**PUL504 ENVIRONMENTAL LAW II   
COURSE CONTENT**

1. Background to the protection of the global environment at the international level;
2. Development of international law/multilateral environmental agreements (MEAs);
3. Contemporary global environmental issues - trans-boundary movement of hazardous wastes and their disposal, climate change, deforestation/desertification, biodiversity loss, depletion of the ozone layer, acid rain, issues of environmental governance, i.e. environmental rights to information and participation; access to justice, etc;
4. International environmental non-governmental organisations (NGOs), i.e. the Green Peace, WWF, etc.

Introduction

How blessed the countries are, as we are surrounded by beautiful nature and wildlife. In our surrounding, so many species are there which require a need to protect them as well as to conserve the environment. The exploitation of the environment can deplete the natural resources and in result will make everyone’s survival difficult. For human beings to survive, the environment needs to be clean, fresh and eco-friendly. It has been rightly said by ***Margaret Mead*** that **“*We won’t have a society if we destroy the environment”.***Indeed it is true and we can see the effects of the exploitation in the changing environment.

It is now widely recognised that the planet faces a diverse and growing range of environmental challenges which can only be addressed through international co-operation. Acid rain, ozone depletion, climate change, loss of biodiversity, toxic and hazardous products and wastes, pollution of rivers and depletion of freshwater resources are some of the issues which IEL is being called upon to address. Since the mid-1980s, the early international legal developments which addressed aspects of the conservation of natural resources have crystallised into an important and growing part of public international law. The conditions which have contributed to the emergence of IEL are easily identified: environmental issues are accompanied by a recognition that ecological interdependence does not respect national boundaries and that issues previously considered to be matters of domestic concern have international implications. The implications, which may be sub regional, regional or global can frequently only be addressed by international law, hence the study of International environmental law.

To remind us:

Environmental law is that branch of law that provides the general framework for the protection of elements of the environment such as air, land, water, sea amongst others. It includes the body of laws, rules, regulations and statutes concerned with the protection and preservation of the natural environment. It provides appropriate standards for measuring and apportioning liability in case of pollution or default.

And:

International environmental law is a body of [international law](https://www.encyclopedia.com/social-sciences-and-law/law/international-law/international-law) concerned with protecting the environment, primarily through bilateral and multilateral international agreements.

International environmental law developed as a subset of [international law](https://www.encyclopedia.com/social-sciences-and-law/law/international-law/international-law) in the mid-twentieth century. Although conservation movements developed in many nations in the nineteenth century, these movements typically only addressed environmental concerns within a single nation. A growing body of environmental scientific evidence from the 1950s and 1960s, however, illustrated global environmental stresses, along with the need for a multinational solution to environmental issues. Scientific research established that air and [water pollution](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/water-pollution), overfishing, and other environmental issues often have effects that reach far beyond the borders of any particular nation. By the late-1960s, the international community realized that an international approach to environmental issues was required.

## Historical Background and Scientific Foundations

International environmental law is derived primarily from three sources: customary international law; international treaties; and judicial decisions of international courts. Customary international law refers to a set of unwritten laws that have arisen from widespread custom and usage among nations. Examples of environmental international customary law include warning a neighboring nation about a major accident that could affect its environment.

Decisions by international courts or arbitrators, such as the [International Court of Justice](https://www.encyclopedia.com/social-sciences-and-law/political-science-and-government/united-nations/international-court-justice) or the International Tribunal for the [Law of the Sea](https://www.encyclopedia.com/social-sciences-and-law/law/international-law/law-sea), also shape international environmental law. The *Trail Smelter Arbitration* case of 1938 and 1941, one of the earliest international environmental law cases, involved a dispute between the [United States](https://www.encyclopedia.com/places/united-states-and-canada/us-political-geography/united-states) and Canada over [air pollution](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/air-pollution) from a Canadian smelting factory. The pollution blew across the American-Canadian border and destroyed crops in the State of Washington. After 15 years, an international arbitration panel established the “polluter pays principle,” a key foundation of international environmental law. The polluter pays principle holds that if pollution from one nation causes harm in another nation, then the polluter nation must pay to remedy the damage.

International treaties are the most recent, and most effective, source of international environmental law. The sovereignty of nations persists as the primary obstacle to all forms of international law. The principle of sovereignty holds that every nation has complete control over the activities within its borders unless that nation agrees to relinquish some control. Nations typically abrogate (eliminate) part of their sovereignty through bilateral or multilateral international treaties.

The destruction of ecosystems and the exploitation of wild flora and fauna were the first environmental issues to receive widespread international attention. In 1963, the World Conservation Union (IUCN), a nongovernmental organization (NGO) dedicated to environmental conservation, called on all nations to take steps to protect [endangered species](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/endangered-species). Following a conference on the issue, 80 nations promulgated the Convention on [International Trade](https://www.encyclopedia.com/social-sciences-and-law/economics-business-and-labor/economics-terms-and-concepts/international) in Endangered Species of Wild Fauna and Flora (CITES). CITES is an international agreement designed to protect endangered plants and animals by regulating the trade of [endangered species](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/endangered-species) or products derived from them. Since going into effect in 1975, CITES has developed widespread international support. Currently, 172 nations are party to the convention.

