

Preface (Volume 54, Issue 2–3, 2024)

The Planetary Future: Part – I

As mentioned in preface to the previous EPL issue 54 (1), the year 2024 is all set to become a landmark. The *Summit of the Future* (September 22–23, 2024) has been mandated by the United Nations General Assembly (UNGA) resolution 76/307 of September 8, 2022 (Modalities Resolution). It is a sequel and corollary to the UNGA’s “global conferencing technique” wherein the years 2023 and 2022 became noteworthy for two back-to-back summits: (i) *Sustainable Development Goals* (New York; September 18–19) and (ii) *Stockholm + 50* (Stockholm; June 2–3).

In June 02, 2022 address (Secretary-General’s remarks to Stockholm+50 international meeting) to the Stockholm + 50 gathering, the UN Secretary-General Antonio Guterres reminded the UN member states that “global well-being is in jeopardy”, “we have not kept our promises on the global environment” and our consumption is “at the rate of 1.7 planets a year”. In fact, the gathering storms and the growing scientific evidence underscore that the planetary-level environmental crisis is smoldering. As the coming events cast their shadows before, humankind seems to have sleepwalked into a planetary crisis (The Sleepwalking into a Planetary Crisis: Invoking International law (sisblogjnu.wixsite.com)). As a result, some Heads of Government have shown realization that “the decisions we make today are going to determine our future for decades to come” (Remarks by President Biden | The White House) as well as in securing “a better future to the world, and a better world to the future” (PM Modi address to the US Congress (narendramodi.in)). Can we reverse this planetary crisis? What course correction does it require? What lies in store for our planetary future with rapidly depleting time?

In view of the above, in early 2023, we decided at EPL to reach out to some of the global thought leaders to think aloud and ahead on the planetary future. The response was overwhelming as a galaxy of scholars from around the world agreed to make contributions on a wide range of issues of planetary concern. It appears to be a call arising from circumstances, and ordained, as the EPL did through ideational special issues in 2023 [53 (5–6) and (2–3)], 2022 [52 (5–6) and (3–4)], 2021 [51 (1–2)] and 2020 [50 (6)]. Within the human limits of time, energy and other resources, these cutting-edge processes do vindicate truism that in times of crisis there are no limits to concerns, sensitivity and human ingenuity to address any kind of challenges on this small planet.

The EPL special issue on the *Planetary Future* comprises seminal contributions in two parts. The first part, contained in this double issue (2–3) of volume 54, publishes ten articles. The lead article addresses six critical strategies: commitment to consider the future and reaffirm intergenerational equity; representation to future generations; monitoring, assessment and collection of lessons learned; scientific and technological research and development; institutional development; education and raising of public consciousness (Edith B. Weiss). Second article seeks to explore reforming the planetary governance paradigm to ameliorate its effects and for more transformative changes featuring the development of a new paradigm as well as call for cooperative measures to address common concerns arising in a world of complex systems (Oran R. Young). Third article propounds strategic revitalization and structural reforms as crucial for the UN to maintain its pivotal role in global environmental governance. It proposes specific measures to enhance the UN’s effectiveness in environmental governance, including transformation of the United Nations Environment Program into a Global Environmental Agency, establishing a regulatory framework to improve coordination among Multilateral Environmental Agreements, upgrading the Global Environment Facility, emphasizing environmental stewardship and repurpose of the UN Trusteeship Council (Maria Fernanda Espinosa Garces); Fourth article underscores the need for repurposing the Trusteeship Council, availing unique opportunity of the UN *Summit of the Future* and ongoing developments in many countries towards implementing ecological integrity and rights of nature into their legal systems (Klaus Bosselmann). Fifth article explores application of the concept of *negotiorum gestio* and argues its indispensability for addressing planetary level crisis such as space debris and

planetary defense. It can provide a legal basis for voluntary actions by a State, acting in good faith, to mitigate the crisis (Kazuhiko Nakatani). Sixth article raises crucial question of political will in the face of crisis such as climate emergency and role of elected leaders in democratic set ups (Eve Darian-Smith). Seventh article considers climate change as an existential threat and calls for taking urgent action to mitigate its effect, adapt to its negative consequences and co-operate towards an effective global climate governance (Vasselin Popovski). Eighth article views, in the face of tottering Arctic marine environment due to the triple environmental crisis, need for a global treaty on plastic pollution, implementation of a new Global Framework on Chemicals, clarifications from international tribunals on State responsibilities to address climate change, regional implementation of the Kunming-Montreal Global Biodiversity Framework and the new BBNJ agreement under the UNCLOS (David L. VanderZwaag). Ninth article, in light of the outcome of the *New York SDG Summit* (September 18–19, 2023), views path to achieving these ambitious goals remains uneven, with persistent gaps in poverty eradication, climate action, and other critical areas. It still opens avenues for legal challenges against unsustainable policies (Oliver Ruppel et al.). Tenth article proposes innovations in environmental governance to include evaluation of government policy, advice on new environmental law, reviewing the implementation of environmental law, and enforcement powers against government and other public bodies for breaches of environmental duties (Richard Macrory).

The abovementioned scholarly contributions sow the seeds for an appropriate churning among the global academic circles and the decision-makers, especially preparatory to the 2024 *Summit of the Future*. The second part of the EPL special issue will provide insights into several other areas of concern for the planetary future. This scintillating scholarly prognosis and the resultant look ahead underscores our modest efforts to inform the EPL's global readership as well as contribute to the knowledge pool. In continuation of the EPL tradition, we plan to host the first part of the twice-yearly webinar on this World Environment Day (June 05, 2024; *The Planetary Future: Part – I | Environmental Policy and Law*) on the theme of the *Planetary Future*, with some of the contributors to the EPL special issue.

- Bharat H. Desai