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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

MULTILATERAL ENVIRONMENTAL **AGREEMENTS**

AUTHORED BY - HARSH TIWARI

INTRODUCTION

Climate change is a definite and most severe issue on planet Earth today. The adverse effects are felt globally, and not even developed countries are immune to them. A long-term alteration of the Earth's climate system impacted devastatingly on flora and fauna, such as extreme shifts in biodiversity, lower birth rates, and increased extinction risks.

According to the International World Wildlife Fund (WWF), species from the tropics to the poles are at risk. Many species may need help to move to new areas quickly enough to survive changes that rising temperatures will bring to their historic habitats. 1/5th of the world's most vulnerable natural areas may be facing a "catastrophic" loss of species. Wildlife faces numerous threats, from habitat loss and fragmentation to species decline and extinction. The IPCC claims that species inhabiting freshwater, oceanic, and terrestrial ecosystems worldwide already feel climate change's effects. The effects will worsen with future warming. The majority of animal species face challenges from more frequently occurring and severe catastrophic occurrences such as droughts, floods, and fires; habitat degradation; altered water cycles; and heat stress. These effects also influence humans and increase competition for resources among every living creature. A few of the consequences that we are experiencing include premature deaths, an increase in the frequency of diseases, the devastation of built infrastructure, a decline in soil fertility, and a decrease in the quality of the air and water. Several multilateral environmental agreements committed to the time-bound reversal of these trends have been part of the global reaction. Many nations, most notably India, have implemented strict laws and policies aimed at protecting and rehabilitating the environment.

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- 1.) <https://environment.co/how-does-climate-change-affect-plants-and-animals/>
 - 2.) <https://walterschindler.com/investing-in-green-technology/climate-change-effects-flora-fauna/#:~:text=Increases%20the%20Risk%20of%20Extinction&text=They%20cannot%20adapt%20to%20the,and%20fauna%20species%20going%20extinct.>
 - 3.) <https://indianexpress.com/article/opinion/columns/ravi-chellam-writes-why-protecting-indias-forests-should-be-a-part-of-national-security-8857475/>

BACKGROUND

An international agreement "maze" has been created as a result of the traditional modular approach to environmental treaty-making. On the other hand, little about its general architecture and processes of evolution is known empirically. The structure of the web of international environmental treaty law has been revealed and explained in this study. Using cross-references from 747 international environmental accords reached between 1857 and 2023, an approximate representation of the structure was made. With the signing of a German agreement in 1857 that regulated the flow of water from Lake Constance to Austria and Switzerland, global environmental treaties came into being. Transboundary environmental issues gained widespread recognition in the mid-1960s, which resulted in the inclusion of multilateral environmental protocols in the governance of the environment. MEAs gained popularity mainly with the work of the UN. Very few MEAs actually regulate provisions. Of 20 or so that do, even fewer are of notable significance to the environment. MEAs that are particularly relevant to the major change should be considered. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)-1973 The COPs determined (based on scientific advice) which species need varying degrees of trade restrictions to maintain their sustainability. These limitations include everything from a complete ban on commercial trade to a system of partial licensing. Vienna Convention for the Protection of the Ozone layer-1985, which includes Montreal Protocol On Substances that Deplete the Stratospheric Ozone Layer-1987. The result has been a ban on the production and use of several industrial chemicals, together with severe limitations on others.

Aiming to stabilize the emission of different greenhouse gases (such as carbon dioxide or methane) that contribute to global climate change, the UNFCCC was enacted during the 1992 Rio Conference. The Kyoto Protocol was adopted in December 1997 and went into effect in February 2005. It is very likely that to achieve their commitments under the Kyoto Protocol, the parties would implement domestic policies and actions that would have a big impact on trade. (Kyoto Protocol: 155 parties, UNFCCC: 189 parties). A crucial part of COP meetings is the review of the Nationally Determined Contributions (NDCs). COP-27 held in Egypt majorly includes loss and damage fund, mangrove alliance, and India's Low Emission Development Strategy. Recently COP-28 took place in Dubai,

4.) <https://www.researchgate.net/publication/233089760> Institutions for the Earth

5.) <https://www.researchgate.net/publication/259138319> The Emergent Network Structure of the Multilateral Environmental Agreement System

6.) <http://www.oas.org/dsd/tool-kit/Documentos/MOduleII/Multilateral%20Environmental%20Agreements.pdf>

7.) <https://indianexpress.com/article/explained/explained-climate/cop28-what-were-the-most-important-decisions-where-they-fell-short-9067358/>

UAE. It was a mix of positive outcomes and disappointments. COP-28 would be the world's last chance to guarantee that global warming would not exceed 1.5 degrees Celsius. The Global Stocktake (GST), a thorough evaluation of the international climate movement's current state and the remaining actions required to achieve the targets, was the primary agenda item for COP-28. India was also a major lateral in COP-28, Green Credit Initiative, LedIT2.0, Global River Cities Alliance, and Quad Climate Working Group was its key initiative. As far as Indian Laws on environmental protection are very promising and impactful. Environment (Protection) Act, 1986 has its roots in the UN's Stockholm Conference. EPA Act was enacted under Article 253 of the Indian Constitution which provides for the enactment of legislation for giving effect to international agreements. The EPA gives the Central Government the authority to create agencies tasked with stopping pollution in the environment in all its forms and with addressing regionally specific environmental issues.

CONCLUSION

Traditionally, the structure of global environmental law and governance has been described as a web or a maze, yet there are relatively few legally enforceable MEAs. In this sense, international environmental law is a complicated web of institutions and norms rather than a disjointed system or a cohesive whole. Over time, the system of global environmental agreements has undergone many changes and grown more intricately intertwined.

THE WAY FORWARD

In the way forward, it should be considered that Every bilateral donor needs to raise the bar on their ambitions and fulfill their climate finance obligations. It is now much more important than ever to include climate finance in national development plans and strategies. To reflect more aggressive and specific climate action targets, countries should improve and amend their Nationally Determined Contributions (NDCs). A broad range of industries, including energy, transportation, agriculture, and manufacturing, should be included by NDCs. Adopt and bolster national laws and regulations that facilitate the achievement of climate goals. Include climate issues in the rules and regulations that are currently in place for different industries. Enable technology transfer that is climate-friendly, particularly from industrialized to underdeveloped nations. Exchange best practices, lessons gained, and experiences across nations to hasten the adoption of eco-friendly solutions in a variety of industries.