**SUSTAINABLE DEVELOPMENT:** Development (i.e., increased or intensified economic activity; sometimes used as a synonym for industrialization) that meets the cultural and physical needs of the present generation of persons without damaging the ability of future generations to meet their own needs.

TREATIES

In 1968, scientists and representatives from 60 nations met at the [United Nations](https://www.encyclopedia.com/social-sciences-and-law/political-science-and-government/united-nations/united-nations) Biosphere Conference in Paris to discuss pollution, natural resource depletion, and wetland destruction. The Biosphere Conference did not produce any formal international treaties. The Biosphere Conference laid the groundwork for future international environmental conferences and treaties by expressing the desire for a balance between utilization and [conservation of natural resources](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/conservation-natural-resources).

The United Nations convened the first major international conference on the environment, the United Nations Conference on the Human Environment (UNCHE), in Stockholm, Sweden, in 1972. In addition to environmental issues, UNCHE, or the Stockholm Conference, also addressed the related issue of sustainable development. The Stockholm Conference produced two conventions related to these issues: the Declaration of the Conference on the Human Environment and the action plan.

The Declaration of the Conference noted that many diverse factors contribute to environmental degradation, including population growth, economic development, industrialization, and technological advancements. The Declaration of the Conference stated that every human is entitled to a clean, healthy environment. The declaration also called on humans to manage wildlife and their ecosystems to ensure their continued existence, including a reduction in pollution. It also recommended that industrialized nations provide financial and technological support to developing nations so they could develop their economies in an environmentally responsible manner. The action plan of the Stockholm Conference contained 109 specific recommendations for achieving the goals of sustainable development and environmental conservation. The United Nations established the United Nations Environment Programme (UNEP) to implement the recommendations of the action plan and to coordinate assistance to developing economies.

In 1982, the United Nations opened the United Nations Conference on the [Law of the Sea](https://www.encyclopedia.com/social-sciences-and-law/law/international-law/law-sea) (UNCLOS) for signatures. UNCLOS is the primary international agreement regarding the use and protection of the oceans. The need for international agreement on the use of the oceans had become apparent by the mid-twentieth century. Technological advancements increased the use and exploitation of the ocean and its resources on an unprecedented level. Fish populations declined rapidly, and increased marine pollution destroyed coastal and open-water ecosystems.

Representatives from 160 nations met at the Third United Nations Conference on the Law of the Sea to address establishing international maritime rules and environmental protection regulations. After nine years of negotiations, the conference passed UNCLOS. UNCLOS addressed marine territorial limits, economic rights over marine resources, and rights of vessel transit. UNCLOS also addressed pollution and other environmental concerns. Article 192 of UNCLOS states that all nations have a general obligation “to protect and preserve the environment.” UNCLOS went into effect in 1994; as of 2008, 155 nations have signed UNCLOS.

In 1983, the United Nations General Assembly convened the United Nations World Commission on Environment and Development (WCED), or the Brundtland Commission. In 1987, the Brundtland Commission issued its final findings and proposals in *Our Common Future*. The report asserted that sustainable development must be at the heart of every international environmental proposal. *Our Common Future* defined sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”

Representatives from 172 nations met in [Rio de Janeiro](https://www.encyclopedia.com/places/latin-america-and-caribbean/south-american-political-geography/rio-de-janeiro), Brazil, in June 1992 for the United Nations Conference on Environment and Development (UNCED), also called [Earth Summit](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/earth-summit) 1992. The summit produced the Rio Declaration on Environment and Development, Agenda 21, and the United Nations Framework Convention of Climate Change (UNFCCC). These documents continue to shape international action on environmental issues.

The Rio Declaration on Environment and Development defines the rights and responsibilities of nations in the areas of environmental protection and sustainable development. The Rio Declaration states that nations have the right to use natural resources within their borders so long as their actions do not harm the environment in other countries. The Rio Declaration also demands that governments develop and implement environmental plans that preserve and protect natural resources for future generations.

The UNFCCC combats global climate change primarily by regulating greenhouse-gas emissions. UNFCCC produced the [Kyoto Protocol](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/kyoto-protocol), one of the most influential international treaties to address global climate change. The [Kyoto Protocol](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/kyoto-protocol) is an international treaty that commits countries to specific greenhouse-gas emission goals in order to stabilize such emissions. The Third Conference of the Parties to the UNFCCC adopted the Kyoto Protocol in 1997, and the treaty went into effect in February 2005. The Kyoto Protocol requires participating industrialized nations to reduce their greenhouse-gas emissions to 5% below 1990 levels by 2012.

