

1.66 Draft International Covenant on Environment and Development

RECALLING that the original IUCN Statutes in 1948 called for the Union “to promote national and international action on ... the preparation of ... a world-wide convention for the ‘Protection of Nature’ ”;

NOTING the success of IUCN and its Environmental Law Programme in first proposing and helping draft the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention on Biological Diversity, and other regional, global and multilateral environmental agreements;

RECOGNIZING that an international consensus has developed about principles, rights and obligations for environmental conservation and sustainable development in “softlaw”, from the 1972 Stockholm Declaration, including the 1982 UN World Charter for Nature, and through to the 1992 Declaration of Rio de Janeiro;

COGNIZANT of the well-established legal process whereby the Universal Declaration of Human Rights was recodified into the UN Covenants on Human Rights;

AWARE that Agenda 21, adopted at the UN Conference on Environment and Development, calls for strengthening international law;

APPRECIATING the need to codify environmental principles and norms into a treaty format;

GRATEFUL for the five years of work that the International Council on Environmental Law (ICEL) and the IUCN Commission on Environmental Law (CEL) have contributed toward preparing the IUCN Draft Covenant on Environment and Development, which was launched at the UN Secretary General’s Congress on Public International Law in 1995, during the 50th Anniversary of the founding of the United Nations;

The World Conservation Congress at its 1st Session in Montreal, Canada, 14–23 October 1996:

1. THANKS ICEL and CEL for preparing and publishing the draft Covenant on Environment and Development as a possible model for a framework worldwide convention for environmentally sustainable development and nature conservation;
2. RECOMMENDS to the State Members of UN Commission on Sustainable Development (CSD), to request CSD to study the Draft Covenant as a possible way to implement the recommendations of Agenda 21 (Chapters 8, 38 and 39) for States to progressively strengthen and develop international and national law for environmentally sustainable development;
3. CALLS on IUCN members to consider the codification of Rio Principles, along the lines of the Draft IUCN Covenant;
4. PROPOSES that the State Members of the UN General Assembly consider establishing an intergovernmental negotiating committee to undertake preparation of a covenant codifying Rio Principles, along the lines of the IUCN Draft Covenant;
5. REQUESTS the Commission on Environmental Law of IUCN annually to review the progress of the UN on the codification of the Rio Principles, by an instrument like the Draft Covenant, and to recommend appropriate measures to UN organs, such as the International Law Commission or ECOSOC, for advancing such codification.

Note. This Recommendation was adopted by consensus. The delegation of the State member Australia indicated that had there been a vote the delegation would have abstained. The delegation of the State member United States indicated that had there been a vote the delegation would have voted against, because they could not support the development of a new convention on this topic.