

# EDITORIAL

*Much of this issue is concerned either with the preparations leading up to the 1992 United Nations Conference on Environment and Development (UNCED) - i.e., the reports on the draft conventions on climate (see page 50), and biodiversity (page 48), or input from organisations who will take an active part - for example, OECD (page 57), and OAU (page 64). The second "PrepCom" for the Conference was held in Geneva from 18 March - 5 April, and a report of the proceedings is on page 42.*

*A week later, over 700 business leaders and industry experts gathered in Rotterdam under the auspices of the International Chamber of Commerce to attend WICEM II (World Industry Conference on Environmental Management), which was to provide an opportunity for industry to make recommendations to UNCED. A report is planned for the next issue.*

*We hope that those who are concerned with the preparatory process for UNCED soon know what they are doing! Everyone needs to know at this stage the pattern of the Conference, and at least a rough outline could have been expected to exist by now. So far, not even this is clear. Especially those who will not participate in the actual proceedings but would like to contribute to the preparatory process in some form of other, need some idea along which lines things are moving.*

*During the past few years, several fora, including the UN World Commission on Environment and Development (WCED - "Brundtland Commission"), have pointed out the need for a global environmental legal instrument; and recently, the UN Secretary-General stated in his 1990 Report, that "the time has come to devise a covenant regulating relations between humankind and nature".*

*In 1988, the IUCN General Assembly mandated its Commission on Environmental Law to develop a text for such an instrument which would take into consideration all existing accords and proposals. Using the expertise of those members who had drafted the World Charter for Nature, an instrument which was solemnly adopted and proclaimed by the UN General Assembly in 1982, the re-established Working Group decided to call the instrument a "Covenant" in order to parallel the UN Human Rights model where a Covenant followed a Charter.*

*Several drafting sessions have taken place, and the fourth draft of the "Covenant on Environmental Conservation and Sustainable Use of Natural Resources", was compiled on the results of the March 1991 meeting of the Group. For this meeting, Group membership was expanded to include members from the former Legal Experts Group of the Brundtland Commission. This draft will be circulated to participants at the August 1991 meeting of the UNCED Preparatory Committee in order to gain the comments of a wider group of experts.*

*The ad hoc Working Group envisages the Covenant project as a long-term process. Eventually a Commentary will be drafted which will not only explain the proposed text, but will also discuss those additional challenges which environmental law must face in the future. (See also in this connection, the UN/GA resolution on its decade of international law, on page 77).*



25 April 1991

PS :

*The results of the negotiating process for a protocol on the Antarctic environment are sounding very promising. We have been there, but have no more space to report in this issue !*