In 2002, the United Nations held the United Nations World Summit on Sustainable Development, also called [Earth Summit](https://www.encyclopedia.com/science-and-technology/biology-and-genetics/environmental-studies/earth-summit) 2002, in Johannesburg, [South Africa](https://www.encyclopedia.com/places/africa/south-african-political-geography/south-africa). Earth Summit 2002 focused on sustainable development and environmental preservation. The conference produced the Johannesburg Declaration on Sustainable Development, an international agreement on the environment and sustainable development. The Johannesburg Declaration echoes the proposals from the Rio Declaration on Environment and Development and Agenda 21. The Johannesburg Declaration contains modified targets and timetables for achieving the goals of Agenda 21. Numerous conference representatives and environmental organizations have criticized Earth Summit 2002 for failing to live up to the success of Earth Summit 1992.

[**1. Introduction/Background**](https://au.int/en/meas)

**Rationale**  
The 11th Extraordinary Session of the Assembly of the African Union in November 2018 (Ext/Assembly/AU/Dec.1(XI)) renamed the Department of Rural Economy and Agriculture (DREA) to the Department of Agriculture, Rural Development, Blue Economy and Sustainable Environment (ARBE) with effect from January 2021 to reflect its evolving mandate. There is now a prominence on Environment and emphasis on the capacity support to Regional Economic Communities (RECs) and Member States on implementation of Multilateral Environmental Agreements (MEAs) to meet obligations. This entailed the creation of a specific Unit that is devoted at the AU Commission in advancing efforts towards MEAs towards Environmental sustainability.

**What are MEAs?**

Multilateral Environmental Agreements (MEAs) are legally negotiated pact or treaty established between three or more States with the key objective or goal to protect the environment from threats, hazards or danger to humans, animals, plants, land including soil, water, air for a safe environment and sustainable development. MEAs are governed by international law and deal with global or regional environmental challenges by finding a solution to mitigate or prevent the environmental problems through established legally binding obligations or commitments.

**Environmental Challenges**

Some challenges addressed that MEAs tackle include: Depletion of the Ozone layer; Adverse impacts of Climate Change; Chemicals and Waste; Transboundary movement of hazardous wastes; Land Degradation and Desertification; Loss of Biological Diversity; Marine Pollution; Trade in Endangered Species and destruction of Wetlands, etc.

**History of MEAs in Africa**

MEAs implementation in Africa dates back to pre- independence under the colonial rule. Post-colonial era, most countries gained independence in the 1960s with the establishment of the Organization of African Unity (OAU). The African leaders in recognition that soil, water, flora and faunal resources constitute a capital of vital importance to mankind; agreed “to harness the natural and human resources of the African continent for the total advancement of our peoples in spheres of human endeavour.” In this regards, adopted the African Convention on the Conservation of Nature and Natural Resources (CAB/LEG/24.1) along with a list of Protected Species (Class A and Class B) in Algiers, Algeria on 15 September 1968. The Convention among other issues: (i) Acknowledged the importance of natural resources from an economic, nutritional, scientific, educational, cultural and aesthetic point of view; aware of the dangers which threaten some of these irreplaceable assets; (ii) Admitted that the utilization of the natural resources must aim at satisfying the needs of man according to the carrying capacity of the environment; and (iii) Committed to undertaking individual and joint action for the conservation, utilization and development of these assets by establishing and maintaining their rational utilization for the present and future welfare of mankind.

In furthering the Principles of the Stockholm Declaration to contribute to the implementation of the Rio Declaration and of Agenda 21, and to work closely together towards the implementation of global and regional instruments supporting their goals, the Algiers 1968 Convention was revised and adopted by the 2nd Ordinary Session of the Assembly of the Union in Maputo, Mozambique on 11 July 2003. The objectives of the revised 2003 Maputo Convention are to: enhance environmental protection; foster the conservation and sustainable use of natural resources; and harmonize and coordinate policies with a view to achieving national ecological, sound economical and acceptable social development policies and programmes.

**MEAs sectors or areas**

Areas covered include: Atmosphere; Freshwater Resources; Hazardous Substances and Waste; Marine Environment and Resources; Nature Conservation and Terrestrial Resources; Genetic Resources; Noise Pollution and Nuclear Safety.

**Objectives of MEAs Sub-Unit**

The objectives are as follows:

1. Facilitate Policy development and Harmonization to address commitment on MEAs implementation.
2. Strengthen Capacity building of Regional Economic Communities (RECs) and Member States to effectively monitor MEAs implementation to meet obligations and commitments towards enhancing human health and environmental protection of the rich and diverse natural resources in Africa.
3. Support development and harmonization of African Common Position during MEAs negotiation.
4. Strengthen Environmental Diplomacy in Africa.
5. Assist Reporting status of MEAs implementation to the Summits.
6. Promote Resource Mobilization for MEAs implementation.

**MEAs Sub-Unit Programmes**

Programmes comprise of:

1. Political Engagement – This is arrangement at the Ministerial and Heads of State level for coordination of position that enables Africa to speak with one voice in the global fora and negotiations.
2. Environmental Diplomacy – Engage with AU Member States Diplomatic Missions to incorporate MEAs issues in strategic diplomatic issues to enhance Africa’s interest on environmental protection.
3. Assistance / Support to MEAs African Group for effective coordination during negotiations.
4. Promote Research including Indigenous / Traditional Knowledge to support Africa during negotiations and implementation.
5. Engagement of Women and Gender and Youth in MEAs related actions; negotiations; along with continental wide youth competition to enhance programme implementation.
6. Engagement with Parliamentarians to enhance MEAs ratification; domestication and allocation of adequate budget for implementation.
7. Training of MEAs Negotiators for good negotiations skills; Legal; Customs and Border Personnels for effective implementation.

