



Environmental Law and Policy: International Agreements and National Implementation

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Abstract

Environmental law and policy play a crucial role in addressing global environmental challenges, including climate change, biodiversity loss, and pollution. International agreements serve as frameworks guiding national policies, ensuring cooperation among nations to achieve sustainability. However, the effectiveness of these agreements depends on their proper implementation at the national level. This paper explores major international environmental agreements, challenges in their implementation, and policy measures adopted by nations to comply with global environmental standards. These agreements, including the Paris Agreement on Climate Change, the Convention on Biological Diversity, and the Basel Convention on Hazardous Waste, establish legal frameworks and commitments for signatory countries. Moreover, the effectiveness of IEAs depends largely on national implementation, enforcement mechanisms, and compliance measures. Environmental law and policy have evolved significantly over the past decades as global challenges such as climate change, biodiversity loss, and pollution demand coordinated international and national responses. International environmental agreements (IEAs) have become the cornerstone of global environmental governance, fostering cooperation among nations to mitigate environmental degradation and promote sustainable development.



Introduction

The growing environmental crisis necessitates strong legal frameworks at both international and national levels (Yang and Percival 2009). Over the past five decades, the environment has become a critical policy area requiring global attention. International environmental law, though relatively young, remains a dynamic and evolving field within international law (Perrez 2020). International environmental agreements establish guidelines for collective action, while national policies ensure the adaptation and enforcement of these agreements within domestic legal systems (Morgera 2020). Implementation mechanisms are typically considered during the codification process and incorporated into the text of treaties (Popovski 2018). Economists often equate "free trade agreements" with "free trade," potentially overlooking the newer and frequently contentious beyond-the-border provisions embedded in modern trade agreements (Rodrik 2018). A remarkably diverse range of actors contribute to the development of international environmental law through equally varied law-making processes (Drumbl and Uhlířová 2021). The intersection of human rights and environmental protection in international law is complex and multifaceted. Recognizing this, the United Nations Human Rights Council (UNHRC) launched an initiative in 2011 to codify and advance international legal frameworks addressing this critical relationship (De Vido and Politica 2022). The effectiveness of environmental law and policy is determined by the level of commitment, institutional capacity, and enforcement mechanisms available within each country (Yang, Lau et al. 2019).

According to the Organization of the Petroleum Exporting Countries (OPEC), Nigeria held approximately 37 billion barrels of proven oil reserves and 5,475 billion cubic meters of proven natural gas reserves in 2016. With an estimated daily oil production of 1.7 million barrels, Nigeria was the eighth-largest crude oil producer within OPEC that year (Gungah, Emodi et al. 2019). Complicating matters further, global Following decades of slow progress in international climate negotiations, the adoption of the 2015 Paris Agreement (PA) under the United Nations Framework Convention on Climate Change marked a significant milestone in global efforts to address climate change (Dimitrov, Hovi et al. 2019). However, States' efforts to regulate shared environmental resources, protect natural habitats, and mitigate environmental damage have led to the development of a complex framework of international environmental law (Lazarus 2023). Since 2003, the International Environmental Agreements Database has played a key role in documenting these initiatives (Bodansky and Van Asselt 2024). Furthermore, the European Union (EU) has emerged as the primary force behind environmental policy development for its member states, which have more than tripled in number over the past four decades. As the EU expands and integrates further, researchers anticipate an increase in non-compliance with its environmental regulations (Horváth 2025). However, research enhances the understanding of the effectiveness of environmental control methods in addressing global pollution. It highlights the significance of strong environmental policies and proactive measures in preventing pollution and promoting sustainable development (Awewomom, Dzeble et al. 2024). Moreover, The theoretical framework initially suggests that RWP parties claim IEAs negatively impact ordinary citizens to gain support from domestic constituencies who are adversely affected by IEA environmental mandates (Huynh 2025). A systematic literature review highlights that the failure to achieve the desired outcomes of environmental policies stems from economic, political, and communication challenges



(Howes 2023). Key factors include conflicts between environmental and economic development goals, insufficient incentives for policy implementation, and ineffective communication of objectives to essential stakeholders, all of which hinder progress toward environmental sustainability (Samnakay 2022). such policies, which are more prevalent in the European Union, often face significant challenges in the United States, where influential industries resist their implementation, making them contentious and difficult for governments to enforce (Weiss 2019)..

