

EDITORIAL

We are confronted daily in the media with the problems caused by armed conflicts. In this respect, readers will remember that the UN Secretary-General, at the beginning of his appointment, had declared conflict prevention to be one of his major priorities, and pledged to move the United Nations from a culture of reaction to one of prevention. Recently, following five months of intensive negotiations, the UN General Assembly adopted by consensus a landmark resolution on the prevention of armed conflict. Among other things, the resolution calls for Member States' compliance in good faith with their obligations to international legal instruments relevant to the prevention of conflict and further urges them to make the most effective use of existing and new procedures and methods for peaceful settlement of their disputes.

In addition to this development, the UN Secretary-General stated in an address, that it had become apparent that existing international laws did not fully address the danger that conflict poses to the environment. He therefore urged the international community to examine how legal and other mechanisms can be strengthened to encourage environmental protection in times of war.

Also on the same subject, the German Federal Ministry for the Environment has recently published a study by Prof. Dan Bodansky (USA), which was also presented to the Executive Director of the United Nations Environment Programme (UNEP). We have asked the author – who has written several times for EPL – for a summary. The accompanying recommendations will be published in the Selected Documents section. We are hopeful that there will be a positive follow-up to this study.

*

*

*

After the recent armed conflicts two new constitutions are required. The first draft of the Afghanistan constitution has already been presented. The IUCN Law Programme, its expertise illustrated by its publication "Environmental Protection in Islam," has been asked to advise.

We hope that all constitutions will contain, in due course, a mandatory clause relating to the environment and sustainable development. We will report on relevant developments in France.

*

*

*

President Bush's search for a profile as an "environmental politician" has become more difficult, following the nomination of Governor Michael Leavitt of Utah as the new Administrator of the Environmental Protection Agency (EPA) who stated, that he has "On the one side responsibility for the Earth, on the other the economic imperative to remain globally competitive."

*

*

*

There was widespread concern at the breakdown of the WTO Ministerial Conference in Cancun (see page 258). The hope is now that something positive will come out of the informal discussions in December.

19 November 2003

- Wolfgang B. S. -