## Impacts and Issues

Many international environmental law treaties, especially those developed under the auspices of the United Nations, speak of environmental law as a [human rights](https://www.encyclopedia.com/social-sciences-and-law/law/international-law/human-rights) issue. The Declaration of the (Stockholm) Conference, for example, states that every human has the right to a clean and healthy environment. Few nations, however, have a legal framework that treats environmental law as a [human rights](https://www.encyclopedia.com/social-sciences-and-law/law/international-law/human-rights) issue. Most citizens cannot sue their government when their right to a clean environment is violated. Multilateral environmental treaties, therefore, take a more practical, regulatory approach toward environmental law.

International environmental law also must deal with the economic inequality that exists among nations. The Declaration of the United Nations Conference on the Human Environment was the first major international document to recognize that environmental problems originate from both developing and developed economies. The World Commission on Environment and Development and every subsequent United Nations conference on the environment have sought to address these seemingly contradictory sources of environmental degradation.

The Declaration of the (Stockholm) Conference noted that most environmental problems in developing economies occur because of underdevelopment. Poverty in these nations leads to poor health, sanitation, and toxic cleanup, which place chemical products harmful to humans and animals into the environment. Governments with developing economies also often seek advancement of the economy with little regard for environmental regulation. Industrialized nations contribute to environmental problems through technological advancements and industrial overproduction.

Most international environmental treaties, including Agenda 21 and the Kyoto Protocol, call on industrialized nations to bear a greater financial burden of implementation costs. This increased financial burden comes through monetary and technological support to developing economies. Conversely, developing economies often argue that international environmental treaties restrict their economic development. These nations note that their industries are not allowed to develop along the same path taken by developed nations.

**See Also** [*CITES (Convention on*](https://www.encyclopedia.com/environment/energy-government-and-defense-magazines/cites-convention-international-trade-endangered-species-wild-fauna-and-flora)[*International Trade*](https://www.encyclopedia.com/social-sciences-and-law/economics-business-and-labor/economics-terms-and-concepts/international)*in Endangered Species of Wild Fauna and Flora)*; [*Kyoto Protocol*](https://www.encyclopedia.com/environment/energy-government-and-defense-magazines/kyoto-protocol-0); [*Sustainable Development*](https://www.encyclopedia.com/environment/energy-government-and-defense-magazines/sustainable-development); [*United Nations Conference on the Human Environment (1972)*](https://www.encyclopedia.com/environment/energy-government-and-defense-magazines/united-nations-conference-human-environment); [*United Nations Policy and Activism*](https://www.encyclopedia.com/environment/energy-government-and-defense-magazines/united-nations-policy-and-activism); [*United Nations World Commission on Environment and Development (WCED) Our Common Future Report (1987)*](https://www.encyclopedia.com/environment/energy-government-and-defense-magazines/united-nations-world-commission-environment-and-development-wced-our-common-future-report-1987)

**Issues of environment protection**

The need to protect the environment has arisen and it is important to understand the key areas where all the countries have to look upon and work.

The main reasons for the protection are:-

* **Ozone depletion, greenhouse effect and global warming**–

Ozone is a thick layer which acts as a shield to protect the earth from the ultraviolet radiations coming from the sun. This layer is of great importance because of the but obvious reason that its depletion will result in ultraviolet radiations. The concern or agitation arises towards the environment when this layer starts depleting or gets reduced. Earlier also the depletion of the ozone layer was the issue and now also it is the prevalent and significant issue which within the timeframe if not tackled then can cause a lot of problems to the environment as well as to the human beings.

For example, skin cancer, premature ageing,  eye damage, weak immune system etc. The main reason affecting the ozone layer is Chlorofluorocarbons (CFCs) which are mostly produced by the industries discharging chemicals and can also be found in household products. The ozone layer depletion is linked to the greenhouse effect and also with global warming.

Greenhouse effect- It is caused by the emissions of the pollutant gasses like methane, CFCs etc. When these gases are released or get mixed in the atmosphere, it results in the temperature to rise and this is known as global warming.

* **Desertification**–

In simpler terms, this issue means land degradation. The destruction of the potentiality of the land which ultimately at the end results in a drought-like situation.

The example of land degradation is deforestation, change in climate etc. Where this kind of a situation arises, it forces the people residing there to migrate to another land or place.

* **Deforestation**–

It is a very recurring issue which every country faces. Deforestation not only affects climate but it also affects the animals living in the forests. It is an alarming issue which is every now and then country has to deal with.

* **Loss of biodiversity**–

It is related to the extinction of the species from the earth and the reason is deforestation. Biodiversity means the variety of life on earth. Many of the species have already become extinct from the earth. Extinction of the species disturbs the balance of the ecosystem as well as disturbs the balance of the living species and also human beings. Earth’s biodiversity provides various sources from which we can get food and also medicinal plants. Besides deforestation the other reasons for the loss of biodiversity are fragmentation, using chemical fertilizers, pesticides, overexploiting the resources available etc.

