Environmental Diplomacy: Between the Imperative of Practice and the Challenges of Implementation

الدبلوماسية البيئية: بين ضرورة الممارسة وتحديات التفعيل

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Abstract:

Environmental crises arising from competition or disputes over the control of natural resources have long been among the main causes of war, both historically and in modern times. Nevertheless, the succession of environmental risks has compelled political leaders to place the need for negotiation at the forefront of their agendas. In this context, the present legal study examines the emergence of a distinct form of negotiation known as environmental diplomacy (First Section). This approach emphasizes political dialogue as a means to prevent conflicts and to establish fair mechanisms for the distribution of resources. Consequently, the environment has evolved into a crucial and indispensable dimension of diplomacy, as well as a central topic of negotiation among states (Second Section).

Key words: Environmental Treaties, Environmental Diplomacy, Environmental Protection, Environmental Policy, Negotiation.

Introduction:

Global environmental degradation has allowed for the emergence of a new form of diplomacy known as environmental diplomacy. It has transformed the fundamental concepts of traditional diplomacy, which focused on strengthening foreign relations during peacetime and managing conflicts during wartime, especially regarding the types of issues addressed in diplomatic work among states worldwide.

The issues addressed in diplomatic negotiations are no longer limited to the protection of political interests. New and significant matters have forcefully imposed themselves on the international political agenda due to their cross-border nature. These are environmental problems linked to global degradation. In response, state and government representatives have found it necessary to meet and negotiate regularly on methods of mitigation or adaptation to the demands of confronting global environmental decline. This has led to the emergence of what is now called environmental diplomacy.

Accordingly, this research paper raises a central question: **How does environmental diplomacy contribute to achieving comprehensive and binding international cooperation to confront the various environmental threats that endanger human security?**

Sub-questions arise from the main research problem, as follows:

- What is the conceptual framework of environmental diplomacy as a new concept on the international scene?
- What is the practical framework established by environmental diplomacy on the ground?

To answer the main problem and its sub-questions, the study follows a methodological structure as outlined below:

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- **First Section: Environmental Diplomacy — A Conceptual Approach**
- **Second Section: The Practical Framework of Environmental Diplomacy**

First Section: Environmental Diplomacy — A Conceptual Approach

Environmental diplomacy is considered a branch of general diplomacy within the context of developing current international relations to achieve more effective international cooperation (environmental governance) in protecting the environment and promoting sustainable development among states (Subsection One). The scope of diplomatic work encompasses numerous environmental issues and concerns, which has led to the emergence of multiple forms of environmental diplomacy (Subsection Two).

First part: The Concept of Environmental Diplomacy

While diplomacy was generally employed in the past primarily as a tool of war or the threat thereof, it is now used as a means of achieving peace, which has increasingly come to involve global environmental issues. The term is a compound of two elements: diplomacy and environment, leading ultimately to a definition of the concept as a whole.

Firstly: Definition of Diplomacy

Jurists specializing in international law and the study of international relations and diplomacy have differed in formulating a precise definition of diplomacy. As a result, various definitions have been proposed, each according to its respective school of thought. We will refer to a few of them only.

Professor Raoul Genet defines diplomacy as "the art of representing the government and safeguarding the interests of states in a foreign country. It involves ensuring respect for the rights and interests of the state, managing foreign relations according to transmitted instructions, and conducting diplomatic negotiations.[1]"

The renowned British diplomat Ernest Satow defines diplomacy as "the application of intelligence and tact in the conduct of official relations between independent governments.[2]"

Despite these differences in definition among jurists and experts, they agree that diplomacy is both a science and an art of managing relations between states. They also concur that the organization and administration of each state's foreign relations must reflect its interests and considerations, and that achieving objectives depends on negotiation; successful for those who possess intelligence, wisdom, competence, and patience.

Secondly: Definition of Environment

Researchers have differed in establishing a precise and universally agreed-upon definition of the environment as a scientific and practical term. Some argue that the term "environment" is universally recognized, yet at the same time, it is not easy to provide a specific definition[3]. This has led to a multiplicity of definitions in this regard[4].

Some jurists define the environment as "a set of biotic and abiotic factors that actually affect the living organism directly or indirectly at any stage of its life." Biotic factors refer to all living organisms (visible and invisible) present in various environments, while abiotic factors include water, air, soil, sunlight, and others[5].

