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EMERGENCE OF INTERNATIONAL ENVIRONMENTAL LAW: A BRIEF HISTORY FROM THE STOCKHOLM CONFERENCE TO AGENDA 2030

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ABSTRACT

The Conference resulted in the founding of the United States Environment Programme (UNEP) and the Stockholm Declaration, which acknowledged States' interdependence in environmental protection. Various environmental agreements were developed during the next few decades, including the Convention on Biological Diversity, the Kyoto Protocol, and the Paris Agreement. These accords show versatility in addressing specific environmental challenges, although their efficacy varies. The Sustainable Development Goals (SDGs) and Agenda 2030 combine environmental, social, and economic concerns to create a comprehensive framework for sustainable development. However, realising these objectives necessitates effective implementation, international collaboration, and strengthened institutions. This review focuses on the complex dynamics of IEL, emphasising the necessity for ongoing innovation and collaboration to solve rising environmental issues.

INTRODUCTION

The development of International Environmental Law (IEL) signifies a substantial reaction to the escalating worldwide environmental issues that have become progressively more evident in recent decades. The origins of IEL can be identified in the 1972 Stockholm Conference, a turning point that initiated global endeavours to collectively tackle environmental concerns.

The United Nations-sponsored Stockholm Conference on Environment was held in Stockholm, Sweden, between June 5 and June 16, 1972. A multitude of non-governmental organisations and representatives from 113 countries participated in the conference to formulate strategies to address global environmental issues. As the first-time environmental issues were acknowledged as a matter

of global significance necessitating coordinated action, the conference signified a change in thinking in international relations.

The Stockholm Conference gave rise to the Stockholm Declaration, an influential document that established the groundwork for global collaboration in the realm of environmental issues. The declaration enumerated principles including the responsibility to preserve the environment and the right to a healthy environment, emphasising the interdependence of nations in preserving and enhancing the human environment.

Later that year, the United Nations Environment Programme (UNEP) was founded. The promotion of international cooperation and the cultivation of a collective response to environmental challenges were both pivotal functions of UNEP. It functioned as a catalyst for subsequent advancements in IEL, it facilitated continuous dialogues and bargaining.¹ The international community observed the establishment and consolidation of numerous environmental agreements and treaties over the subsequent decades. The Convention on Biological Diversity (CBD) of 1992, the Kyoto Protocol of 1997, and the Paris Agreement of 2015 are all significant turning points. These agreements were established to tackle distinct environmental concerns, including but not limited to biodiversity depletion, climate change, and sustainable development. In doing so, they demonstrated the adaptability of worldwide environmental issues.

There was a growing acknowledgement of the interdependence of environmental, social, and economic concerns at the turn of the 21st century. As a result of this comprehension, the Sustainable Development Goals (SDGs) were incorporated into Agenda 2030. Adopted by the United Nations in 2015, the Sustainable Development Goals (SDGs) establish an all-encompassing structure to tackle worldwide issues such as environmental degradation, poverty and inequality.

LITERATURE REVIEW

1. **"Global Environmental Governance: Options & Opportunities" by Ronald B. Mitchell (2003):** Ronald B. Mitchell's book provides a nuanced examination of the

¹ Atapattu, S. (1970). Emergence of international environmental law: A brief history from the Stockholm Conference to Agenda 2030. Retrieved from https://link.springer.com/chapter/10.1007/978-94-6265-507-2_1

institutions, actors, and mechanisms that influence international environmental law as it explores the complex landscape of global environmental governance. By tracing the evolution of environmental governance structures from the historical context, which includes the Stockholm Conference, to the present day, Mitchell's analysis illuminates this progression. This literary work is indispensable for comprehending the opportunities and obstacles that have influenced the evolution of international environmental law and for gaining insightful knowledge of the intricacies of worldwide collaboration.

2. **"From Stockholm to Rio to Kyoto to Paris: A Short History of International Climate Change Law" by Daniel A. Farber (2016)**²: Daniel A. Farber's article, published in the *California Law Review*, traces the evolution of international climate change law from the Stockholm Conference to the Paris Agreement. The author provides a chronological overview, highlighting key milestones and challenges faced in the negotiation process. Farber's analysis captures the dynamic nature of international efforts to address climate change, shedding light on the intricate interplay between science, politics, and law in shaping climate-related agreements.