* **Disposal of wastes**–

Disposing of the waste is also an important and significant issue. The major portion of waste is contributed by the industries and household. These industries or household wastes are either dumped in water or in empty unused land.

As a result, the water gets contaminated and there are likely chances to get many diseases from that- for example, diarrhoea, typhoid fever etc. Industrial wastes consist of chemicals, metal compounds, nuclear waste etc. The nuclear waste is radioactive waste which gives rise to the large quantity of heat. These wastes are serious health hazards and endanger the environment and life.

# Treaties and conventions- for the improvement and protection of the environment

# Montreal Protocol

It was finalized in the year 1987 and adopted on 15 September 1987. It is a multilateral environmental agreement and this [protocol](https://www.state.gov/key-topics-office-of-environmental-quality-and-transboundary-issues/the-montreal-protocol-on-substances-that-deplete-the-ozone-layer/) is the only UN treaty ever up to date which was initially approved by only 46 countries but now it is ratified by all 197 UN member countries/states. This protocol regulates the production and consumption of man-made chemicals which can deplete the ozone layer.

This treaty was made for the reason that certain substances or chemicals when released in the atmosphere that damages the stratospheric ozone layer which is earth’s protective shield that protects humans and as well as the environment from the harmful levels of ultraviolet radiations of the sun. The stratospheric layer in fact filters out the harmful radiation. If it doesn’t get filtered then there are increasing chances of having skin cancer and cataracts, and also reduces the agricultural productivity and damages the marine ecosystems.

Under this treaty, the developed and developing countries have equal but differentiated responsibilities towards the ozone-depleting substances (ODS) but both groups countries have binding, time-targeted and measurable commitments. All countries have been given specific responsibilities relating to the curtailment of the ozone-depleting substances.

India became the signatory member of this treaty on 19th June 1992.

Hydrochlorofluorocarbons (HCFCs) is the gas which is used worldwide. It is present in the refrigerator, air-conditioners etc. It is very harmful and powerful than carbon dioxide.

The Montreal protocol has taken steps to control this harmful substance.

On 15th October 2016, parties of the Montreal Protocol adopted the Kigali amendment to curtail the consumption and production of the hydrofluorocarbons (HFCs). Countries have agreed to add HFCs to the list of controlled substances. The Kigali Amendment came into force on 1 January 2019 for those countries that have confirmed to this amendment.

## Kyoto Protocol

Second commitment of [Kyoto Protocol](https://unfccc.int/process-and-meetings/transparency-and-reporting/reporting-and-review-under-the-kyoto-protocol/second-commitment-period/kyoto-protocol-base-year-data-for-the-second-commitment-period-of-the-kyoto-protocol) (2013-2020), bridges the gap between the end of the first commitment and the start of the second commitment with further emission cuts. The Kyoto Protocol is an international agreement within the United Nations Framework Convention on Climate Change (UNFCCC), which commits its Annex B-Parties (the countries which have adopted the targets to reduce the greenhouse emissions) with legally binding emission reduction commitments.

Whereas, in Annex A- six greenhouse gases are there where the Kyoto Protocol is applied the six greenhouse gases are:-  Carbon dioxide (CO2), Methane (CH4), Nitrous oxide (N2O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulphur hexafluoride (SF6).

## Paris Agreement

It is an [agreement](https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement) within the United Nations Framework Convention on Climate Change (UNFCC) which focuses on reducing the greenhouse gas emissions. It is replaced by its predecessor, the Kyoto protocol which is also the international treaty for similar purposes and its second commitment expires this year i.e. 2020. The Paris Agreement came into force on 4th November 2016 and has been signed by 197 countries and as of November 2019- 187 countries have confirmed. India has also given its consent to this agreement. In the whole world, India stands at third after China and the US when it comes to the emission of the greenhouse effect according to May 2019.

The primary motive of this agreement is to fight back against climate change. This agreement also aims to curb the emission of the greenhouse to a certain level

## Kyiv Protocol on Pollutant Release and Transfer Registers

On 8 October 2009, it became an International Law and is the only instrument which is legally binding upon the parties. The objective of this [protocol](https://www.unece.org/fileadmin/DAM/PRTR_Protocol_e.pdf) is to increase public access to information through the formation of a systematic pollutant release and transfer registers.

All the UN member states can join this Protocol as it is designed by an ‘open global treaty’.

## Vienna Convention for the Protection of the Ozone Layer 1985

Initially, this [convention](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-2&chapter=27&clang=_en) was agreed in 1985 and it came into force on 22 September 1988. It is a multilateral agreement. Montreal protocol comes under this convention. This convention was formed with a purpose to globally monitor and report on the ozone depletion. Under this convention, it made structures for the improvement of protocols and also for taking a more binding action.

The Vienna Convention and its Montreal Protocol are the first and the only global environmental treaties to obtain universal acceptance, with 197 member countries. The Vienna Convention does not include any goals which are legally binding on the countries.

