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978-1-107-02382-6 - The External Environmental Policy of the European Union: EU and International Law Perspectives

Edited by Elisa Morgera

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## THE EXTERNAL ENVIRONMENTAL POLICY OF THE EUROPEAN UNION

This collection of essays comprehensively and systematically analyses the various instruments and innovative approaches through which the EU is forging its external environmental policy, and the legal implications of its multifaceted practice on international environmental law. It explains the legal and institutional framework for EU external action in relation to the environment and sustainable development, identifying the changes introduced and challenges posed by the Lisbon Treaty. It explores key tools and approaches in defining and implementing EU external environmental policy with regard to a broad range of environmental issues, as well as linkages with trade and human rights. It also assesses the reciprocal influences between the development and operation of EU environmental law and of international environmental law.

ELISA MORGERA is a lecturer in European Environmental Law and Director of the Master's Programme in Global Environment and Climate Change Law at the University of Edinburgh School of Law. She has published extensively about EU and international law on biodiversity, environmental governance and corporate environmental accountability.

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*A Riccardo, senza tante parole*

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*Elisa Morgera*

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ABS	access and benefit-sharing
ACCC	Aarhus Convention Compliance Committee
ACP	African, Caribbean and Pacific Group of States
AG	Advocate General
AJIL	<i>American Journal of International Law</i>
APP	Asia-Pacific Partnership for Clean Development and Climate
AR4	IPCC Fourth Assessment Report
ASR	Articles on the Responsibility of States for Internationally Wrongful Acts
AWG-KP	Ad Hoc Working Group on Annex I Parties' Further Commitments under the Kyoto Protocol
AWG-LCA	Ad Hoc Working Group on Long-term Cooperative Action under the UNFCCC
BASIC	Brazil, South Africa, India and China
CCLR	<i>Carbon and Climate Law Review</i>
CCS	carbon capture and storage
CDM	(Kyoto Protocol) Clean Development Mechanism
CERs	certified emission reductions
CETA	Comprehensive Economic and Trade Agreement
CFSP	Common Foreign and Security Policy
CMLR	<i>Common Market Law Review</i>
CO <sub>2</sub>	carbon dioxide
COP	Conference of the Parties
COREPER	Committee of Permanent Representatives
CSD	Commission on Sustainable Development
CSDP	Common Security and Defence Policy
CSPs	country strategy papers
DARIO	Draft Articles on the Responsibility of International Organizations
DCI	Development Cooperation Instrument
DG	Directorate-General (European Commission)
EAP	Environmental Action Programme
EC	European Community
ECHR	European Convention on Human Rights
ECJ	European Court of Justice, now Court of Justice of the EU
ECtHR	European Court of Human Rights

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EDF	European Development Fund
EEA	European Environment Agency
EEAS	European External Action Service
EIA	environmental impact assessment
<i>EJIL</i>	<i>European Journal of International Law</i>
<i>ELR</i>	<i>Environmental Law Review</i>
<i>ENB</i>	<i>Earth Negotiations Bulletin</i>
ENPI	European Neighbourhood and Partnership Instrument
ENRTP	Environment and Sustainable Management of Natural Resources Thematic Programme
EPA	Economic Partnership Agreement
ETS	Emission Trading Scheme
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FCPF	World Bank's Forest Carbon Partnership Facility
FLEGT	Forest Law Enforcement, Governance and Trade
FTA	free trade agreement
GATT	General Agreement on Tariffs and Trade
GBEP	Global Bioenergy Partnership
GCCA	Global Climate Change Alliance
GDN	Green Diplomacy Network
<i>GEP</i>	<i>Global Environmental Politics</i>
GSP	[EU] Generalised System of Preferences
HFC-23	trifluoromethane
HUDOC	ECtHR Document Collections
ICAO	International Civil Aviation Organization
ICJ	International Court of Justice
ICLQ	<i>International and Comparative Law Quarterly</i>
ICTSD	International Centre for Trade and Sustainable Development
IEA	International Energy Agency
IISD	International Institute for Sustainable Development
ILC	International Law Commission
ILM	<i>International Legal Materials</i>
<i>IOLR</i>	<i>International Organisations Law Review</i>
IPCC	Intergovernmental Panel on Climate Change
IPPC	Integrated Pollution Prevention and Control
ITLOS	International Tribunal for the Law of the Sea
IWC	International Whaling Commission
JCMS	<i>Journal of Common Market Studies</i>
<i>JEL</i>	<i>Journal of Environmental Law</i>
<i>JEEPL</i>	<i>Journal for European Environmental and Planning Law</i>
JI	Joint Implementation (ETS)

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<i>JIEL</i>	<i>Journal of International Economic Law</i>
<i>JWT</i>	<i>Journal of World Trade</i>
MCPFE	Ministerial Conference on the Protection of Forests in Europe
MDG	Millennium Development Goal
MEA	multilateral environmental agreement
MERCOSUR	(South America) Common Southern Market
NGO	non-governmental organisation
NLBI	Non-legally Binding Instrument on All Types of Forests
<i>NYIL</i>	<i>Netherlands Yearbook of International Law</i>
ODA	official development assistance
OECD	Organization for Economic Co-operation and Development
PFOS	perfluorooctane sulfonates
POPs	persistent organic pollutants
<i>RECIEL</i>	<i>Review of European Community and International Environmental Law</i>
REDD	reducing emissions from deforestation and degradation
REIO	regional economic integration organisation
RSP	regional strategy papers
SAICM	Strategic Approach to International Chemicals Management
SDS	Sustainable Development Strategy
SEA	strategic environmental assessment
SFM	sustainable forest management
SIA	sustainability impact assessment
TEC	Treaty establishing the European Community
TEEB	The Economics of Ecosystems and Biodiversity
UN	United Nations
UNEP	United Nations Environment Programme
UNFF	United Nations Forum on Forests
VPA	Voluntary Partnership Agreement (FLEGT)
WSSD	World Summit on Sustainable Development
WTO	World Trade Organization
<i>YbIEL</i>	<i>Yearbook of International Environmental Law</i>
<i>YEL</i>	<i>Yearbook of European Law</i>