

*Law at the service of the environment*

Chair, distinguished delegates

I am Ana Barreira, Director of Instituto Internacional de Derecho y Medio Ambiente and also representing Common Home of Humanity.

The Report of the Secretary General on Gaps in international environmental law makes a photography of the state of the art in the field. We understand this report is not a legal essay and cannot cover everything but it is a good starting point of departure for this process. It should not be understood as a handbook of international environmental law. It is clear from its introductory remarks that there are gaps and we face fragmentation what makes international environmental law ineffective. This process launched by AG Resolution 72/277 must solve these problems but also has a responsibility to go further.

Distinguished delegates you have a great opportunity in your hands to give a legal response to tackle the structural problem of international environmental law which is the lack of a comprehensive approach to the functioning of the Earth's ecosystem mentioned in paragraphs 16 and 80 of the Secretary General's Report. For this reason, the Global Pact for the Environment must be legally binding. We do not need more soft-law we need a new way to address the protection of our Planet.

The Report collects some of the main principles in international environmental law and analyses the main sectors covered by multilateral environmental agreements. These principles are fundamental and serves to tackle planetary boundaries such as the precautionary principle. The principle of common heritage of mankind is missing which is fundamental for the interlinkages among the oceans, the climate and biodiversity or the biological, chemical and biological processes of the Earth and to protect global commons. However, it is not my intention in this statement to name all principles of international environmental law or to mention the gaps in the report on MEAs but to call to your attention that we are at a crucial moment for us to take a qualitative and structural leap forward in environmental law and to introduce into the legal system the latest scientific developments regarding knowledge of the Earth System and cover planetary boundaries. The existing MEAs do not cover at all the

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whole planetary boundaries such as land-system change or novel entities and do not address the interlinkages among them.

Thank you for your attention.