These legally binding goals are framed under the Montreal protocol with regards to the substances that can deplete the ozone layer.

## Aarhus Convention

This [United Nations Economic Commission for  Europe (UNECE)](https://www.unece.org/info/ece-homepage.html) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters often referred to as Aarhus convention. It was adopted on 25th January 1998 and it came into force in October 2001. Only 47 Parties have ratified to this Convention till 16 October 2017.

In conjunction with its Kyiv protocol, it also aims to protect every person’s right to live in an environment which is sufficient enough for his/her health and also the well-being and also in accordance with the provision of this convention, each Party must guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters.

## Basel Convention on the control of transboundary movements of hazardous waste and their disposal 1989

Commonly it is known as the [Basel Convention](http://www.basel.int/TheConvention/Overview/tabid/1271/Default.aspx). The Basel Convention was adopted in March 1989 in Basel, Switzerland, and came into force in 1992 and 187 parties are members of this convention till October 2018. It is an international treaty which formulated plans against the adverse effects of hazardous wastes in order to protect human health and the environment.

Basically, it made a structure or a framework in such a way so as to reduce the movement of hazardous waste between the nations and also to restrain the movement of waste from developed countries to less developed countries because the less developed countries are unable to dispose of the hazardous waste in an environment-friendly way and it pollutes the environment tremendously. On 24th June 1992, India ratified to this convention and included some of the provisions from this convention in its Act i.e the Hazardous and Other Wastes (Management and Transboundary Movement) Rules of 2016.

### Basel Ban Amendment 1995

This [amendment](http://www.basel.int/Implementation/LegalMatters/BanAmendment/Overview/tabid/1484/Default.aspx) intends to prohibit the export of hazardous/dumped waste for any purpose to the developing countries. After Croatia ratified to this amendment on 6th September 2019 it has become an International Law. It entered into force on 5th December 2019. Till now the countries who haven’t ratified to this amendment are- the US, Canada, Japan, Australia, New Zealand, South Korea, Russia, India, Brazil, and Mexico.

## Berne Convention on the conservation of European wildlife and natural habitats.

This [convention](https://rm.coe.int/168048dfb4) is a binding international legal instrument. The purpose of introducing this convention is to protect and conserve the species of flora and fauna and also their habitats.

After the discussions at the Council of Europe, the Berne Convention was introduced and has been in force since June 1982. By April 2019 there are 177 states that are parties to this Convention and since April 1928, India has been a member of the Berne Convention.

This was the first international treaty which looked into the matter relating to the protection of both species and habitats. And it also seeks to bring all the countries together so that they can determine an action to protect nature and to promote sustainable development.

The ratifying parties to be a part of this convention have to maintain biodiversity in the long term, according to different scientific and ecological requirements.

## Convention on Biological Diversity, 1992 (CBD)

This [convention](https://www.un.org/en/events/biodiversityday/convention.shtml) provides a legally binding framework which came into force in 1993 with a purpose to conserve the biodiversity and use biodiversity feasibly. The main objective of this convention is to encourage those actions which will lead to a sustainable or viable future. The governing body of this convention is the Conference of the Parties (COP).

India giving effect to the provision of this convention enacted the [Biological Diversity Act in 2002](http://nbaindia.org/uploaded/Biodiversityindia/Legal/31.%20Biological%20Diversity%20%20Act,%202002.pdf) which also provides a framework in order to tackle the issues related to biodiversity. Following this convention, India has taken part in many conventions which are related to conserving biodiversity.

In October 2020, the Governments have decided to gather at the [UN Biodiversity Conference on Biodiversity](https://www.cbd.int/conferences/post2020) (CBD COP15) in Kunming, China to decide upon an agreement regarding the new framework. To develop the post-2020 global biodiversity framework, it requires wide-range consultations, working of the groups and also meetings of the expert person involved in this convention.

The motive of this gathering regarding the Post-2020 Global Biodiversity Framework will is to define the mission for 2030 and to define a long-term vision for 2050 which has to be achieved with goals and targets, in order to encourage and synchronize the global efforts for conserving the planet’s biodiversity.

## Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

This [convention](https://www.cites.org/sites/default/files/eng/disc/CITES-Convention-EN.pdf) is an international agreement between the countries and entered into force in 1975 which aims to protect wildlife from over-exploitation due to international trade. Basically under this agreement, the government regulates the traded wildlife and its products that it does not threaten the survival of the species in the wild, for example, leather goods, animals, food etc.

## Convention on Long-Range Transboundary Air Pollution (CLRTAP)

This [convention](https://treaties.un.org/doc/Treaties/1979/11/19791113%2004-16%20PM/Ch_XXVII_01p.pdf) came into force on 16th March 1983. This convention aims that the contracting parties should make efforts to protect the environment against the adverse effects of the pollution, to ensure that the parties take several and necessary steps to fight against the release of the air pollutants and also to create committees for the further progress and imposition of the convention.

