

CENTRE INTERNATIONAL de DROIT COMPARÉ de l'ENVIRONNEMENT

INTERNATIONAL CENTRE OF COMPARATIVE ENVIRONMENTAL LAW
Special consultative status with the United Nations Economic and Social Council (ECOSOC)
Observer Status with the United Nations Environment Assembly and its subsidiary bodies
Consultative status with La Francophonie



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Comments by the International Centre for Comparative Environmental Law (CIDCE) following the Second Substantive Session of the Ad Hoc Open-ended Working Group (Nairobi, 18-20 March 2019) established pursuant to Resolution 72/277 “Towards a Global Pact for the Environment”

CIDCE strongly believes that time is ripe to address the necessity to fill the gaps in international environmental law through a global treaty covering the rights, obligations and principles of general application. We do need a coherent framework and common vision for environmental human rights so that all human beings may, without any discrimination, benefit from, and contribute to, a preserved and improved environment.

Indeed, there is a pressing need for a legally binding environmental instrument at the global level. A simple declaration of a non-binding nature would clearly not be an adequate response. Merely proposing a declaration would not only represent a back track in international environmental law. It would also amount to denying the global environmental emergencies and threats, to refusing to hear the voices of young people enthusiastically demonstrating worldwide for a sustainable planet, as well as to undermining the alarming reports of the IPCC and others international scientific bodies.

Representing a network of national and environmental lawyers all over the world, CIDCE supports the initiative for a global treaty on the environment. We call on the participants in the Third Substantive Session of the Ad Hoc Open-ended Working Group in May 2019 to agree on the proposal to initiate soon an international intergovernmental process for the negotiation of a world treaty on the right to a healthy and safe environment, proving a human rights consistent basis for all the principles enshrined in the 1992 Rio Declaration.

As the 1998 Aarhus Convention gave a substantive legal content to principle 10 of the Rio Declaration, we now need a convention providing the same legal force to the others principles embedded in the Rio Declaration, since all of them contribute to the enjoyment of the right of every person to live in an environment adequate to her or his health and wellbeing.

In order to reinforce the effectiveness of environmental law through a process of accountability, specific legal indicators should be set up as an assessment tool of good implementation of international and national environmental law instruments. Such tool was put forward by CIDCE and validated at a conference held in 2018 in Yaoundé, Cameroon, with the participation of UNEP, IUCN and IFDD (*Institut de la Francophonie pour le*

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développement durable)

(www.ifdd.francophonie.org/media/docs/publications/733_indicateur-juridique_web.pdf).

The international community must ensure that effective legal tools, grounded on the environmental rule of law, are in place to guarantee a better environment for all people in the world. All stakeholders, states, administrations, judges, lawyers and major groups demand a new step forward to safeguard the future of humankind in harmony with nature.