia, **Nathalie Chalifour**, Associate Professor, Center for Environmental Law and Global Sustainability, Faculty of Law, University of Ottawa, **Leila Chikhaoui**, Professor of Public Law, University of Tunis, Member of the Tunisian provisional Constitutional court, **Dino Bellorio Clabot**, Dean of the University of Belgrano, Professor of Environmental Law, **Sarah H. Cleveland**, Louis Henkin Professor of Human and Constitutional Rights, Columbia Law School, **Marie-Anne Cohendet**, Constitutional expert, Professor of Public Law, Sorbonne Law School, University Paris 1 Panthéon-Sorbonne, **Bradly Condon**, Professor, Autonomous Technological Institute of Mexico (ITAM), founding Director of the Centre of International Economic Law, **Carina Costa De Oliveira**, Professor, Faculty of Law, University of Brasilia, **Neil Craik**, Associate Professor of Law, University of Waterloo, **Luca D'Ambrosio**, Research Fellow at the Collège de France, **Peter Darak**, President of the Curia of Hungary, **Pierre D'Argent**, Professor of international law, Catholic University of Louvain, Associate Member of the Institute of International Law, **Carlos De Miguel Perales**, Lawyer, Professor, Faculty of Law, Pontificia Comillas University (ICADE), Madrid, **Olivier De Schutter**, Professor, Catholic University of Louvain and the College of Europe, Member of the UN Committee on Economic, Social and Cultural Rights, **María Del Pilar García Pachon**, director, Department of Environmental Law Universidad Externado de Colombia, **Dr. Bharat H. Desai**, Professor of International Law, Chair in International Environmental Law, Chairman, Center for International Legal Studies, University of Jawaharlal Nehru, **Leila Devia**, Professor of Environmental Law, Universities of Salvador and of Buenos Aires, Director of the Basel Regional Center in South America, **Stéphane Doumbé-Billé**, Professor, University of Jean-Moulin Lyon, **Geneviève Dufour**, Professor at the University of Sherbrooke, President of the Quebec International Law Society, President of the francophone network for International Law, **Wolfgang Durner**, Professor, Institute for Public Law, University of Bonn, **Leslie-Anne Duvic Paoli**, Lecturer, The Dickson Poon School of Law, King's College London, **Jonas Ebbesson**, Professor of Environmental Law, Director Stockholm Environmental Law and Policy Centre, Department of Law, Stockholm University, **Daniel C. Esty**, Hillhouse Professor of Environmental Law & Policy, Yale University, **Alexandre Faro**, Lawyer at the Paris Bar, **Michael Faure**, Professor of Comparative and International Environmental Law, Maastricht University, Professor of Comparative Private Law and Economics, Institute of Law and Economics (RILE), Erasmus University, Rotterdam, **Wahid Ferchichi**, Associate Professor of Law, University of Carthage, **Rosario Ferrara**, Professor, LUISS University, Roma, **Liz Fisher**, Professor of Environmental Law, Faculty of Law & Corpus Christi College, University of Oxford, **Dan Galpern**, Attorney at law, Eugene, Oregon, **Patrícia Galvão Teles**, Member of the UN International Law Commission, Professor of International Law at the Autonomous University of Lisbon, Senior Legal Consultant on International Law at the Legal Department of the Portuguese Ministry of Foreign Affairs, **María Gavounelli**, Associate Professor of International Law, National & Kapodistrian University of Athens, **Jan Glazewski**, Professor in the Institute of Marine and Environmental Law, University of Cape Town, former Advisor to the Minister of Environmental Affairs, **Juan Manuel Gomez Robledo**, member of the UN International Law Commission, **Jenny Hall**, Senior Lecturer, Faculty of Law, University of Johannesburg, **Paule Halley**, Professor, Lawyer, Canada Research Chair in Environmental Law, Faculty of Law, Laval University, Quebec, **Delphine Hedary**, former Head of the preparation of the Environmental Charter, former President of the General Assembly for the Modernization of Environmental Law, **Joel Hernandez**, Member of the Inter American Commission on Human Rights, **Isabel Hernandez San Juan**, Professor of Administrative Law Carlos III de Madrid University, **Daive Jr. Hilario G.**, former Chief Justice of the Philippines, former Permanent Representative to the United Nations in New York, **Angel Horna**, Peruvian diplomat and public international lawyer, **Harold Hongju Koh**, Sterling Professor of International Law, Yale Law School, former Legal Adviser, U.S. Department of State (2009-2013), **Océni Hounkpatin Amoussa**, Jurist in Environmental Law, President of the African Jurists for the Environment Association, **María Ivanova**, Associate Professor of Global Governance and Director, Center for Governance and Sustainability at John McCormack Graduate School of Policy and Global Studies, University of Massachusetts Boston, **María Magdalena Kenig-Witkowska**, Professor of legal sciences, University of Warsaw, **Yann Kerbrat**, Professor, Sorbonne Law School, University Paris 1 Panthéon-Sorbonne, Director of the Sorbonne Research Institute of International and European Law, **Louis J. Kotze**, Research Professor North-West University, South Africa, Marie Curie Research Fellow, University of Lincoln, United Kingdom, **Pascale Kromarek**, Lawyer, **Sophie Lavallée**, Professor, Lawyer, Faculty of Law, Laval University, Quebec, **Marja-Liisa Lehto**, member of the UN International Law Commission, Special