

What are Multilateral Environmental Agreements?

A Multilateral Environmental Agreement (MEA) is a legally binding instrument between two or more nation states that deals with some aspect of the environment; they play a critical role in the overall framework of environmental laws and conventions. Complementing national legislation and bilateral or regional agreements, multilateral environmental agreements form the overarching international legal basis for global efforts to address particular environmental issues. While environmental treaties date back to the end of the 19th Century, the vast majority of MEAs have been adopted since the 1972 United Nations Conference on the Human Environment (UNCHE). Over the last thirty years there has been a rapid development of MEAs and as of today over 200 MEA's are already existing. At the institutional level, the Conference of the Parties (COP) represents the primary decision making body for a given MEA. COPs usually meet once a year to take decisions, though they may meet less frequently. Representatives of all Parties are invited to attend.

Some multilateral environmental agreements focus on particular themes. Examples include the **biodiversity-related multilateral environmental agreements** (Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Flora and Fauna, Convention on the Conservation of Migratory Species of Wild Animals, Convention concerning the Protection of the World Cultural and Natural Heritage, International Treaty on Plant Genetic Resources for Food and Agriculture and International Plant Protection Convention) and the **chemicals-related multilateral environmental agreements** (Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and Stockholm Convention on Persistent Organic Pollutants). Others are **outcomes of international conferences**; examples include the Rio Conventions (Convention on Biological Diversity, United Nations Framework Convention on Climate Change, United Nations Convention to Combat Desertification). Still others, such as the Regional Seas Conventions and Action Plans, deal with **specific regions**.

<i>Legally binding (MEAs)</i>		<i>Non-Legally binding</i>
Treaties	Accords	Resolutions
Conventions	Pacts	Decisions
Agreements	Charters	Declarations
Protocols	Amendments	Recommendations

The key benefits of an MEA are usually environmental, but may also be economic, sociopolitical (e.g., empowering the public to become involved), and administrative. The clearest benefits of any particular MEA usually relate to the specific goals of that MEA.

MEAs also come in a variety of forms. Such as :

- **Global or regional:** for example, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention) applies throughout the world; the Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa (Bamako Convention) applies only within the African region.
- **Appendix-driven or Annex-driven conventions:** the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an appendix-driven agreement. Three appendices list animal and plant species in different categories of endangerment, subject to different degrees of regulation. The International Convention for the Prevention of Pollution from Ships (MARPOL) contains Annexes that address different types of pollution (e.g., oil (Annex I), noxious liquid substances (Annex II), harmful substances (Annex III), sewage (Annex IV), garbage (Annex VI), and air pollution from ships (Annex VII)).
- **Framework conventions:** some conventions are stand-alone all-inclusive agreements, like the International Tropical Timber Agreement (ITTA) from 1994. Others, like the UN Framework Convention on Climate Change (UNFCCC), anticipate the adoption of further protocols (agreements), to achieve their objectives. For example, the UNFCCC was agreed in 1992. Its Kyoto Protocol was later agreed in 1997, and builds upon the Convention. The Vienna Convention on the Protection of the Ozone Layer was agreed in 1985.

MEAs enter into force after a series of institutional processes take place, such as:

- **Adoption:** Upon finalizing the negotiation of text, a treaty will be first “adopted” then “signed”. This is a proclamation that usually takes place upon the finalization of a conference specially convened to negotiate the treaty. The adoption of the treaty signals the ending of text negotiation and the beginning of the process that an international treaty passes through before enforceability.
- **Signature:** A country begins a process of endorsing a treaty by “signing” it. However, for multilateral agreements, this is a necessary but not sufficient step for the application of the treaty. It is understood that when a state becomes a treaty’s signatory it expresses its readiness to proceed with the steps needed to fulfill entering into force procedures. This action is at times called “Signature Subject to Ratification,

- **Ratification, acceptance, or approval:** Action by which a state specifies its assent to being bound by the treaty after completion of required national constitutional procedures for ratification or accession or approval depending upon the country's legal system. The treaty's depository keeps track of ratification/acceptance/ approval. This is particularly important since a certain quantity of states must ratify a treaty before it enters into force. Ratification and acceptance/approval also implies that a country will enact national implementing legislation to put national effect to the multilateral treaty.
- **Entry into force:** Normally, multilateral treaties enter into force after an established period has elapsed subsequent to a set number of states ratifying or acceding to the agreement. Some agreements have other terms that must be met so that it enters into force.
- **Accession:** This is the act by which a state accepts to become a Party to an agreement whose text has been negotiated, adopted and signed by other countries. Basically, this act has the same denotation as ratification, the only difference being that accession occurs after negotiations have taken place.
- **Withdrawal or denouncing:** Countries can (and do) withdraw or denounce themselves from some international agreements in accordance with the procedure set in that instrument. If the treaty has a denunciation clause or is silent about this matter, a state may withdraw after a certain period of notice or after consent of contracting parties.

List of some MEAs and year of their ratification in South Asia

MEA	Afghanistan	Bangladesh	Bhutan	India	Maldives	Nepal	Pakistan	Sri Lanka
Atmosphere Related								
Vienna Convention for the Protection of the Ozone Layer (1985)	2004	1990	2004	1991	1988	1994	1992	1989
Montreal Protocol on Substances That Deplete the Ozone Layer (1987)	2004	1990	2004	1992	1998	1994	1992	1989
United Nations Framework Convention on Climate Change (UNFCCC-1992)	2002	1994	1995	1993	1992	1994	1994	1993
Kyoto Protocol (1997)		2001	2002	2002	1998	2005	2005	2002
Waste Related								
Basal Convention	2013	1993	2002	1992	1992	1996	1994	1992
Rotterdam Convention	2013	Not Ratified	Not Ratified	2005	2006	2007	2005	2006
Stockholm Convention	2013	2007	Not Ratified	2006	2006	2007	2008	2005

Sources: Auditing the Implementation of Multilateral Environmental Agreements (MEAs): A Primer for Auditors – by UNEP
Multilateral Environmental Agreement Negotiator's hand book - University of Joensuu – UNEP Course Series 5

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