Experts in natural sciences have formulated a scientific definition of the environment as "the sum of external conditions and factors in which living organisms exist and which influence the biological processes they perform." Modern ecology defines the environment as "the spatial domain in which humans live, encompassing both natural and human phenomena that affect and are affected by them.[6]"

Thirdly: Definition of Environmental Diplomacy

There is no universally comprehensive and exclusive definition of environmental diplomacy, due to the interconnected nature of social, economic, and environmental domains. However, contemporary international relations increasingly incorporate the environmental dimension into

foreign policy through environmental negotiations. Accordingly, several definitions have been proposed by jurists or inferred from practice.

Environmental diplomacy is defined as "a comprehensive diplomatic principle that regulates public and private conduct toward greater responsibility for environmental and climate restoration, through the use of regional and international agreements, treaties, and conferences, and by promoting shared responsibility in addressing environmental change and climate change.[7]"

It is also defined as "a bilateral or multilateral negotiation process conducted among various international actors within the framework of international environmental law, aimed at establishing environmental treaties or agreements and developing international norms that govern state behavior for the protection of the environment."

Accordingly, an operational definition of environmental diplomacy can be proposed as a branch of international diplomacy that addresses environmental threats affecting global environmental security. This is achieved by activating negotiation mechanisms among international actors to protect the environment from climate change, combat pollution, ensure optimal use of natural resources, and safeguard biodiversity, with the aim of reaching more effective global agreements on these environmental issues.

Second Part : Types of Environmental Diplomacy

Several types of environmental diplomacy have been identified, based on the nature of the issues addressed in diplomatic work and the specific environmental risks involved, whether related to water, air, or land.

Firstly: Climate Diplomacy

The concept of climate diplomacy emerged as a modern term on the international stage with the signing of the Paris Agreement on Climate Change in 2015. This was in response to the climate changes affecting the planet, which transcend national borders. Climate diplomacy has since become a prominent phenomenon adopted by most countries to find solutions to climate change, contributing to the development of international environmental law[8].

Although there is no precise and universally accepted definition of climate diplomacy, it can be defined as: "encompassing all forms of diplomatic engagement related to climate change, including the use of diplomatic channels and strategies to address global climate change and its impact on international relations. This includes negotiating climate-related policies, treaties, and agreements and implementing them at the international level, public diplomacy, as well as cooperation among states and other stakeholders to reduce greenhouse gas emissions, adapt to the effects of climate change, and promote sustainable development.[9]"

Secondly: Blue Diplomacy

Blue diplomacy, or water diplomacy in its broader sense, is a term that summarizes the efforts made by academics and professionals to contribute to peaceful cooperation and the resolution of conflicts that arise among water users at various levels. It is described as a multi-dimensional and effective approach aimed at facilitating such cooperation through the conclusion of mutually beneficial treaties[10]. It is also referred to as water diplomacy or hydro-diplomacy, defined as "a politically driven dynamic process aimed at preventing, mitigating, and resolving water-related tensions concerning shared water resources, through the simultaneous use of multiple diplomatic tools, water-related expertise, and cooperation mechanisms across various diplomatic tracks[11]."

Accordingly, blue diplomacy is fundamentally linked to health diplomacy within the European Union, where adequate water and sanitation services are considered essential to public health. Since water is a public good, ensuring appropriate infrastructure and public facilities is crucial to enabling easy access to clean, safe, and affordable water for all. Special attention must also be given to the proper management of wastewater.

Thirdly: Green Diplomacy

Green diplomacy is a type of environmental diplomacy in which diplomatic efforts focus on

international cooperation in matters related to development and the protection of terrestrial environments. This includes forest conservation, biodiversity preservation, combating desertification, and preventing the unlawful exploitation of land.

Second Section: The Practical Framework of Environmental Diplomacy

This section addresses the achievements and mechanisms through which international actors engage in diplomatic efforts concerning environmental issues of global or regional scope. These efforts are carried out through numerous international conferences that have resulted in a range of international agreements. Such agreements play a significant role in preventing, mitigating, or adapting to various transboundary risks that threaten the environment in its different forms, as well as human well-being.