RESEARCH QUESTIONS

1. **In what ways has the development of International Environmental Law (IEL) transpired since the 1972 Stockholm Conference, and which pivotal events have influenced its course?** - The objective of this research inquiry is to analyse the historical progression of IEL by scrutinising critical occurrences, accords, and institutional structures that have played a role in shaping how nations have reacted to environmental issues.
2. **In what ways do international organisations, with a specific focus on the United Nations Environment Programme (UNEP), influence the development and execution of global environmental governance, and what obstacles do they confront along the way?** - This research inquiry investigates the governance of global environmental issues through the lens of international institutions, with a particular emphasis on UNEP. It examines the interrelationships among member states, these institutions, and other stakeholders to determine how they contribute to the development and enforcement of international environmental law. Additionally, it identifies obstacles

² Farber, D. A. (2016). Climate change and disaster law. *The Oxford Handbook of International Climate Change Law*, 588–604. doi:10.1093/law/9780199684601.003.0026

that must be surmounted to achieve effective environmental governance.

ANALYSIS

The progression of Agenda 2030 and International Environmental Law (IEL) since the Stockholm Conference demonstrates an ongoing and dynamic response to global environmental challenges. This analysis shall explore pivotal facets of this expedition, scrutinising significant historical junctures, the effectiveness of global accords, and the influence of establishments on the formation of environmental governance.

Commencing the historical analysis is the Stockholm Conference of 1972, which signified the formalisation of environmental considerations as a major subject of international diplomacy. The Stockholm Declaration, a seminal document that recognised the interdependence of nations in safeguarding the human environment, was formulated during the conference. The rising awareness of the necessity for coordinated global initiatives to tackle environmental challenges was further emphasised by the establishment of the United Nations Environment Programme (UNEP) in the same year.

The advancement of IEL was expedited in the wake of the Stockholm Conference through the formation of numerous international treaties and agreements. Notable examples include the Convention on Biological Diversity (CBD) of 1992, the Kyoto Protocol of 1997, and the Paris Agreement of 2015. The objective of these agreements was to address environmental concerns, including species extinction and global warming. Nevertheless, the effectiveness of these agreements differs.

An evaluation of the Kyoto Protocol uncovers a range of achievements as well as constraints. By effectively establishing legally binding emission reduction targets for developed countries, the protocol exemplified a dedication to the mitigation of climate change. Nevertheless, the absence of binding commitments for developing nations and the lack of universal participation, including the United States, highlighted the difficulties in achieving a comprehensive and equitable global response.

The Paris Agreement, conversely, represented a substantial change in strategy. A bottom-up approach was implemented, which granted countries the autonomy to establish their own nationally determined contributions (NDCs) in the context of climate mitigation. Despite efforts

to address the shortcomings of the Kyoto Protocol through the agreement's inclusiveness, obstacles continue to exist, most notably concerning the sufficiency of NDCs and the necessity for more ambitious objectives to constrain the increase in global temperature.³

Agenda 2030 and the Sustainable Development Goals (SDGs) embody a comprehensive and synchronised strategy for confronting ecological, sociological, and financial obstacles. Goal 13, which is dedicated to climate action, serves as an illustration of how environmental concerns are intricately linked to more extensive sustainable development goals. However, the achievement of Agenda 2030's objectives is contingent on their being successfully implemented, which calls for international cooperation, financial investment, and political determination.

The examination of IEL highlights the intricate relationship that exists among institutional functions, the efficacy of agreements, and historical developments. Despite notable advancements since the Stockholm Conference, the attainment of comprehensive and equitable global environmental governance continues to be fraught with obstacles. In pursuit of a resilient and sustainable future, the way forward requires ongoing international cooperation, strengthened institutions, and innovative approaches to address emergent environmental issues.

CONCLUSION

In conclusion, the progression of International Environmental Law (IEL) from the Stockholm Conference to Agenda 2030 exemplifies a noteworthy expedition replete with accomplishments, obstacles, and continuous adjustment. The historical course, marked by significant accords and establishments, demonstrates that the global community has acknowledged the critical nature of coordinating endeavours to tackle environmental issues. Although achievements like the Paris Agreement indicate a transition towards inclusiveness and adaptability, obstacles continue to exist, necessitating a delicate equilibrium between aspiration and international collaboration.

The Sustainable Development Goals (SDGs) and Agenda 2030 establish a comprehensive framework for sustainable development by summing up the interdependence of environmental, social, and economic concerns. Nevertheless, the achievement of these objectives is contingent

³ The Stockholm Declaration and Environmental Law. (n.d.). Retrieved from <https://www.unep.org/news-and-stories/speech/stockholm-declaration-and-environmental-law>.

upon the successful execution of strategies, increased worldwide dedication, and fortified institutions, most notably the United Nations Environment Programme.