

Preface (Volume 52, Issue 2, 2022)

The year 2022 uniquely celebrates 50 years of the first UN Conference on The Human Environment (Stockholm, 1972) as well as establishment of the UN's Environment Program (UNEP) located in Nairobi (Kenya). UNWEP@50 event was held in Nairobi during 3-4 March 2022 and, as decided by the UN General Assembly's *modalities* resolution 75/326 (10 September 2021), Stockholm+50 Conference will be held during 2-3 June 2022.

Of the 14 resolutions adopted (02 March 2022) by the UN Environment Assembly 5 (UNEA-5) include setting up of an Intergovernmental Negotiating Committee with the mandate to forge an international legally binding agreement to end plastic pollution and enhancing circular economy for sustainable consumption and production.

As mandated by the UNGA's *modalities* resolution, the Swedish capital Stockholm is getting ready for the historic Stockholm+50 event that will provide an opportunity to reflect upon the global regulatory approaches hitherto followed by the UN member states. It remains to be seen if it will resonate with the futuristic call given on 5 June 1972 by late Olof Palme, Prime Minister of Sweden that: "in relation to the human habitat, there is no individual future, neither for people nor for nations. Our future is common. We must share it together. We should shape it together." It is also time to recall the presence and contribution at 1972 UNCHE of the only other Head of Government (apart from the host country), late Indian Prime Minister Indira Gandhi. Her call to eliminate poverty, included the protection of our natural habitat. Hence, her 14 June 1972 address to the Stockholm Conference galvanized the world. She underscored the wisdom from the ancient Indian treatise, the *Atharva Veda*, thus: "*What of thee I dig out; Let that quickly grow over; Let me not hit thy vitals or thy heart.*"

Road to Stockholm+50 and Beyond

The EPL Special Section on *Road to Stockholm+50 (2022) and beyond* is now in its third leg after publication of articles in EPL issues 51.6. 2021 (one) and 52.1. 2022 (two). As a sequel, this issue of EPL 52.2.2022 comprises eight articles. It will be followed by the final batch of articles in EPL 52.3. 2022. It comprises marathon ideational process pursued by a galaxy of eminent scholars. It is *prima facie* a look ahead for *Envisioning Our Environmental Future* at the momentous juncture of Stockholm+50 Conference and beyond.

The issues addressed in this EPL issue comprise the future of UNEP, human rights approach to environment protection, going beyond sustainability, a new architecture for the Third Pole Region (TPR), standing to sue for natural resources and ecocide, challenge of plastic pollution, greening the world trade and environmental terrorism.

The lead article by Donald Kaniaru chronicles birth and evolution of UNEP after the 1972 UNCHE. The momentum generated by this historic conference was attended by only two heads of Government of Sweden and India. The author was privy as well as a participant in the making of UNEP from its inception. In fact, his life became intertwined with the life of UNEP. This article seeks to provide a firsthand account along with what went wrong and what future lies ahead for UNEP including its possible elevation as a UN 'specialized agency' beyond Stockholm+50 event.

In exploring the trajectory of the human rights approach to environment protection, Jonas Ebbesson has sought to discuss international law and governance process that does not leave anyone behind in the pursuit for sustainable development and prosperity. Similarly, in his exposition on 'beyond sustainability', Jordi Jaria-Manzano surmises that an inability of sustainability implies a negation of planetary change and ignores the growing uncertainty of planetary processes and hence explores the concept of resilience as an alternative.

In hitherto unexplored regulatory options for the TPR, Krishna Oli et al have envisioned the future in view of rapid changes in the environment that also affects the adjacent river basins and landscapes. It has mooted

the idea of regional cooperation framework that provides an institutional justification and governance set up to harmonize actions of 12 countries sharing the TPR.

Eleanor Sharpston has invoked a legal counsel's perspective. She has invoked an analogy of standing to sue on behalf of trees and other natural resources that is sometimes invoked even for the inanimate objects. She has suggested for potential inclusion of 'ecocide' in the 1998 Rome Statute in the toolkit of litigation in trying to protect the environment.

An examination of the challenge of plastic pollution and its accumulation in the world ocean by Surya Subedi et al raise a contemporary planetary concern that has set the stage for negotiations on a global treaty on plastics pollution (UNEA-5 resolution of 02 March 2022). It calls for cooperative approach between member and non-member states to tackle plastic pollution of the marine environment. In the same vein, Oliver Ruppel et al have sought to focus on the link between Stockholm+50 and Bretton Woods+80, the two processes that were kick-started with the two respective historic events. These processes have so far not corresponded with each other despite their congruent global significance and potential complementarity.

Finally, Greg Rose has raised the age-old approach of 'scorched earth' mostly followed in the armed conflicts by different parties. It could now fall under the rubric of environmental terrorism. He has expressed concern about the lack of an international legal framework to suppress it and envisions for a new global convention to address it.

Need to Go Beyond Legalese

With this issue, EPL has published eleven seminal ideational contributions that seek to envision our environmental future. In conjunction with the final batch of contributions in 52.3. 2022, it is an audacious effort, within limits of time and space, to explore solutions and answers to some aspects of the global environmental *problematique* that bedevils our troubled world. It is a modest effort in the scholarly realm at this juncture of Stockholm+50. We shall have to go beyond mere legalese to find concrete ideas for a better future for our existence.

-Bharat H. Desai