First part: Achievements of Environmental Diplomacy

International environmental action has taken the form of "conference diplomacy, treaty drafting, and declaration of principles." Numerous international conferences have been held under the auspices of the United Nations within the environmental context, resulting in the adoption of key principles and the conclusion of several international agreements that served as cornerstones in the emergence of international environmental law.

Firstly: International Conferences as a Mechanism for Implementing Environmental Diplomacy

Environmental diplomatic efforts have continued in the form of global and regional international conferences aimed at protecting the environment from the dangers of degradation. Only the most significant conferences will be presented here, as they marked the beginning of environmental diplomacy and contributed to the development of international environmental law.

1. **United Nations Conference on the Human Environment**
   Held in Stockholm in 1972, the idea for this conference was first proposed in 1963 when the UN General Assembly, upon recommendation from Sweden's Economic and Social Council, called for a conference on the human environment. Convened under the slogan "Only One Earth," the conference brought together 130 countries. It concluded with the adoption of the Stockholm Declaration on Environmental Protection, which included a preamble, 26 principles, and 109 recommendations, as well as the establishment of the United Nations Environment Programme (UNEP).
2. **Nairobi Conference (1982)**
   This conference coincided with the signing of the United Nations Convention on the Law of the Sea. Held from 10 to 19 May 1982, it aimed to assess the global environmental situation. The conference produced 10 key provisions identifying major environmental problems and proposing solutions in line with the principles of the Stockholm Declaration.
3. **United Nations Conference on Environment and Development (Earth Summit)**
   Held from 3 to 14 June 1992, the Earth Summit gathered approximately 30,000 participants representing around 178 countries and organizations, including 103 heads of state. The conference was guided by a philosophy that emphasized the link between environment and development. It resulted in the adoption of the Rio Declaration, which included 27 principles[12].

Secondly: Environmental Agreements as a Mechanism for Implementing Environmental Diplomacy

International interest in environmental issues began modestly in the early 20th century, specifically in 1902, with the signing of the first agreement concerning the protection of birds beneficial to agriculture among a group of countries. This agreement focused on securing a specific benefit related to a particular bird species and was later amended to become the Benelux Treaty on hunting and bird protection.

In 1911, the American-British Treaty for the Protection of Fur Seals was concluded. Then, in 1926, the first international environmental conference was held in Washington at the invitation of the United States and Britain, attended by 13 countries. It addressed the issue of marine pollution caused by petroleum substances.

In 1933, the London Convention was signed, concerning measures for the conservation of plant and animal life. This led to the establishment of nature reserves in several countries, particularly across Africa.

In 1954, an international conference was held in London to combat marine pollution, resulting in the International Convention for the Prevention of Pollution of the Sea by Oil. In 1968, the Moscow Treaty was signed, addressing military uses and banning nuclear tests in the atmosphere and underwater. In 1969, an international conference was convened in Brussels by the Intergovernmental Maritime Consultative Organization to examine marine environmental pollution. It led to two key agreements: the Convention on Intervention on the High Seas in Cases of Oil Pollution Casualties, and a convention on liability for damage caused by oil pollution.

Further notable agreements include the 1972 Paris Convention concerning the protection of the world's cultural and natural heritage; the 1985 Vienna Convention for the Protection of the Ozone Layer; the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal; and most recently, the 2015 Paris Agreement on Climate Change.

It is worth noting that these treaties are cited merely as examples due to their abundance. Collectively, they reflect the breadth of international legal protection for the environment, particularly the marine environment, given its vast expanse.

Second Part: Challenges of Environmental Diplomacy

Several factors have led jurists and experts—both pragmatic and idealistic—to acknowledge the difficulty of achieving lasting international cooperation in the field of environmental protection and the management of shared environmental resources. Below, we address some of these challenges.

Firstly: Difficulty in Reaching Environmental Agreements Between the Global North and South

Numerous environmental conferences have revealed the persistent difficulty among negotiating diplomats in reaching consensus on specific issues. Even when agreement is achieved at one stage of negotiation, it is often followed by renewed disagreement.

The divide between developing and industrialized countries has existed since the very inception of international environmental conferences. Industrialized nations have tended to focus on environmental concerns, viewing such conferences as opportunities to establish international treaties addressing environmental issues. In contrast, developing countries have emphasized development concerns alongside environmental ones. This divergence was particularly evident during the preparatory meetings for the 1992 Rio Conference, where the emphasis placed by developing countries on development raised concerns among industrialized nations. The latter perceived this stance as a new form of international pressure—an implicit threat wielded through the specter of pollution[13].

