

International Environmental Treaties: Global to Local

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International Environmental Treaties

- Treaties are written agreements between states creating legally binding obligations for states which have accepted them
- Many environmental treaties are “framework” treaties

Convention on Biological Diversity

- The Convention was opened for signature on 5 June 1992
- It entered into force on 29 December 1992
- The United Kingdom became a party on 1 September 1994
- The Convention currently has 193 parties

Convention on Biological Diversity

“The Objectives of this Convention ... are the conservation of biological diversity, the sustainable utilization of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.”

Convention on Biological Diversity

- Cartagena Protocol
- Nagoya Protocol
- Conference of the Parties (COP) Decisions
 - Strategic Plan
 - Thematic Programmes of Work
 - Other COP decisions
- Clearing House Mechanism
- Reporting Mechanism

Other International Environmental Treaties

- Convention on Climate Change and Protocol
- Convention on the Law of the Sea
- Convention on the Ozone Layer and Protocol
- Convention on Persistent Organic Pollutants
- Convention on International Trade in Endangered Species
- Convention on Wetlands
- Convention on Migratory Species
- Convention on Hazardous Chemicals and Pesticides
- Convention on Transboundary Impact Assessment
- Convention on Long-Range Transboundary Air Pollution

NGOS and international environmental treaties

- Involvement in treaty-making
 - National lobbying
 - International lobbying
 - The importance of networks

NGOS and international environmental treaties

“Each Party shall promote the application of the principles of this Convention in international environmental decision-making processes and within the framework of international organizations in matters relating to the environment.”

Aarhus Convention, Article 3(7)

The influence of treaties on national law and policy

- Treaties are NOT binding as a matter of national law (i.e. they cannot be enforced through national courts) UNLESS they have been incorporated into national legislation

Nature Conservation (Scotland) Act 2004

1. It is the duty of every public body and office-holder, in exercising any functions, to further the conservation of biodiversity so far as is consistent with the proper exercise of those functions.

In complying with the duty imposed by subsection (1) a body or office-holder must have regard to—

- (a) any strategy designated under section 2(1), and
- (b) the United Nations Environmental Programme Convention on Biological Diversity of 5 June 1992 as amended from time to time (or any United Nations Convention replacing that Convention)

Climate Change (Scotland) Act 2009

4. The Scottish Ministers must, when setting annual targets, also have regard to the following matters (the “target-setting criteria”)

...

(j) European and international law and policy relating to climate change.

NGOS and international environmental treaties

- Involvement in implementation of international environmental treaties

The background of the slide is a dark blue gradient. On the left, there is a faint silhouette of a classical building with columns. On the right, there is a large, semi-transparent circular seal of the University of Edinburgh, featuring a shield with a triangle and a cross, surrounded by the text 'THE UNIVERSITY OF EDINBURGH'.

Questions?

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