## Convention on the Conservation of Migratory Species of Wild Animals (CMS)

This [convention](https://pib.gov.in/pressreleaseshare.aspx?prid=1563577)is an international treaty under the aegis of the United Nations Environment Programme. It came into force on 1st November 1983. Since 1983 India is a party to this convention. The primary focus of this convention is to provide for the conservation and sustainable use of migratory animals and their habitats. This convention tries to complement and co-operate the provisions with a number of international organisations, NGOs, corporate sector etc.

The recent event regarding this convention will be hosted by India from 15th to 22nd February 2020 at Gandhinagar in Gujarat, which will be the 13th Conference of Parties (COP). The eminent conservationists, international NGOs working in the field of wildlife conservation and representatives from 129 Parties are expected to attend the Conference.

## Convention on the Conservation of Migratory Species of Wild Animals (CMS)

This [convention](https://www.gdos.gov.pl/european-landscape-convention) came into force on 1st January 2005 and as of February 2018, only 39 Council of Europe member states have ratified the Convention.

The motive of this convention is to protect and manage the landscapes and to organise the international co-operation on landscape issues. The parties of this convention in order to implement the provision should undertake the activities which are set to raise public awareness, defining the quality of landscapes etc.

## Minamata Convention on Mercury

This [convention](http://www.mercuryconvention.org/Convention/Text) is a global treaty and entered into force on 16 August 2017 and as of 1st March 2019- a total of 105 parties (includes India also) have ratified to this convention.

The objective of this convention is to protect humans and the environment from the dangerous effects of the mercury. In Japan, there is a city named Minamata where the local communities got poisoned by contaminated mercury industrial wastewater at the end of the year 1950 and suffered untreatable and disabled effects. So the convention is named after this town.

## Ramsar Convention on Wetlands

This [convention](https://www.ramsar.org/sites/default/files/documents/library/handbook1_5ed_introductiontoconvention_e.pdf) is an intergovernmental treaty adopted on 2nd February 1971 and it entered into force on 21 December 1975. It provides a framework for international and national cooperation so that they can achieve sustainable development throughout the world by taking efforts towards the conservation and judicious/wise use of the wetlands. As of January 2016, 170 nations have joined the Convention as Contracting Parties.

But the question arises that why we should conserve wetlands? Let’s first understand what are wetlands: they are those areas where water is the main source or part for controlling the environment and the related plant and animal life over there. They occur where the water table is either there or near to the surface of the land. And the conservation of wetlands is important because they are the only source of biological diversity which provides the water to the countless species of plants and animals who are depending on wetlands for its survival.

They help or contribute to the high masses of birds, mammals, reptiles, amphibians, fish and invertebrate species. Over-exploitation of freshwater resources by humans puts all the other people and as well as the environment at risk.

By degrading the wetlands, the certainty to avail the access to safe water, human health, food production, economic development and geopolitical stability becomes difficult and also the degradation of wetlands has rapidly widened the gap between water demand and supply.

The Ramsar convention under its fourth strategic plan set off a period from 2016-2024 with almost the same objectives mentioned earlier.

## Stockholm Convention on Persistent Organic Pollutants

This [convention](https://www.wipo.int/edocs/lexdocs/treaties/en/unep-pop/trt_unep_pop_2.pdf) is a legally binding international treaty which was adopted on 22nd May 2001 in Sweden and it came into force on 17th May 2004. Its objective is to protect human health and the environment from the dangerous outcomes from the organic pollutants (Pesticides, Industrial chemical, Aldrin etc.). POPs are the chemicals that remain intact in the environment for long periods and it gets widely distributed in the overall area which collects or gathers the fatty tissue of the living organisms which are toxic to the humans and wildlife. These POPs circulates globally which in result can cause damage wherever they travel.

## United Nations Framework Convention on Climate Change (UNFCCC)

It is an international environmental treaty which was adopted on 9th May 1992, and it was opened for signature at the United Nations Conference on Environment and Development. It is also known as Rio de Janeiro Earth Summit or Rio summit. It came into force on 21st March  1994. Almost every country on earth has ratified this [convention](https://unfccc.int/process-and-meetings/the-convention/what-is-the-united-nations-framework-convention-on-climate-change).

It is an agreement made on climate change and mainly focuses on the prevention of dangerous actions or interference by humans on climate change or on the environment. The parties also agreed towards the stabilization of the greenhouse gas emissions. Every party/country by signing to this convention have dedicated themselves to do the regular reporting regarding the level of greenhouse emissions and also their initiation to reduce the interference.

## World Heritage Convention

This [convention](https://www.environment.gov.au/heritage/about/world/world-heritage-convention) was adopted by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1972 and as of 31st January 2016- 193 state parties (including India) have ratified to this convention. The primary objective of this convention is to protect the world’s natural and cultural heritage. It also manifests an idea that few places are so important that their protection is not only the responsibility of a single nation, but is also the duty of the international community as a whole, and not only for this generation but for all those to come.

# International organizations concerned with the environment destruction

## Earth System Governance Project (ESGP)

It started in January 2009. This is a research [project](https://www.earthsystemgovernance.org/about-the-project/) and focuses on global change by the human’s action. The objective of the ESGP is to publish research which is concerned with the difficulties of regulating and controlling the global environmental change. By this analysis on the research, the researchers to an extent better understand the roles and responsibilities of organizations institutions and governments in the matter related to the environmental changes.

