



This handbook has been prepared as a solid introduction to negotiating or working on Multilateral Environmental Agreements (MEAs) for those with little or no background, as well as a key reference tool for experienced negotiators. Overall, the purpose of the document is to provide a reference tool that will enhance the capacity of those working on MEAs and involved in international negotiations. The book is a second edition and has been updated with new and additional material.

The handbook is a joint publication of Environment Canada and the University of Joensuu – United Nations Environment Programme Course on International Environmental Law-making and Diplomacy. Environment Canada initiated and provided core contributions for the project.

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ISBN 978-952-458-993-2  
ISSN 1795-6706



Multilateral Environmental Agreement NEGOTIATOR'S HANDBOOK 2007

*Multilateral Environmental Agreement*

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2007

University of Joensuu – UNEP Course Series 5

*Multilateral Environmental Agreement*  
**Negotiator's Handbook**

**Second Edition: 2007**

University of Joensuu – UNEP Course Series 5

Publisher	University of Joensuu Department of Law P.O.Box 111, FIN-80101 JOENSUU, FINLAND
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ISBN	978-952-458-992-5
ISSN	1795-6706
Cover Design	Leea Wasenius
Layout	Saarijärven Offset Oy  Saarijärven Offset, Saarijärvi 2007

## Foreword

The number of multilateral environmental agreements (MEAs) and institutions has grown steadily over the last few decades. The work taking place under these agreements and within these institutions is increasing in volume and specificity, and it is having an increasingly substantive impact, particularly as there is an increasing focus on practical implementation. More and more, officials from governments all over the world participate in international negotiations, whether in a bilateral, trilateral or multilateral context. We have, in partnership, developed the second edition of the *Multilateral Environmental Agreement Negotiator's Handbook* principally to respond to the need for a practical reference tool to assist in addressing the many complex challenges in such negotiations.

The handbook is a joint publication of Environment Canada and the University of Joensuu – United Nations Environment Programme Course on International Environmental Law-making and Diplomacy. Environment Canada initiated this project and provided core contributions for the main text. UNEP generously provided the glossary, as well as expert advice on the handbook as a whole. Essential contributions and advice also came from Foreign Affairs and International Trade Canada, the Canadian International Development Agency, and the University of Joensuu, Finland.

UNEP and the University of Joensuu signed an agreement of co-operation in 2003 designating the University of Joensuu a UNEP Partner University. Since 2004, UNEP and the University have jointly organized annual Courses on International Environmental Law-making and Diplomacy. In order to publish Course proceedings and other relevant material relating to international environmental law-making, the two institutions established the "University of Joensuu – UNEP Course Series." As an outcome of the fruitful co-operation with Environment Canada, UNEP and the University of Joensuu are delighted to include and publish this handbook in the Series.

The second edition of the handbook for negotiators is intended to add to and improve on what is already recognized as a very useful tool that will contribute to more efficient and effective preparation, participation and representation in international environmental negotiations and meetings. We very much hope that it will help Parties achieve better results, sooner.

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## **Message from Maurice Strong**

It has now been more than three decades since representatives of 113 nations assembled in June 1972 for the United Nations Conference on the Human Environment (UNCHE), the Stockholm Conference. Stockholm was the first of the major global conferences. It was the beginning of a 'new journey of hope' where we put the environment firmly on the global agenda.

It strikes me that it would have been very helpful to have had access to this handbook back in 1972. At that time we still had to work out the ideas, tools and approaches you can now find in the following pages of this handbook. A year after Stockholm, action on environmental problems seemed marginal, and there was considerable scepticism about whether the multilateral system could meet our needs. Since then we have come a long way. We have achieved meaningful results on major environmental issues, and we have developed our decision-making and management systems so that we can go farther. MEAs have played a key role in this history.

This handbook reflects some of the important progress that we have made together. In the early 1970s, we lacked the concepts and the institutional arrangements necessary to manage the complex of interrelated social, economic and environmental issues. We needed to elaborate the international machinery required to take well-grounded decisions at the highest level. We now have both the conceptual framework and the procedural machinery we need. The principles and particulars of the system are laid out well in this handbook. But we need to keep working on them and through them, to effect real change. There is still much more to do.

If you are reading this book, you may have some idea of the immense challenges in front of you, and the vital importance of the work. Sometimes it may seem that the challenges are insurmountable. Certainly, when I was contemplating the offer to lead the Stockholm

Conference, many colleagues warned me that it was doomed to fail. Of course we did not 'save the world' in Stockholm - or Rio, or Johannesburg. No single conference can solve all of the problems that such meetings are inevitably asked to address.

A major international gathering offers exciting opportunities. It is the culmination of much preparatory work by many people, and they involve many separate important issues, which call for many difficult decisions. Often it comes down to an intense two weeks, or less. Inevitably, there is much left undone. This is partly attributable to the fact that we need to better organize ourselves to manage the underlying issues on a long-term basis. Partly it is attributable to the limits of the art of the possible, at any given time, in the multilateral context. Yet history reminds us that what is not possible today, may be inevitable tomorrow.

The Earth Summit in Rio de Janeiro provides a glimpse of what is possible. Never before had so many of the world's leaders come together in one place. They made the future of the planet a priority at the highest level. In Rio it also became increasingly clear that we need to find better ways of translating agreements into effective action at local, national and sectoral levels. At the World Summit on Sustainable Development in Johannesburg, the focus was on multi-sector collaboration, because it was understood that to be effective, we needed new kinds of partnerships. At the same time, we have been steadily developing the legal framework of MEAs to support progressive implementation and the further development of State-level commitments. The system is evolving, but State level leadership and authority is still indispensable. Ultimately, the two tracks should be mutually reinforcing.

The maxim 'Think globally, act locally' is only partly valid. In our time we need to act both globally and locally. This requires many different kinds of cooperation and compromise, much of which can only be achieved through difficult multilateral negotiations. But the mechanisms and tools we create in these discussions are not an end in themselves. MEAs are only legal instruments to achieve shared international environmental management and policy objectives.

To make progress towards the goals we set in these MEAs, we often need to take small practical steps, but we almost always need to manage a host of interrelated systematic relationships involving many stakeholders, including business, industry and civil society. Some of the most important relationships have to do with the link between the environment and the economy, particularly in the context of both developing countries and countries with economies in transition.

I firmly believe that this is not a zero-sum game, where gains on one side can come only with losses for the other. As Indira Ghandi said in Stockholm, 'Poverty is the worst form of pollution.' Conversely, sustainable economic development is the only way we can provide for effective environmental protection. We must strive for the dynamic balance of sustainability, which is difficult enough to describe, yet imperative to manage.

I am convinced that the prospects for the future of the global environment and humanity will be determined, perhaps decisively, by what we do, or fail to do in our generation. Depending upon how we use the knowledge and capacities we have, we can make the transition to a sustainable future. To be successful, we must be guided by our shared human values. On this point, it gives me some satisfaction to see the practical wisdom and simple values captured in this handbook, as it reflects the approaches and practices we have developed so far, as a global community, working together over time. The agreements and systems we have created may be complex, but there are simple common threads that hold them together.

In conclusion, I believe that we can and must shape a peaceful

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