

EDITORIAL

International environmental governance in the early twenty-first century: glancing into the crystal ball

For most academics in social sciences it is a hazardous business to predict the future course of international organization. With the exception of their colleagues in economics and like disciplines, academics can hardly scan the future through extrapolations or computer simulations. Nor are they fortune tellers or prophets. Yet they can apply common sense and try to identify long-time features as well as emerging trends which are likely to evolve into new patterns of international cooperation. I embark herewith on that risky road, referring to environmental governance at global, inter-regional, regional, bilateral and national levels.

International cooperation in a world of states

As far as the *global level* is concerned, it is likely that multilateral cooperation will increase. In the decade to come some standard-setting may still be necessary, for example with respect to forestry, protection of indigenous peoples and responsibility and liability for environmental damage. Yet, in the next century there will most likely be a shift of emphasis from standard-setting to implementation mechanisms. During the 1980s and 1990s a great many international conventions were concluded and entered into force. The challenge will now be how to monitor compliance and how to organize reporting procedures, inspection, verification, and dispute settlement for this purpose.

It is unlikely that one single and strong international environmental agency will emerge. Neither the strengthening of the United Nations Environment Programme (UNEP) nor the evolution of the UN Commission on Sustainable Development into a central coordinating body are very likely. Instead, we will continue to see the maintenance of many agencies and the establishment of new ones, with important roles for conferences of parties to specific treaty regimes (e.g. Climate Change, Biodiversity) and efforts within UN specialized agencies, such as the Food and Agriculture Organization, the World Bank, the World Health Organization and the World Trade Organization, to develop further and apply international environmental standards. Various governmental and non-governmental actors will maintain pressure on these organizations to perform better in the environmental field.

Inter-regional and regional cooperation: a world of blocs

At the *inter-regional level* considerable activity can be noted. The 1990s witnessed the first meetings of the Asia-Pacific Economic Co-operation (APEC) and the Asia-Europe Meeting (ASEM) as well as cooperation within the Americas and between Europe and Latin America. The early twenty-first century will see the consolidation and institutionalization of these trends. Through a Lomé V Convention (2001–2010), Europe will maintain its special relationship with the 70 countries in Africa, the Caribbean and the Pacific, but it will no longer be as 'special' as in the past. Trade preferences will be further eroded as a result of the multilateral rounds of trade negotiations. Traditional coalitions, such as the Group of 77 and the B-group (western States), will not be as close as in the second part of the twentieth century. Newly industrializing countries in the 'South' will not be very keen to join G-77 forces in demanding transfer of technology or higher commodity prices, since the former have become net commodity importers themselves. Similarly, Western countries are easily split on liberalization of trade in industrial and agricultural products and varying quality prescriptions. Hence, issue-oriented, inter-regional cooperation will often prove to be more rewarding than global negotiation.

Inter-regional cooperation requires as a matter of course strong *regional institutions*. These will probably materialize in all parts of the world. Mercosur, CARICOM, NAFTA, AFTA, APEC, EU, CIS, COMESA, ASEAN, SAARC: all these acronyms will feature on a daily basis in economic and diplomatic news analyses.

The sovereign state: still going strong

Notwithstanding all these trends, the nation-state will survive this storm of (inter-)regional and multilateral cooperation. Hence, there will still be room for *bilateral* cooperation. After the recent proliferation of bilateral investment promotion and protection treaties (BITs), the early twenty-first century will witness the conclusion of a new class of bilateral treaty, whose general orientation may echo sounds of past Friendship, Commerce and Navigation (FCN) treaties. Apart from economic purposes, the new bilateral treaties will serve cultural and environmental purposes as well.

The cast-iron principle of *national sovereignty*, which has been dominant since the Peace of Westphalia (1648), will be qualified but will not wither away in the early part of the next century. As far as environmental matters are concerned, there will continue to be much emphasis on sovereignty as the source of a state's right to manage freely its own natural resources and to determine its own developmental and environmental policies as stipulated in Principle 2 of the 1992 Rio Declaration. The rapid development of international environmental law has reaffirmed sovereignty but has also been instrumental in identifying corresponding responsibilities regarding careful management, good housekeeping and accountability at international and national levels. Hence, there will be increasing emphasis on the other side of the coin, in the sense that states have duties as well as rights. States will increasingly be held accountable at international, regional *and* national levels for the way they discharge their state functions.

Challenges

While there will thus be a host of frameworks of international environmental governance, it will be a colourful mosaic of different relationships as well. A major challenge will be how to coordinate all these levels of governance (global, inter-regional, regional, bilateral, national) and how to make them complementary rather than overlapping. Inter-regional cooperation, in particular, comes to the fore as a major new challenge. In that light, it would be useful if states were willing to provide more room for regional institutions to cooperate amongst themselves and to have a place in international consultation. Currently, only the President of the European Commission is allowed to sit at the table of the leaders of the Group of Seven most industrialized countries. Leaders of other regional institutions should be invited as well. In future, they may even convene their own summit conferences. In addition, regional institutions will become more often a direct party to international agreements, including those in the field of environmental conservation.

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