

PANEL ON INTERNATIONAL ENVIRONMENTAL LAW

“INTERNATIONAL ENVIRONMENTAL LAW AND RESOURCE MANAGEMENT: TRENDS FOR THE FUTURE”

1. Speakers

Silvia Maciunas (moderator), Owen Saunders, Dr. Darren Goetze, and His Excellency Philemon Yang

2. Overview

The Panel's focus was to discuss the future development of international environmental law. There has been significant movement to negotiate multilateral treaties that are geared towards the conservation of resources. The aim of preserving the environment could at times be at odds with other international regimes, such as trade treaties. A clear understanding of various overlapping interests is required to better facilitate the creation of international environmental law.

3. Discussion

Owen Saunders discussed issues surrounding transboundary water. Water is an intimate part of culture throughout the world. In particular, it is an integral part of the Canadian identity. Thus Canada has made significant contributions to the development of Water Law. Mr. Saunders raised two aspects of water's legal regime that merit discussion. First, transboundary water historically has played an important role in the bilateral relationship between Canada and the U.S. The 1909 *Boundary Water Treaty* was the central focus of the relationship between the two countries. The treaty was visionary as it dealt with issues such as watercourse and shed riparian rights and pollution (albeit briefly). The Joint Water Commission, between Canada and the U.S., is actively promoting a healthy environment for the Great Lakes. The Commission, recently, has focused on four main issues: (i) climate change; (ii) cumulative effects of environmental degradation; (iii) ground water; and (iv) international trade law. Second, aspects of water law require a multilateral approach. The *Dunabe Dam* case decided by the International Court of Justice, between Hungary and Slovakia, considered sustainable development and continuing environmental obligation as related to water. Essentially, the decision creates international jurisprudence on ways and means to manage international water.

Dr. Darren Goetze explored the emergence of greenhouse emission gases as a commodity. The effect of greenhouse emission gases is an increase in temperature, higher sea level and global meltdown of snow. The impact could be destabilization of the global environment with bleak effect on developing countries. The challenge for the international community is to limit and reduce the use of the greenhouse emission gases. According to Dr. Goetze, voluntary measures, the top-down approach, and market orientated methods are required to effectively tackle the issue. Simply put, a global effort is required to combat climate change. The agreement in Koyoto, Japan is the first step in mitigating the level of carbon in the environment, especially in the developed countries. The agreement takes a market-oriented approach to reduce carbon