

EDITORIAL

The 2nd International Symposium for the laureates of the Elizabeth Haub Prizes for Environmental Law and for Environmental Diplomacy was held from 20–22 September 2006, in Murnau, Germany.

The Elizabeth Haub Prize for Environmental Law was established in 1974. Readers of this journal will know that the Prize is awarded annually by the Université Libre de Bruxelles and the International Council of Environmental Law (ICEL) for exceptional achievements in the sphere of environmental law.

The first opportunity for the “law” laureates to meet together and exchange views on their various fields of expertise was at the Elizabeth Haub Colloquium on “The Cutting Edge of Environmental Law: Compliance and Emerging Norms”, held from 17–19 April 1997 in Wiesbaden, Germany. It was at that Colloquium that Helga Haub announced the establishment of the Elizabeth Haub Prize for Environmental Diplomacy.



*Elizabeth Haub
1889 – 1977*

This Prize focuses on individuals, not necessarily lawyers, serving in the diplomatic corps and in the international civil service of international organisations. It is awarded in recognition “of a positive contribution to the development and promotion of international environmental law and policy, through a new idea or initiative leading to a new concept in the field of environmental law and policy, or for particular initiatives in this field.”

As much had been gained from the 1997 Colloquium, Helga and Erivan Haub decided to invite the laureates of both Prizes to a combined Symposium, as guests of the Karl-Schmitt-Scholl Fund for Environmental Policy and Law (KSSF) Bonn, and the Elizabeth Haub Foundations (EHF) in Washington and Toronto.

It was felt that the subject matter of the presentations by the laureates should be open, as every laureate was an expert in his or her field. It was agreed that the papers should be available to participants prior to the meeting, and that these could be revised if wished, as a result of the discussions held during the Symposium.

It was decided to form “clusters” of those papers, each cluster dealing with a particular area, and to discuss these presentations together in the meeting. Laureates would be given ten minutes to introduce their papers and a general discussion of the topics covered would be held after all papers in that cluster had been presented. The eight cluster areas concerned: multilateralism; compliance; international responsibility; environmental justice; right

to information; climate change; regional and national matters; and other topics. The authors decided into which category they wished to place their own presentations.

The morning and afternoon sessions of the Symposium were separated by a working lunch. The sessions were chaired by Helga Haub, who asked Wolfgang Burhenne and Patrick Széll to act as Co-Chairmen for the proceedings. Two and a half days were taken up with presentations and discussions.

The Symposium was opened by Helga Haub, who welcomed all present and noted that the date of the Symposium had been deliberately chosen on what would have been the 107th birthday of Elizabeth Haub.

Helga Haub spoke of her mother-in-law's warmth, foresight and high intelligence and how she would have been delighted to see so many laureates gathered in this way. But she also added that Elizabeth Haub would undoubtedly have encouraged them to push their endeavours even further!

The Chairwoman asked the participants to rise while she read the names of those laureates no longer among us, and asked for a silent moment to honour their memory. (A list of all laureates is printed on the inside of the back cover.)

The gavel was then handed to Co-Chairman Wolfgang Burhenne.

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The structure of this Special Issue follows that of the Colloquium. The papers relevant to a cluster have been printed at the beginning of each section, and these are followed by the discussion on the presentations. The paper from Edith Brown-Weiss, who was unfortunately unable to attend the Symposium, is printed after the discussion on Cluster 8.



It was deliberately decided not to aim for any “conclusions” or “recommendations” from the Symposium. A free exchange of views was held to be more intellectually productive than the goal of reaching consensus on all points debated, and the discussion was certainly enriched by this approach.

The laureates were also most appreciative of the opportunity to exchange views not only during the conference sessions but also within the framework of an excellent social programme, which allowed sufficient time for private contact and discussions.

It had been previously agreed that the award ceremony for the 2005 Elizabeth Haub Prize for Environmental Law should take place within the framework of the Colloquium. The report of the award ceremony will be published in Vol. 37, No. 4 (2007) of *Environmental Policy and Law*.

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At the end of the meeting, Helga Haub asked the laureates for suggestions regarding the principal environmental challenges they felt would merit increased attention at a possible future meeting. As could be expected, these proposals covered a wide variety of topics, but underlying all of them was the call for implementation, implementation, and more implementation of environmental law.

There was unanimity that the Symposium had been “a wonderful opportunity for an open discussion among experts on a wide range of environmental, legal, social, economic and political issues, and that the resulting picture represented a fascinating state of international environmental law and diplomacy”.

While it was agreed that it was almost impossible to choose the principal challenge, the majority of laureates pinpointed “the delivery of an effective and universally applied global regime to arrest climate change and to maximise adaptation to its effects” as being the most pressing problem. In this connection, the need to define proper criteria for differentiating the developing countries’ contribution to the solution of the climate change problem was highlighted.

Laureates underlined the need for a more effective partnership among the global players. In this respect, they stressed the importance of concentrating endeavours to strengthen environmental protection and sustainable development on threshold countries such as China, India, Brazil and South Africa, especially through cooperation programmes, exchanges, local conferences, etc.

The essence of the Symposium was summarised by one laureate as follows: “Although there are serious reasons to be very concerned about the state of the environment and its future, and to have grave doubts on what international environmental law has achieved so far, there is no other way forward for international environmental lawyers than to continue to promote and develop international environmental law and to attempt to make it work in the broader context of the rule of law. In this regard, the Elizabeth Haub Foundation and the International Council of Environmental Law have certainly an important role to play.”



15 February 2007

Marlene Jahake