

# EDITORIAL

Recent events have caused us to reconsider the overall nature of *EPL*'s content, noting a growing dichotomy between the issues and articles submitted by practising lawyers and government agencies regarding national practice and environmental adjudication, and the content of international negotiations. The former are overwhelmingly focused on finding ways to adopt, implement and enforce specific environmental protections, as well as on determining what the overall targets and objectives of those measures will be in specific environmental terms and whether those expected results have been achieved in full or in part. By contrast, international negotiations are increasingly directed at finding acceptably generic language. A clause will often be considered "acceptably generic" by a country where that country can "interpret" it in such a way that whatever action it has already planned or undertaken can be deemed to satisfy the new instrument's requirements.

This long-noticed trend is in keeping with current versions of "environmental activism". Rather than identifying actions needed, vowing to take those actions and urging others and the government to follow suit, modern "activists" seem simply to be telling others – particularly national governments and international bodies – to resolve particular generically stated problems, without clarifying what the problem is (from a practical, empirical perspective), how to address it and how one will know it has been solved or that the country or the world is moving in the right direction.

In this connection, as usual, we highlight the great successes of international law, such as the 1973 Convention on International Trade in Endangered Species (CITES), the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer and the 1972 World Heritage Convention (WHC). Each of these instruments is highly specific, not only on the results to be sought, but on the pathway to be followed and on each country's obligations. CITES specified that it sought to address species threats and extinctions by controlling the international market in products using endangered species, in the same way that some countries had reduced species losses by controlling their domestic markets. The Montreal Protocol put national expertise in controlling/curtailing the use of substances that are scientifically proven to be harmful to work in internationally addressing substances that were known to cause the destruction of the ozone layer protecting the planet. The WHC applied existing approaches to the task of identifying and protecting ecologically and culturally important areas around the world. The WHC's successes have diminished of late, arguably due to the specificity of decisions creating and administering the World Heritage Fund (sums that seemed generous in the 1970s are now viewed as "pocket change", but are difficult to adjust in the current era where tokenism and speeches about the environment are all that is offered by officials of some leading countries). Still, however, the WHC's primary process of essentially "branding" certain areas as "World Heritage Sites" and thereby increasing world/tourist interest in them continues to be of great benefit to those hoping to better preserve national protected areas.

Review of the submissions to *EPL* suggests that a large number of our readers are interested in learning (1) how other countries have targeted specific problems legislatively; (2) how such legislation has been implemented; (3) whether and to what extent these measures successfully addressed the original target problem; and (4) how such successes have been verified. We encourage our readers who intend to submit articles (whether on national, multinational, regional or global levels) to seek to present well researched and documented information on these points.