## Intergovernmental Panel on Climate Change (IPCC)

The [IPCC](https://www.ipcc.ch/) was established by the World Meteorological Organisation (WMO) in 1988. For the assessment of climate change, it is the leading international body and is also the source of scientific information and technical guidance for Parties. The purpose of this organisation/ panel is to offer the world an unbiased, scientific assessment of climate change and its effects.

## World Nature Organization (WNO)

The [WNO](https://www.devex.com/organizations/world-nature-organization-wno-31079) entered into force on May 1st 2014. Several countries- mainly emerging and developing countries were in favour of setting up a permanent international platform. It committed the protection to the international level and mainly focuses on energy efficiency, protection of the climate, sustainable development and a sustainable energy supply

## United Nations Environment Programme (UNEP)

The [UNEP](https://www.un.org/youthenvoy/2013/08/unep-united-nations-environment-programme/) was founded in June 1972 and its headquarter is in Nairobi, Kenya. It’s a coordinating body of the United Nations environmental activities and played an important role in analysing the identified problems related to the environment, took efforts to develop environmental programmes and conventions at regional and international level and encourages the environmental science

## International Union for Conservation of Nature (IUCN)

The [IUCN](https://www.iucn.org/about) was established in 1948 on the 5th of October and it includes government and non-government members. Its goal is to promote nature conservation and the sustainable use of natural resources around the globe. It also focuses on issues such as poverty, gender equality etc.

## Global Environment Facility (GEF)

In the year 1991, the [GEF](https://www.thegef.org/about-us)  was established as an alliance among 183 nations. Regarding climate change, land degradation, intentional water, biodiversity and the ozone layer, the organisation finances issues. The GEF provides grants for projects related to biodiversity, climate change, international waters, land degradation, the ozone layer, persistent organic pollutants (POPs), mercury, sustainable forest management, food security, sustainable cities. Basically, the purpose of this facility is to fund these subjects or problems.

# Community-based Adaptation (CAB) Conference

Any change in the climate such as earthquake, drought, floods etc. adversely affects the poor or vulnerable people more than the settled and civilized one. The local communities, academics and project managers develop ways to cope up or tackle with the climate change and [International Institute for Environment and Development (IIED)](https://www.iied.org/introduction-community-based-adaptation-climate-change)has worked to help them by sharing the knowledge developed by them.

IIED organises [Community-based adaptation to climate change (CBA)](http://www.iied.org/community-based-adaptation-climate-change)  which focuses on granting the communities to use their own knowledge and decision-making processes to take action on climate change. The upcoming conference will take place in May 2020 at Bangkok, Thailand which will be the 14th conference on Community Based Adaptation to climate change. This conference will bring forth an open and interactive space for the community to meet and explore the transformative solutions.

# Youth Climate Summit 2019

The UN Youth Climate [Summit](https://www.un.org/en/climatechange/youth-summit.shtml), 21st September 2019 took place at the United Nations Headquarters in New York prior to the UN Secretary-General’s Climate Action Summit on Monday, September 23, where the young climate action leaders were given a platform to tell the solutions as they think at the United Nations.

# UN Climate Action Summit 2019

The UN climate action [Summit](https://www.un.org/en/climatechange/un-climate-summit-2019.shtml) was organised by the UN Secretary-General António Guterres where all leaders were called to New York on 23 September 2019 with a realistic and detailed plans to strengthen their determined contributions by 2020, which was regarding the reduction of the greenhouse gas emissions by 45 per cent over the next decade, and to reduce it to zero emissions by 2050.

This summit on climate action and also the Youth climate action succeeded as it gathered the attention of the world leaders, government, private sector and civil society on the extremity for action to tackle the climate disaster

The Summit also exhibited the need to urgently update and reinforce their short-term commitments by 2020, and the mid-term commitments by 2030, that will be shown or represented in their national climate plans, known as Nationally Determined Contributions to the Paris Agreement.

The Summit gave them a good opportunity to exhibit the political leadership of 70 countries which were anxious and also were committed to delivering more aspiring and assertive plans on the climate change in 2020 and the strategies to reduce the emission to zero by 2050.

# Conclusion

It is the need of the moment that people, government, leaders etc. to cater to environmental degradation which is getting worse day-by-day due to the ignorance of the people towards the environment. Many government organisations, NGOs etc. have taken initiative to protect the environment but it can only be protected when the people with the understanding and enthusiasm protect and conserve the environment.

Few of the examples where we can see the environment changing due to global warming are:-  Kerala floods India in 2019, where almost all the districts of Kerala were affected, Australia bushfire 2019- in 2020 is still ongoing where many species have died, environment is fully destroyed, pollution has risen in that country and many more issues.

According to Argentinian research station thermometer, on 7th February 2020, Antarctica has recorded the hottest temperature so far which is 65 degrees Fahrenheit (18.27-degree Celsius) though officially WMO has not verified the finding yet as it will require a panel of atmospheric science experts from around the world to discuss the station’s data.