Many observers believe that the root of the conflict and contradiction between the Global North and South regarding environmental issues is a struggle over money and technology. However, several other considerations have contributed to the widening of this gap beyond economic and technological advancement. Developing countries in the South are often viewed as poor and dependent on additional aid, while Northern countries are seen as wealthy and generous, yet reluctant to provide financial assistance or share technological expertise[14].

Strong doubts persist among developing nations that industrialized countries are reinforcing a policy of monopolizing scientific and technological progress, keeping it exclusive while

maintaining the underdevelopment of the South. This is often justified by linking development projects or their financing to environmental impact assessments, allowing industrialized countries to exert pressure on developing ones[15].

The contradictions that have emerged in environmental negotiations[16] have hindered the achievement of concrete and practical outcomes, despite attempts by parties to persuade one another. These contradictions stem from a narrow political view of environmental problems, driven by the pursuit of national interests at the expense of collective human welfare and the prioritization of short-term gains. The traditional power-balancing approach has proven ineffective in this context, making it necessary to apply the principle of mutual interdependence and promote a balance of interests and benefits[17].

Secondly: The Concern Over National Sovereignty Over Natural Resources

The principle of sovereignty over natural resources is one of the foundational pillars of the new global economic order and is considered a peremptory norm in international environmental law. This principle is closely tied to the right of states to self-determination. For developing countries, it represents a fundamental right through which they have achieved economic independence following political independence—an independence that remains ineffective as long as foreign investors continue to control their resources[18].

This principle is rooted in two core ideas: first, the equality of sovereignty among states; and second, the freedom of each state to exploit its own resources. However, this principle has faced limitations due to the severe environmental consequences of unchecked economic development. This was clearly affirmed in Principle 21 of the Stockholm Declaration, which states: "States have the sovereign right to exploit their own resources pursuant to their own environmental policies, and in accordance with the Charter of the United Nations and the principles of international law. The State must ensure that no harm is caused to the environment of neighboring States or to areas beyond the limits of its national jurisdiction as a result of activities carried out within its territory[19].

Developing countries have upheld the principle of sovereignty over their natural resources while remaining bound by the obligation to protect the environment. However, concerns over foreign interference by developed nations under the pretext of safeguarding the common human heritage have led many developing states to abstain from participating in initiatives proposed by industrialized countries. These initiatives are often perceived as politically motivated, aiming to intrude into domestic affairs under the guise of environmental protection.

The evolution of sovereignty-related concepts in managing natural resources, whether within national borders or in shared areas, has emerged in response to technological and economic changes. Yet this evolution continues to pose a fundamental obstacle to the creation of effective environmental treaties[20].

Thirdly: Lack of Financial Incentives

Many countries around the world refuse to participate in global environmental negotiations not out of fear of compromising their national sovereignty, but because they fail to identify the financial benefits they might gain from fulfilling environmental commitments. These countries prefer to benefit from the efforts of others without assuming responsibility, operating under the assumption that others will do everything necessary to achieve global environmental security without incurring any cost themselves.

Moreover, several countries may adopt a stance of neutrality or actively undermine efforts to establish international environmental treaties. This is due to the unequal distribution of the costs associated with addressing global environmental challenges. Some countries may end up losing more than they gain, even in the long term, unlike other international negotiations that guarantee alternative benefits to those who bear the losses[21].

However, when developing countries are confident that they will receive sufficient financial and technical resources to help them implement their international commitments, they are generally more willing to agree to ambitious obligations that better support the intended goals of the approach. Moreover, they are more likely to comply with these commitments, as they will be more capable of doing so. Therefore, the regular availability of such resources is an important criterion for effectiveness.

Among the most successful multilateral environmental agreements are those that include provisions for mandatory financing mechanisms. For example, the Montreal Protocol is often described as one of the most effective multilateral environmental agreements, partly due to the existence of the Multilateral Fund, which is a binding financial mechanism. Without such mechanisms, and without guarantees that they will be fully funded, many developing countries may hesitate to accept ambitious and verifiable terms within an agreement, fearing that a lack of resources could make compliance difficult or even impossible.