Despite progress, several challenges hinder the effective implementation of international environmental agreements. Governments may prioritize economic growth over environmental protection, leading to weak enforcement of regulations (Kelly 1996). The allowances allocated for the 2013–2020 period represent 95% of the emissions recorded between 2008 and 2012. Starting in 2021, a linear annual reduction is planned, continuing until 2064, at which point no further EUAA allowances will be issued (Larsson, Elofsson et al. 2019). International organizations and global initiatives are instrumental in protecting the environment and biodiversity under international environmental law. Various multilateral agreements reflect the global community's dedication to preserving ecosystems, promoting sustainable development, and addressing environmental challenges through cooperative efforts (Bibi, Tabassum et al. 2024). Therefore, acquiring knowledge and conducting research on foreign laws in the target countries relevant to a research problem is essential for comprehensive analysis and thorough investigation (Korkusuz 2025). However, the international environmental law is currently undergoing a phase of consolidation, with a shift in focus from adopting new treaties to the implementation and refinement of existing provisions (Morgera 2020). This transition emphasizes strengthening enforcement mechanisms, enhancing compliance, and fostering international cooperation to ensure the effectiveness of established environmental agreements (Vargas and Cooper 2024). The Sustainable Development Goals (SDG) Agenda emphasizes the necessity of a global partnership at all levels, requiring collaboration among all countries and stakeholders. Achieving these goals and targets depends on the collective efforts of a diverse range of actors, including multinational corporations, local governments, regional and international organizations, and civil society groups (Haywood, Funke et al. 2019, CAIADO 2021). UNEP is dedicated to assisting countries in formulating and enforcing strong environmental laws, emphasizing that effective legal and institutional frameworks are crucial for achieving environmental objectives and ensuring a healthy planet and population (Mazzarino, Turatti et al. 2020). Harold Jacobson and Edith Brown Weiss, in their archival piece, discuss how the Council's Committee for Research on Global Environmental Change pioneered the study of national implementation and compliance with international environmental agreements (Isabekov 2024). International environmental law serves as a crucial governance tool for environmental protection. By joining multilateral environmental agreements, countries commit to a variety of legal obligations aimed at addressing global environmental challenges, ensuring sustainable development, and promoting cooperation in tackling issues such as climate change, biodiversity loss, and pollution (Ivanova, Escobar-Pemberthy et al. 2021). Many Commonwealths of Independent States (CIS) countries have moved away from the traditional dualist approach to implementing international law within their domestic legal frameworks. Instead, they have embraced a monist perspective, recognizing international law as an integral part of their national legal systems (Lang 1995, Danilenko



1999). Designing implementation research can be challenging, particularly for applied health researchers without specialized training in implementation science. To support researchers in this process, we developed the Implementation Science Research Development (ImpRes) tool and its accompanying guide, offering a structured approach to designing implementation research systematically (Hull, Goulding et al. 2019). The concept of prescriptive growth necessitates that the populations used to establish the standards reside in environments free from socio-economic constraints on growth while receiving modern, evidence-based medical care and adequate nutrition. The following outlines how these principles have been adhered to (Villar, Altman et al. 2013). Numerous examples highlight the significance of conserving genetic variation and the practical application of conservation genetics research in management. This is evident in various zoological parks and botanical gardens, where genetic analyses serve as the foundation for conservation strategies and breeding programs (Laikre 2010).

Accordingly, effectiveness of international environmental agreements largely depends on their implementation at the national level. Countries adopt various mechanisms to incorporate international commitments into domestic law, including (Victor, Raustiala et al. 1998). The early twenty-first century witnessed significant international progress toward fostering a more sustainable model of development. In 2000, the United Nations (UN) introduced the Global Compact, an ambitious initiative aimed at engaging the global business community in sustainable development. This effort sought to promote the implementation and dissemination of policies and practices with an inclusive and multi-stakeholder approach (Avelar, da Silva-Oliveira et al. 2019). Ultimately, while much of the evidence presented supports the conventional view that hard law institutions have an implementation advantage, the mechanisms for rigorous verification and review key factors in this advantage can also be established within soft law frameworks (Skjærseth, Stokke et al. 2006). An earlier version of this article was presented at the Post-ILC Debate on the Fragmentation of International Law, held in Helsinki, Finland, on 23–24 February 2007. Additionally, parts of this article are based on a paper presented at the Biennial Conference of the European Society of International Law in Paris, France, on 18 May 2006, titled "Vacillating between Unity and Fragmentation: International Law and Climate Change (Mayer 2018). Nationally Determined Contributions (NDCs) are central to the Paris Agreement and play a crucial role in achieving its long-term objectives. They represent each country's commitment to reducing national greenhouse gas emissions and implementing adaptation strategies to mitigate the adverse effects of climate change (Carraro 2013). The majority of significant multi-state agreements facilitated by international organizations, such as the United Nations, are referred to as "conventions." Framework conventions, like the UNFCCC, serve as foundational instruments in international environmental law, establishing broad guidelines for addressing specific issues. The details of their implementation are typically outlined in subsequent, more specialized agreements (Barbour 2010). Our findings indicate that approaches offering cost-effective mitigation are unlikely to drive substantial participation and compliance. Conversely, strategies that are more likely to be widely implemented by sovereign states often fall short in terms of anticipated cost effectiveness (Barrett and Stavins 2003).. It establishes a framework for voluntary commitments that can be internationally compared and reviewed, aiming to enhance global ambition through a process of "naming and shaming." By avoiding distributional conflicts, the Paris Agreement effectively eliminates



one of the major obstacles to international climate cooperation (Falkner 2016). This original research provides an overview of climate change agreements, identifies key challenges, and proposes a way forward. It serves as a valuable resource for global governments, climate negotiators, climate change students, researchers, NGOs, and all individuals who recognize that addressing climate change is both complex and far-reaching (Lal Pandey and Management 2014).

