



Introduction to MEAs

Multilateral environmental agreements (MEAs) are legally binding international agreements between three or more states on a subject relating to the environment. These agreements, also referred to as treaties or conventions, are an important part of public international law, the law that governs relations between states. Protocols are additional sub-agreements to MEAs and are also legally binding. There are hundreds of MEAs in existence. Together, these form the international legal basis for global efforts to address environmental issues.

How countries join MEAs

Although some treaty obligations are general in nature and enforcement can be difficult, countries take legally binding treaties seriously. In contrast to international political agreements, many steps are required for countries to agree on a legally binding MEA. The process usually takes many years. First, countries need to agree on the text of the MEA, which is then “adopted” at a conference and opened for “signature”. Signature alone does not usually bind a country, but it means that the country that has signed is now obligated not to undermine the MEA. Following signature, MEAs usually need to be “ratified” (approved) by the country’s parliament or national legislature. After that, the country becomes legally bound and could suffer

international legal consequences, such as sanctions, if it does not fulfil its MEA obligations.

Legal questions

International environmental law is a comparatively new field. In many areas, MEA negotiations and implementation involve an entirely new set of laws, policies and actions. Therefore, the legal issues are not always clear and often need to be discussed extensively among “Parties” (states that have formally joined the MEA) and experts. Such discussions, as well as discussions about implementation, take place at MEA meetings such as Conferences of the Parties (COPs) or expert workshops held under the MEA. In MEA meetings, all decisions are agreed, either through voting or through consensus, by the states that are Parties to the MEA. Parties are, from a legal perspective, the decision-makers. States that are not Party to an MEA can participate in meetings as observers, but they are not allowed to participate in decision-making. They cannot vote or block the adoption of a decision.

The actors

Other observers are increasingly involved in MEA negotiations, such as non-governmental organizations (NGOs),

business representatives, indigenous peoples' representatives, and academic institutions. They do not have a decision-making role. Instead, their role is to influence and inform the decision-makers.

MEAs have secretariats that serve as "housekeepers" and information centres for the MEAs. The secretariats prepare documentation and organize meetings. However, the secretariats receive their instructions from the Parties and do not play a decision-making role of their own, although some secretariats can be very influential.

Rules of procedure

All MEA meetings, such as a COP, are conducted under the rules of procedure for that body. Many of the rules of procedure are similar for all MEAs. However, a negotiator should be familiar with the particular rules of the MEA that he or she is working on, since there are invariably rules specific to each MEA. Knowing the rules of procedure may be critical to dealing with unexpected procedural moves by other Parties or the Chair and could affect the outcome of negotiations.

CARIBBEAN COMMUNITY (CARICOM) Secretariat

Turkey, Georgetown, Guyana

+592 222 0001

www.caricom.org

