

Contents

About the Author	vii
Acknowledgements.....	ix
List of Documents.....	xi
List of Figures	xii
Foreword	xiii
Introduction	xxi
I. The Deteriorating State of Our Environment	xxi
II. The Anthropocene and Planetary Boundaries.....	xxii
III. The Necessity of New Law.....	xxiv
IV. Foundation of the Global Pact	xxv
V. The Global Pact for the Environment	xxviii
VI. About This Book	xxxi
Chapter 1: Phase I: Genesis of the GPE (Nov. 2015 – June 2017)	1
I. November 2015: Report by the Club des Juristes	2
II. September 2016 – June 2017: Consultations With Experts.....	5
A. First Round of Consultation.....	6
B. Second Round of Consultation.....	7
C. Third Round of Consultation.....	8
D. Fourth Round of Consultation	9
E. Fifth Round of Consultation	10
III. June 2017: Paris Meeting and Launch at the Sorbonne....	10
IV. Response to Some Concerns About the Project of a Global Pact for the Environment (Yann Aguila)	14
A. Conclusion.....	16
Document 1: Draft Zero of the Global Pact for the Environment (June 2017)	18

Document 2: List of Members of the International Group of Experts for the Pact	24
Chapter 2: Phase II: Adoption of the Resolution (Sept. 2017 – May 2018)	31
I. September 2017: 72nd United Nations General Assembly.....	32
II. Sept. 2017 – May 2018: Informal Meetings.....	34
III. May 2018: Adoption of the UNGA Resolution A/72/L.51	35
IV. Commentary on the Resolution	37
Document 3: Resolution No. A/72/L.51 “Towards a Global Pact for the Environment”	43
Chapter 3: Phase III: Fulfilling the Resolution (Sept. 2018 – Dec. 2018).....	47
I. June 2018: Appointment of Co-Chairs of the Working Group	48
II. Financing of the Activities of the Ad Hoc Open-Ended Working Group.....	50
III. September 2018: Working Group Organizational Session.....	51
IV. November 2018: Publication of the UNSG’s Report	53
V. The UNSG’s Report (Dec. 10, 2018).....	56
A. Gaps Concerning Principles of International Environmental Law.....	60
B. Gaps Relating to Existing Regulatory Regimes.....	62
C. Environment-Related Instruments	64
D. Gaps Relating to the Governance Structure of International Environmental Law	66
E. Gaps Relating to the Implementation and Effectiveness of International Environmental Law.....	67
F. Conclusions	68
Document 4: ICEL Note on the UNSG’s Report (Dec. 10, 2018)	71

Chapter 4: Phase IV: Nairobi Sessions and Adoption of Recommendations (Jan. 2019 – June 2019)	101
I. January 2019: First Substantive Session	102
II. March 2019: Second Substantive Session	104
III. April 2019: Draft Recommendations Ad-Hoc Working Group	106
IV. May 2019: Third Substantive Session and Final Recommendations	107
A. Recommendations to the UNGA	109
V. Analysis of Substantive Issues Discussed and How the Recommendations Came About	112
A. What Is a Gap?	113
B. Fragmentation of International Environmental Law.....	120
C. Matters of Process.....	123
D. International Environmental Governance	125
E. Means of Implementation	127
F. Environment-Related Areas	132
G. Environmental Principles	133
VI. Geopolitical Analysis.....	137
A. Countries Against a New Instrument.....	138
B. Countries Favoring a New Instrument	143
C. Gray Area	150
Document 5: The Nairobi Outcome Statement (Recommendations, as Agreed by the Working Group) (May 2019)	155
Document 6: ICEL's Analysis of the Consensus Recommendations (June 2019)	158
Executive Summary.....	158
(1) Welcoming the Nairobi 2019 Consensus Recommendations	159
(2) Comments on the Objectives Guiding the Recommendations	162
(3) Analysis of the Substantive Recommendations	167

(4) Observations on the Consideration of Further Work	181
Chapter 5: Phase V: Back to New York (July 2019 – Ongoing)	185
I. Informal Briefing of the UNGA	185
II. UNEA-5 Bureau Meeting	186
III. Adoption of Resolution No. A/RES/73/333.....	187
IV. Potential Timeline for 2022.....	188
A. Potential Steps Towards 2022.....	189
B. Stockholm +50 and Rio +30.....	189
C. UNEA-5	190
Document 7: Resolution No. A/RES/73/333 (August 2019).....	192
Chapter 6: Conclusion: Prospects for 2020-2022	197
Annex 1: Further Research: List of Websites	207
Annex 2: Further Research: Academic Books and Articles on the Global Pact.....	209
Appendix: Bibliography.....	211