Rapporteur on Protection of the environment in relation to armed conflicts, **Qingbao Li**, Professor, University of North China Electric Power, **Ibrahima Ly**, Associate Professor of Public Law and Political Science, Director of the Laboratory for Studies and Research in Politics, Environmental and Health Law, Faculty of Juridical and Political Sciences, University Cheikh Anta Diop Dakar, **Sébastien Mabile**, Lawyer, Doctor of Law, President of the Law and Environmental Policies Commission of IUCN France, **Luis Fernando Macías Gomez**, Environmental Law Attorney, President of the Colombian Institute of Environmental Law and Sustainable Development, **Sandrine Maljean-Dubois**, Research Director at CNRS, Director of the mixed research unit Internationale, Comparative and European Law, Professor of International Law, University of Aix-Marseille, **Gilles J. Martin**, Professor Emeritus, University Côte d'Azur, CNRS, GREDEG, **Benoit Mayer**, Assistant Professor, The Chinese University of Hong Kong, **Makane Moïse Mbengue**, Associate Professor of International Law, Faculty of Law, University of Geneva, **Mohamed Ali Mekouar**, Vice-President of the International Center for Comparative Environmental Law, **Shinya Murase**, Member and Special Rapporteur of the UN International Law Commission, **Bouchra Nadir**, Professor, Mohammed V University of Rabat, **Martin Ndende**, Professor, University of Nantes, Senior Legal Advisor at the UN, **Laurent Neyret**, Professor, University of Versailles Paris Saclay, **Nilufer Oral**, Professor, Faculty of Law, Istanbul Bilgi University, Member of the UN International Law Commission, **Hermann E. Ott**, Professor, Head of the ClientEarth Berlin Office, **Hassan Ouazzani Chahdi**, member of the UN International Law Commission, **Luciano Parejo Alfonso**, Administrative Law Professor Emeritus Carlos III de Madrid University, **Teresa Parejo Navajas**, Associate Professor of Law Carlos III de Madrid University, Senior Advisor UN SDSN, **Cymie Payne**, Associate Professor, Rutgers University, **Alain Pellet**, Professor Emeritus, University Paris Nanterre, former Chairperson, UN International Law Commission, President, French Society for International Law, Member, Institute of International Law, **Amedeo Postiglione**, Judge, Director of the International Court of the Environment Foundation, **Michel Prieur**, President of the International Center for Comparative Environmental Law, **Fabienne Quillere Majzoub**, Professor, IODE-CNRS UMR 6262, University of Rennes 1, **Lavanya Rajamani**, Professor, Centre for Policy Research, New Delhi, **Rama S. Rao**, former Director of the World Intellectual Property Organization (WIPO), **Yvan Razafindratandra**, Environmental Affairs Advisor, **Vincent Reberlyrol**, Professor of Law, EM Lyon Business School, **Eckard Rehbinder**, Professor Emeritus of economic and environmental law, Research Centre for Environmental Law, Goethe University Frankfurt, former member and chair of the German Advisory Council on the Environment, former Regional Governor of the International Council of Environmental Law (ICEL), **José Luis Rey Pérez**, Ph. D. Associate Professor, Faculty of Law, University of Pontificia Comillas, Madrid, **Carol Rose**, Gordon Bradford Tweedy Professor Emeritus of Law and Organization, Professorial Lecturer in Law, Yale Law School, **Susan Rose-Ackerman**, Henry R. Luce Professor of Law and Political Science, Emerita, Yale Law School, **Montserrat Rovalo Otero**, Professor of Environmental Law, National Autonomous University of Mexico, **Douglas A. Ruley**, General Counsel, ClientEarth, **Gilberto Saboia**, Member of the UN International Law Commission, **Lisa Sachs**, Director, Columbia Center on Sustainable Investment, Columbia Law School, **James Salzman**, Bren Distinguished Professor of Environmental Law, UCLA Law School, **Borja Sánchez Barroso**, Professor, University of Pontificia Comillas, Madrid, **Dr. Meinhard Schröder**, Professor, Institute for Environmental and Technology Law, Trier University, **Tullio Scovazzi**, Professor of International Law, University of Milan-Bicocca, **Tim Stephens**, Professor of International Law and ARC Future Fellow, University of Sydney Law School, **Marcin Stoczkiewicz**, Senior Lawyer, Head of Central & Eastern Europe, ClientEarth, **Hennie Strydom**, Professor, University of Johannesburg, President of the South African Branch of the International Law Association (ILA), **Sophie Thériault**, Associate Professor, Civil Law Section, University of Ottawa, **Patrick Thieffry**, Lawyer at the Paris and New York Bars, Associate Professor at the Sorbonne Law School, **James Thornton**, Founding CEO of ClientEarth, **Amado Jr. Tolentino**, Professor of Environmental Law, Philippines, **François-Guy Trebulle**, Professor, University Paris 1 Panthéon-Sorbonne, Director of the Sorbonne Law School, **Eduardo Valencia Ospina**, Chair, International Law Commission of the United Nations, **Canfa Wang**, Professor at the China University of Political Science and Law, Director of the Center for Legal Assistance to Pollution Victims (CLAPV), **Gerd Winter**, Research Professor for Environmental Law Research Unit for European Environmental Law (FEU), University of Bremen, **Guillermo Yanguas Montero**, Spanish Judge, Doctor in Law, **Jinfeng Zhou**, Secretary General of China Biodiversity Conservation and Green Development Foundation, Vice Chairman of World Green Design Organization.