

Regional Environmental Agreements and Institutions

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Existing Regional Environmental Cooperation

- More than 200 multilateral or bilateral agreements involving the environment
- Many non-binding declarations, forums, initiatives, action plan
- Many Active Multilateral Institutions
 - *E.g.*, OAS, UNEP, CEC, CCAD, river commissions, joint bilateral commissions, etc.
- Dozens of active policy or legal networks
 - InterAmerican Forum on Env'tl Law
 - InterAmerican Biodiversity Information Network
 - InterAmerican Bar Association
 - AIDA, InterAmerican Assoc. for Env'tl Defense

Geography of Env'tl Agreements in the Americas

- One regional agreement
 - 1942 Convention on Nature Protection
- Several Major Subregional Agreements
 - **MERCOSUR** Framework Agreement for Environmental Cooperation (5)
 - **North American** Agreement on Environmental Cooperation (3)
 - **Caribbean's** Cartagena Convention on Marine Environment (and protocols)
 - **Central American** Convention for the Protection of the Environment (CCAD) (
 - **Andean** Committee of Environmental Authorities

Subject Matter of Environmental Agreements in the Americas

- **General Environmental Cooperation**
 - *E.g.*, Cent. Am. Convention; US-Mex.,
- **Trade-Related Env'tl Cooperation Agreements**
 - *E.g.*, NAAEC, MERCOSUR, Chile-Canada
- **Transboundary Water Agreements**
 - *E.g.*, Amazon Cooperation, La Plata, Guarani, Bermejo
- **Marine Protection**
 - *E.g.*, Cartagena Convention; Oil Spills and LBS Protocols
- **Migratory Wildlife**
 - E.g.*, 1942 Wildlife Convention; SPAW Protocol; Sea Turtles Convention

Strengths

- A web of sub-regional and bilateral arrangements
- Virtually all countries cooperate
- Trade Liberalization and Integration has Raised Awareness and Support for Cooperation in Recent Years
- Relatively Strong Regional Institutions
OAS, IACHR, UNEP, IDB, CEC, CCAD

Weaknesses

- Mostly ad hoc approach
 - Limited policy consistency;
 - Limited overall normative or institutional framework
 - Limited hemispheric-level cooperation
- Many agreements pre-environment or sustainable development (particularly river basin agreements)
- Long on Generalities/Short on specifics
- Limited regional or national implementation capacity
- Limited dispute resolution capacity
- Limited structure to benefit from civil society energy
 - Lacking normative framework for participation
 - Lacking regime structure for epistemic community

Substantive Gaps to Consider

- General Normative Framework for Transboundary Resources
 - *E.g.*, Principles of Notification; Consultation; Transboundary EIA; Relocation of Hazards; Commitment to Sustainable Development; Equitable Utilization; Joint Management; Public Participation
- Framework for Public Participation, Access to Information, Access to Justice
 - Principle 10 of Rio
- Framework for Regional Approach to Climate Change
 - Joint Investment, Forest Services, Technology Transfer, Adaptation
- Institutional Structure for Hemispheric Cooperation
 - Strengthen Hemispheric Reporting, Data Collection and Science
 - Build Policy Coherence Among Existing Regimes
 - Build an ‘Epistemic Community’ with regular meetings
 - Provide Capacity Building, Compliance Monitoring, Dispute Settlement

UNECE Experience

- 1998 Aarhus Convention on **Access to Information, Public Participation, and Access to Justice** (36 parties) (1 protocol)
- 1979 Long-Range **Transboundary Air Pollution** Convention (51 parties) (8 protocols)
- 1991 Espoo Convention on **Environmental Impact Assessment** in Transboundary Context (41) (1 protocol)
- 1992 Convention on Protection of **Transboundary Watercourses** and Lakes (35 parties) (2 protocols)
- 1992 Convention on Effects of **Industrial Accidents** (36 parties) (1 protocol)