

International Legislation for the Environment and Development

by Bahá'í International Community

A little more than a hundred years ago, in a series of letters sent to the leaders of the time, Bahá'u'lláh spoke of humanity as entering a historical stage that would bring about the radical restructuring of life on the planet. Challenges never seen before, said He, would soon overwhelm the resources of even the most advanced countries. They could be confronted only by a federated world system whose central organ was a representative world parliament, endowed with powers to create a universally agreed and mandatory code of laws. "The earth is one country," Bahá'u'lláh affirmed, "and humanity its citizens."

As the magnitude, complexity and urgency of environmental problems have gradually been imposed on public opinion, the logic of this prescription has become increasingly apparent. The available international legislative machinery and procedures prove to be inadequate, primarily because they are based on laws that govern nation-states. For the Bahá'í International Community it seems clear that, unless new creative steps are taken for the restructuring of the international order, environmental degradation by itself, with its far-reaching implications for social and economic development, will inexorably lead to a disaster of overwhelming dimensions.

The current procedure for the creation of international legislation on the environment, which addresses only one problem at a time, is fragmentary and not systematic. Conventions, treaties and protocols have been adopted on issues as diverse as the protection of the ozone layer and the control of international traffic in hazardous wastes. Other conventions on climate change and biodiversity are being negotiated. Others have been suggested on topics such as land-based sources of marine pollution. There is no single body responsible for the drafting of international environmental legislation. Neither have the nations of the world agreed on a set of principles on which environmental legislation can be based. Even more, The signatory nations of the various legal instruments are rarely the same. In this way it is almost impossible to harmonize or combine the agreements.

It is well known that the international legislative procedure is slow, cumbersome and expensive. Once a problem is identified, expert meetings are convened to prepare a draft agreement. The agreement is negotiated by the governments concerned and is signed at a plenipotentiary meeting. After what is often a long period of ratifications and additions, the legislation enters into force, but only in those states that have signed it. Generally, a secretariat is established to facilitate and supervise the implementation of the convention. If it is necessary to modify the legislation, as was the case in the Montreal Protocol, in which the deterioration of the ozone layer exceeded the stipulations of the protocol, updating can be as slow as adoption.

The current ad hoc procedure for environmental legislation can only become more unmanageable. Many proposals have been offered to provide global mechanisms to create and support a sustainable development model. Some experts advise strengthening the existing UN system, reinforcing the mandates of agencies such as the United Nations Environment Program (UNEP), remodeling the Economic and Social Council (ECOSOC), or using the Trusteeship Council to the administration of certain global resources. Others suggest creating new bodies such as a council for environmental security, a World Court of Justice for the Environment, or an international body for environmental negotiations to prepare,

However well motivated and helpful such proposals are, it seems clear to the Bahá'í International Community that the establishment of a sustainable development model is a complex task with wide ramifications. It is clear that it requires a new level of commitment to solve major problems that are not exclusively associated with the environment. These problems include militarization, excessive disparity of wealth between and within nations, racism, lack of access to education, unrestricted nationalism, and lack of equality between women and men. Instead of a piecemeal approach designed to respond to the needs of nation-states, it seems preferable to adopt a general agreement under which specific international codes could be enacted.

Long-range solutions will require a new and comprehensive vision of a global society, supported by new values. In the opinion of the Bahá'í International Community, the acceptance of the unity of humanity is the first fundamental prerequisite for this reorganization and administration of the world as a single country, the home of humanity. The recognition of this principle does not imply abandoning legitimate allegiances, the suppression of cultural diversity, or the abolition of national autonomy. It calls for a wider loyalty, a much higher aspiration than the one that has animated human effort until now. It is clear that it needs the subordination of national impulses and interests to the imperative demands of a unified world. It is inconsistent not only with any attempt to establish uniformity, but with any tendency towards excessive centralization. Its goal is well expressed in the concept of "unity in diversity".

The Bahá'í Writings visualize the world federated system proposed by Bahá'u'lláh as one "in favor of which all the nations of the world will voluntarily give up their war-making rights, certain rights to tax, and all rights to maintain armed forces, except for the purpose of maintaining internal order within their respective limits. " Such a global commonwealth would include "a world legislature, whose members, as trustees of all humanity, will ultimately control the total resources of all member nations, and will enact those laws that are required to regulate life, to satisfy needs and adjust the relationships of all races and peoples. A global executive power, backed by an international force, carry out the decisions that have been reached, and apply the laws dictated by this world legislature, and protect the organic unity of the entire commonwealth. A world court will apply and dictate its final and final verdict in each and every one of the disputes that arise between the various constituent elements of this universal system. "Under such a system," a unique code of international law - product of the reflective criteria of the federated representatives of the world - will be sanctioned by the instantaneous and coercive intervention of the combined forces of the federal units ... "At the same time," the autonomy of [the] Member States and the personal freedom and initiative of the the individuals that compose it [will] be definitively and completely safeguarded. " and apply the laws dictated by this world legislature, and protect the organic unity of the entire commonwealth. A world court will apply and dictate its final and final verdict in each and every one of the disputes that arise between the various constituent elements of this universal system. "Under such a system," a unique code of international law - product of the reflective criterion of the federated representatives of the world - will be sanctioned by the instantaneous and coercive intervention of the combined forces of the federal units ... "At the same time," the autonomy of [the] Member States and the personal freedom and initiative of the the individuals that compose it [will] be definitively and completely safeguarded. " and apply the laws dictated by this world legislature, and protect the organic unity of the entire commonwealth. A world court will apply and dictate its final and final verdict in each and every one of the disputes that arise between the various constituent elements of this universal system. "Under such a system," a unique code of international law - product of the reflective criterion of the federated representatives of the world - will be sanctioned by the instantaneous and coercive intervention of the combined forces of the federal units ... "At the same time," the autonomy of [the] Member States and the personal freedom and initiative of the the individuals that compose it [will] be definitively and completely safeguarded. " Under such a system, "a unique code of international law - product of the reflective criteria of the federated representatives of the world - will be sanctioned by the instantaneous and coercive intervention of the combined forces of the federal units ...". At the same time, "the autonomy of [the]

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Therefore, the Bahá'í International Community urges the Preparatory Committee to consider bold and creative initiatives for the creation of international machinery and legislative procedures. No real change is possible without vision. The Earth Charter that is proposed can contribute a lot to articulate a unified vision for the future and courageously affirm the values on which it must rest. While working on the text, it may well be that the Preparatory Committee wishes to refer to The Promise of World Peace, a declaration made to the Peoples of the World that was issued by the Universal House of Justice in support of the International Year of Peace. United Nations of Peace (AIP).

Bahá'ís around the world find the UNCED process a powerful reinforcement of the optimism they feel for the future of humanity. We believe that, with the power of universal recognition of the dangers facing the planet today, you can induce the governments of the world to act with courage on behalf of the human race as a whole. The result may well be not only an effective response to the problems of environment and development that now confront us, but also a huge step forward in the construction of a federal system that can address all the challenges facing a race. human that is quickly integrated.