The primary objective of environmental law is to safeguard human health, conserve natural ecosystems for present and future generations, and promote sustainable development. These laws are enforced by government agencies, such as the Environmental Protection Agency (EPA) in the United States, to regulate environmental policies and ensure compliance with environmental standards (Bodansky 1999, Dalby 2002, Floyd and Matthew 2013). The National Environmental Policy Act (NEPA), enacted by Congress in 1969 and signed into law by President Nixon on January 1, 1970, was the first major environmental legislation in the United States. Often referred to as the "Magna Carta" of federal environmental laws, NEPA established a national environmental policy and led to the creation of the Council on Environmental Quality (CEQ) (Quality 1974). At a broader level, this article seeks to integrate the concept of the Anthropocene into environmental law and governance, providing a new discursive framework that could contribute to the future evolution of global environmental regulations and policies (Kotzé and Law 2014). International environmental law plays a crucial role in tackling specific environmental challenges while also embedding long-term environmental protection into the global economic framework (Dupuy and Viñuales 2018). The links between domestic and international law have expanded significantly in recent decades due to the rapid growth of environmental treaties and related developments. However, many U.S. environmental lawyers remain relatively unaware of these connections, despite their growing impact on the practice of environmental law (Yang 2013). Multilateral Environmental Agreements (MEAs) serve as key instruments for addressing global environmental challenges, influencing policies at both national and international levels. However, despite their significance and broad scope, the complexity of their language and terminology—such as the nuanced differences between "shall" and "should" in climate accords—often hinders a clear understanding of these agreements and the international legal frameworks they rely upon (Bookman 2024). International environmental law has evolved around two seemingly contradictory principles. First, states have sovereign rights over their natural resources. Second, states must ensure that their activities do not cause environmental harm beyond their borders. While the notion of sovereignty over natural resources is deeply rooted in the traditional principle of territorial sovereignty, the United Nations General Assembly has further reinforced this principle through its declarations, emphasizing the need for responsible environmental stewardship alongside sovereign rights (Soto and L. 1996). It looks like you've incorporated a strong conclusion and identified key limitations of international environmental law and policy. Would you like any refinements, such as adding case studies, examples of successful implementations, or specific challenges faced by developing nations (Zulu, Zulu et al. 2022).

International agreements vary significantly in their nature. While some are established as legally binding treaties, others are explicitly nonbinding. Certain agreements impose substantial obligations that necessitate significant policy changes, whereas others require minimal commitment or merely affirm existing conditions (Raustiala 2005).



International agreements vary significantly in their nature. While some are established as legally binding treaties, others are explicitly nonbinding. Certain agreements impose substantial obligations that necessitate significant policy changes, whereas others require minimal commitment or merely affirm existing conditions (Mitchell and resources 2003). This article explores the idea that international environmental law, composed of a network of treaties and institutions, shares key features with a complex adaptive system. This perspective is grounded in the scientific understanding that the Earth system itself exhibits characteristics of such a system (Kim, Mackey et al. 2014). I contend that states decide between legally binding agreements (contracts) and nonbinding commitments (pledges) based on a combination of functional considerations, including uncertainty and credibility, the distribution of power within a given issue area, and, most importantly, the influence of domestic interest groups and the constraints imposed by domestic institutions (Raustiala 2005). Human activities have significantly increased carbon dioxide emissions, leading to rising global temperatures. One major consequence is the occurrence of extreme weather events and the accelerated melting of polar ice. While natural climate variations exist, current temperature increases are occurring at a much faster rate than in many past periods (Szira, Alghamdi et al. 2020). When confronted with a significant global public health threat, an international legal agreement serves as a crucial regulatory framework. It binds nations together, ensures accountability in translating commitments into action, and discourages countries from reneging on their obligations (Rogers Van Katwyk, Giubilini et al. 2023). The history of intergovernmental efforts to understand and address climate change spans more than half a century. Over time, periodic progress has been made, beginning with scientifically grounded assessments that laid the foundation for global climate policies and agreements (Brewer 2024).

Conclusion

International environmental agreements serve as essential frameworks for global environmental governance, but their success depends on effective national implementation. Countries must bridge the gap between commitments and action through strong policies, institutional frameworks, and enforcement mechanisms. Strengthening international cooperation and financial support is crucial in ensuring global sustainability and environmental protection. International environmental law and policy have played a crucial role in shaping global responses to environmental challenges. The development of multilateral environmental agreements (MEAs) has provided legal frameworks that encourage cooperation among nations to address pressing environmental concerns, including climate change, biodiversity loss, and pollution. These agreements, supported by national implementation measures, have contributed to significant progress in environmental governance. However, the effectiveness of these agreements depends largely on the commitment of individual states, the adequacy of enforcement mechanisms, and the ability of international bodies to ensure compliance.

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