

MINISTRY OF NATURAL RESOURCES AND ENVIRONMENT

Department of Legal Affairs

---

# INTERNATIONAL ENVIRONMENTAL LAW

## MULTILATERAL ENVIRONMENTAL AGREEMENTS

---



INTERNATIONAL PUBLISHING HOUSE



**Ministry of Natural Resources and Environment**  
Department of Legal Affairs

# **International Environmental Law**

- Multilateral Environmental Agreements -

Hanoi – May 2017

**References:** This handbook draws from existing publications of the United Nations Environment Programme (UNEP), namely the *Judicial Handbook on Environmental Law* of 2005, the *Manual on Compliance with and Enforcement of Multilateral Environmental Agreements* of 2006, the *Multilateral Environmental Agreement Negotiator's Handbook* of 2007, and the *Primer for Auditors of Multilateral Environmental Agreements* of 2010. Other important publications that have been used for the handbook include the books *International Environmental Law* of Pierre-Marie Dupuy and Jorge E. Vinuales (2016, Cambridge University Press) and *The Practitioner's Guide to International Law* of the International Law Committee (2014, 2nd edition, NSW Young Lawyers).

**Disclaimer:** This handbook is a product of the Department of Legal Affairs (DLA-MONRE). The findings, interpretations, and conclusions expressed in this work do not necessarily reflect the views of the Ministry of Natural Resources and Environment or its contributors.

**Copyright:** DLA-MONRE. The publication may be reproduced in whole or in part and in any form for educational purposes or non-profit purposes without special permission from the copyright holder, provided acknowledgement of the source is made. No use of this publication may be made for resale or for any other commercial purpose whatsoever without prior permission in writing from DLA-MONRE or its successor.

## Foreword

Vietnam's measures to prevent environmental deterioration and to respond to climate change are increasingly driven by commitments under multilateral environmental agreements on the one hand and domestic needs on the other hand. This requires government officials to not only understand how to implement existing international commitments, but also how to contribute to the negotiation of new international commitments. As a prerequisite, a sound understanding of the development, features, functioning and implementation of multilateral environmental agreements is necessary. The purpose of this handbook is to give a general introduction to international environmental law as well as the most important and well-known multilateral environmental agreements that Vietnam is a Party to.

To aid in a basic understanding of international commitments, this handbook has been divided into two parts. In *Part I*, information about the development, entry into force, functioning and implementation of multilateral environmental agreements is provided that gives the context for understanding the individual conventions, protocols and agreements. Building on this information, *Part II* provides a concise summary of nineteen different multilateral environmental agreements by addressing two questions: *What is the agreement about?* and *What does Vietnam have to comply with?* The nineteen multilateral environmental agreements are divided into the following eight areas:

- Area 1: Biodiversity conservation and sustainable use
- Area 2: Land management
- Area 3: Management of international watercourses
- Area 4: Marine environment protection
- Area 5: Ozone layer protection
- Area 6: Climate change response
- Area 7: Waste management
- Area 8: Chemical management

The intended audience for this handbook are the officials working for the various ministries of the Government of the Socialist Republic of Vietnam, especially the Ministry of Natural Resources and Environment (MONRE). However, the handbook also seeks to reach stakeholders from all backgrounds that seek to understand the commitments under multilateral environmental agreements for developing countries like Vietnam. It has been produced in both Vietnamese and English, and will also be available on the MONRE website.

Writing this handbook was a collaborative effort of many people. The idea first came from our Deputy Minister Nguyen Thi Phuong Hoa who I want to thank for the initiative. Then I would like to thank the team of our Department of Legal Affairs, especially Deputy Director General Mr Phan Tuan Hung, Dr Heidi Stockhaus – placed by the Centre for International Migration and Development (CIM), a joint operation of GIZ and the German Federal Employment Agency – and Ms Clare Cory – supported by Australian Volunteers for International Development (AVID) program, an Australian Government initiative.

The handbook would not be what it is today without the help of experts outside this ministry. Therefore, I would like to express my deep appreciation for the valuable input and the collaboration to Jiri Hlavacek and Maria Manguiat of UNEP's Law Division in Nairobi and Andy Raine of UNEP's Asia and Pacific Office. Also, I would like to thank Professor Don Anton of the Law School of Griffith University in Queensland, Australia for his valuable insights.

For her translation I would like to thank Ly Van Anh, LL.M, Vice Dean of the International Law Faculty of the Diplomatic Academy of Vietnam. For her editorial assistance I would like to thank Helen Cory.

Finally my thanks are extended to everyone who participated in the publication of this handbook. I am especially grateful for the publication assistance by UNDP under the project: *Enhancing Capacity for Implementing Rio Conventions*.

I hope this handbook will improve the understanding of multilateral environmental agreements in Vietnam and will therefore provide the basis for our efforts to prevent environmental deterioration and respond to climate change in an interconnected world.

*signed by*

Minister Tran Hong Ha

Ministry of Natural Resources and Environment

## Table of contents

<i>Foreword</i> .....	5
<i>Abbreviations</i> .....	9
<b>Part I: Introduction</b> .....	<b>10</b>
1. Context and understanding of multilateral environmental agreements .....	11
2. Development and functioning of multilateral environmental agreements.....	14
3. Framework and common features in multilateral environmental agreements.....	18
4. Implementation of multilateral environmental agreements .....	24
<b>Part II: Overview of Vietnam’s Multilateral Environmental Agreements</b> .....	<b>26</b>
<b>Biodiversity conservation and sustainable use</b> .....	<b>27</b>
1. Convention on Biological Diversity 1992 .....	28
2. Cartagena Protocol on Biosafety 2000 .....	32
3. Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits 2010 .....	35
4. Convention on International Trade in Endangered Species of Wild Fauna and Flora 1973.....	38
5. Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat 1971 .....	41
6. Convention concerning the Protection of the World Cultural and Natural Heritage 1972 .....	45
<b>Land management</b> .....	<b>48</b>
7. United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa 1994 .....	49
<b>Management of international watercourses</b> .....	<b>52</b>
8. Convention on the Law of the Non-navigational Uses of International Watercourses 1997.....	53
<b>Marine environment protection</b> .....	<b>56</b>
9. United Nations Convention on the Law of the Sea 1982 .....	57
10. International Convention for the Prevention of Pollution from Ships 1973/78.....	61

<b>Ozone layer protection .....</b>	<b>64</b>
11. Vienna Convention for the Protection of the Ozone Layer 1985.....	65
12. Montreal Protocol on Substances that Deplete the Ozone Layer 1987 .....	68
<b>Climate change response .....</b>	<b>71</b>
13. United Nations Framework Convention on Climate Change 1992.....	72
14. Kyoto Protocol 1997 .....	75
15. Paris Agreement 2015.....	78
<b>Waste management .....</b>	<b>81</b>
16. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal 1989.....	82
<b>Chemical management.....</b>	<b>85</b>
17. Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade 1998.....	86
18. Stockholm Convention on Persistent Organic Pollutants 2001.....	89
19. Minamata Convention on Mercury 2013.....	93

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_13653](https://www.yunbaogao.cn/report/index/report?reportId=5_13653)

