

EDITORIAL

We begin with a brief acknowledgement of the lateness in the year of this our second issue of 2017. As Managing Editor, I take full responsibility for the delays contributing to this timing, and hope and expect that we will be back on our usual track with our next issue.

In terms of world events, there is little so notable as the rather strange decision by the US Administration which “officially notified” the Secretary-General of the United Nations its *intention* (rather than of any actual decision) to withdraw from Paris Agreement on Climate Change. The decision to notify of intention is apparently a response to the legal analysts, who have noted that, under the terms of the Paris Agreement, no notification of a decision to withdraw may be submitted before November 2019, and no withdrawal will take effect until November 2020. As no country has ever submitted such a document before, legal experts are scratching their heads...

The notification also includes a somewhat ambiguous qualifier, regarding its future submission of a formal withdrawal decision: “Unless the United States identifies suitable terms for reengagement...” Some commentators interpret this as a hint that the current US administration plans to reopen the discussions, to find a basis on which it can make the Agreement more favourable to itself.

This is not the first time the US has taken steps to remove itself from a modern international environmental law/policy instrument. In 2002, during the George W. Bush Administration, the US formally (and again innovatively) decided to “un-sign” the Rome Statute of 1998 establishing the International Criminal Court (ICC). Predictably, three other countries (Israel, Sudan and Russia) have since followed suit.

In recent years (in 2011, to be precise), Canada has chosen twice to withdraw from multinational environmental agreements (the UN Convention to Combat Desertification and the Kyoto Protocol). Unlike the US defections, however, these withdrawals were done legally, following the specific requirements of the two instruments and of international law.

As a sign of the lack of public support for this decision within the United States, we note that, as of this writing, eleven US states (California, Delaware, Massachusetts, Minnesota, New York, Oregon, Rhode Island, Vermont, Virginia, and the state of Washington) have formally committed to comply with the Agreement, and eight others are reportedly considering it. Presumably, the awareness of widespread support for the Paris Agreement within the US and around the world will encourage the publicity-focused US administration to reconsider, before making its ultimate decision regarding withdrawal. We also hope that this awareness will restrain other countries, and that the US notification of intention will not become another springboard, encouraging further defections from the Agreement.

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Editor