Consequently, the effectiveness of any agreement, whether voluntary or binding, is closely linked to the availability of financial and technical assistance to support its implementation. Voluntary financial contributions are likely to be less generous and less reliable, whereas mandatory financing mechanisms exist only in legally binding instruments[22].

Fourthly: Weaknesses in the Environmental Treaty-Making System

Drafting international agreements for environmental protection requires intensified efforts. The technical and scientific nature of environmental issues demands the formation of specialized committees in environmental science and technology to prepare reports and recommendations prior to treaty adoption. This preparatory role is typically carried out by the organs of international organizations[23].

The process of formulating environmental treaties relies on complex interactions and procedures involving various international actors, particularly governmental and non-governmental organizations, as well as states. These actors engage in collecting data, exchanging ideas, drafting proposals, and convening in both formal and informal sessions to negotiate and prepare legal documents. These documents are then submitted for voting, resulting in what is known as “soft law,” which stands in contrast to “hard law.” Both forms fall under the umbrella of international law[24].

Accordingly, the soft law produced by environmental conferences is marked by a lack of national commitment to environmental protection, especially in the absence of a global declaration on environmental rights comparable to the Universal Declaration of Human Rights. This lack of commitment is one of the main reasons behind the weakness of the international legal system. As noted by Philippe Sands, Director of the Centre for Environmental Law, there are two major problems undermining the treaty-making process in environmental law:

- First, non-governmental organizations, which are not state representatives, have no formal status in international law. They are not recognized as legal persons and do not possess sovereignty. It is therefore unreasonable for one state to prosecute another on behalf of the global environment, and non-governmental actors are not permitted to assume judicial roles, such as negotiating with states before international courts.
- Second, environmental rights have not been established on a global scale, a point emphasized in the Brundtland Report[25].

Nonetheless, recent developments show that environmental diplomacy has advanced the framework for international cooperation. International law has evolved, and we have begun to see binding environmental agreements. This shift is exemplified by the 2015 Paris Climate Agreement,

the only environmental treaty to date in which all parties are required to submit national plans on emission levels periodically[26].

Conclusion

This research paper has sought to analyze the emerging concept in global diplomacy known as "environmental diplomacy," which has become a legal necessity and a strategic tool to prevent or resolve environmental conflicts, with the overarching aim of achieving global environmental governance.

As Dr. Laurence Iskandar states in the introduction to his book *Environmental Diplomacy*, "I am not an environmental expert if that means advocating for the protection of natural resources at any cost, nor am I a blind advocate of development. It is clear that we must provide food, clothing, shelter, and employment opportunities for billions of people, while ensuring that these goals are met in a way that allows future generations to enjoy at least the same standard of living." Through this perspective, Dr. Iskandar outlines the principles of environmental negotiation.

His words reflect the delicate balance that environmental diplomacy must strike, between ecological preservation and socioeconomic development, making it not only a legal framework but also a moral and strategic imperative for the international community.

Accordingly, this research paper has reached the following conclusions:

- Environmental diplomacy is a newly emerging concept that arose in response to environmental crises, which have triggered international conflicts and wars threatening ecological degradation.
- Environmental diplomacy faces several challenges that undermine its success on the ground. These include the persistent concern over absolute sovereignty over natural resources as a means to evade international environmental law, the financial and technological divide between the Global North and South, the weakness of the environmental treaty-making system, and the lack of financial incentives.

Based on these findings, the following recommendations can be proposed

- Strengthening the role of environmental diplomacy in achieving global environmental governance requires the active participation of scientists, environmental experts, and policymakers in negotiations. This should be done by prioritizing global environmental interests over narrow national agendas and placing environmental threats at the forefront of international conference agendas.

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countries formed a temporary "G2" alliance that prevented the adoption of a binding agreement at the 2009 Copenhagen Conference), as opposed to relatively stable alliances such as the Group of 77 plus China. See in this regard: Chokrani al-Hassan and Khaled al-Qadawi, *Global Climate Negotiations – Development in Texts and Doubts in Implementation*, *Arab Policies Journal*, No. 21, Arab Center for Research and Policy Studies and Doha Institute for Graduate Studies, Doha, July 2016, p. 51. Available at: https://siyasatarabiya.dohainstitute.org/ar/issue021/Pages/art03.aspx. Accessed: 02/09/2025, 09:30 a.m.

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