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MALGOSIA FITZMAURICE, ATTILA TANZI AND ANGELIKI PAPANTONIOU, EDS.,
MULTILATERAL ENVIRONMENTAL TREATISES
(ELGAR ENCYCLOPAEDIA OF ENVIRONMENTAL LAW VOLUME V)

Reviewed by : Feja Lesniewska, Research Associate, STEaPP, UCL

BOOK REVIEW



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Malgosia Fitzmaurice, Attila Tanzi and Angeliki Papantoniou, eds., *Multilateral Environmental Treatises* (Elgar Encyclopaedia of Environmental Law Volume V)

There are over 500 environmental multilateral environmental agreements (MEAs) in force today.¹ The majority were adopted after the historic 1972 UN Conference on the Human Environment in Stockholm, Sweden. The MEAs address a diverse range of issues: atmosphere, toxic wastes and chemicals, protect ecosystems including the marine, climate change and the Polar Regions. Each MEA has matured since its entry into force through amendments, protocols and decisions adopted at conference of the parties (COP). International environmental law is now widely recognised as being a significant normative force for law and policy-making. Indeed MEAs' institutional frameworks frequently act as crucibles for innovative developments in international law more broadly.

The Elgar Encyclopaedia of Environmental Law series is designed to be a 'landmark reference work, providing definitive and comprehensive coverage' of this extraordinary diverse, complex and innovative field of international law. In the series, edited by Michael Faure, there are to be XII volumes covering themes including climate change, biodiversity, chemicals, water, trade, energy and human rights. This volume on MEAs is the latest to be published.

The editors have divided the volume into nine parts corresponding to different categories of MEAs: biodiversity; marine environmental protection; shared freshwater resources; atmosphere; hazardous waste; climate change; procedural obligations and procedural human rights; natural resources; and Antarctic/Arctic regions. The volume does not include entries for all MEAs rather, as the editors note in the 'Introduction', it provides 'an overview and selective analysis' with each entry consisting of the 'historical background and developments, and the main features of its legal framework and obligations, focusing in the conclusion on an evaluation of the overall instrument, with special regard to its effectiveness.' A welcome inclusion to the volume are regional agreements for each category in addition to the more familiar global agreements. For several categories, such as marine environmental

protection, shared water resources and biodiversity, regional agreements provide important geographically specific legal frameworks.

Part 1 to part 5 provide the entries on biodiversity, marine environmental protection, shared fresh water resources, the atmosphere and hazardous waste. Each part includes the key global MEAs followed by sub-regional agreements with a questionable omission of the UNECE Convention on Long-range Transboundary Air Pollution (1979) from Part 4 (Atmosphere). There are several entries that give exposure to lesser known regional, but no less important in terms of their value to environmental law, such as Krasnova's on the Finnish-Russian Agreement concerning frontier watercourses, Seatzu's one on the Central American Convention for the Protection of the Environment and Sindico's entry The Guarani Aquifer Agreement 2010. This part of the book is extremely useful in the form of an encyclopaedia and works well drawing several regional 'gems' to sit alongside the more well-known global MEAs. Although the decision to not include the 2013 Minamata Convention on Mercury in Part 5 (Hazardous Waste) is regrettable given the lessons it can offer about more recent MEAs.

In Parts 6-9 MEAs on climate change, procedural obligations and procedural human rights, natural resources and Antarctic/Arctic regions are covered. Although less extensive the entries manage to condense significant developments in these areas of international environmental law into highly readable and useful surveys of MEAs adopted. However, one misnomer is the Part 8 (Natural Resources) which only includes the 1991 European Energy Charter. This is more of a trade agreement than an MEA akin to the International Tropical Timber Agreements. Both have environmental dimensions but are fundamentally trade related agreements. The inclusion of procedural obligations (Part 7) is limited to the Espoo Convention (1997) and the Aarhus Convention (1998). Different legal avenues to pursue procedural rights, especially through human rights and indigenous peoples' rights agreements, do exist but the editors have sensibly kept to the purpose of the volume to only include MEAs.

The entry by Merkouris and Perreaut on climate change includes an annex to cover the latest agreement adopted under the 1992 UN Framework Convention on

1 See <https://www.ecolex.org>.

Climate Change (UNFCCC), the Paris Agreement (2015). Careful attention is also paid to Conference of the Parties (COP) decisions that have advanced the UNFCCC regime for example the Durban Platform (2011). This recognition of COP decisions shaping the development and interpretation of MEAs is a common and important one throughout the volume entries. It is impossible in a volume such as this to capture all the nuances to these multifaceted MEAs ongoing evolution, so the selective inclusion of key COP decisions helps to provide the reader with a flavour of the direction of travel.

The authors for each chapter have adopted relatively consistent approaches to structuring their entries but the editors have wisely not enforced a strict format. Each chapter author has had the autonomy to select the critical issues and developments that they consider to be significant aspects to highlight in these brief overviews of such extensive topics. This is commendable as it makes the encyclopaedia more readable and less formulaic. The contributing authors to this volume include several established leading academics in the field of environmental law alongside early career researchers. Given the diversity of authorship the research quality is consistently of high quality which is a credit to the editors. The volume will be a useful first stop text for students, academics as well as practising lawyers and others involved in environmental governance.

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