

United Nations Environment
Programme
Background guide



SNISMUN 2025

**Agenda: Enhancing Global Efforts to Protect Endangered
Species and Their Habitats**

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Letter from the Executive Board

Dear Delegates,

It is with immense pleasure that we welcome you to the United Nations Environment Programme at SNISMUN 2025. As your Executive Board, we are committed to ensuring that our committee is not only rigorous in its engagement with environmental diplomacy, but also intellectually fulfilling for every delegate, regardless of age or experience.

Biodiversity loss is not an isolated phenomenon. It is systemic, intersectional, and accelerating. Over one million species currently face extinction, not as a result of natural selection, but because of deliberate choices made by states, industries, and societies that value short-term economic expansion over long-term ecological balance. From unregulated deforestation to habitat fragmentation, from unsustainable trade in exotic wildlife to the silent bleaching of coral reefs, the decline of the world's ecosystems is as much a legal failure as it is an ecological one.

This agenda demands more than compassion. It requires structured action. Delegates must consider: How can international environmental law evolve to keep pace with accelerating ecological collapse? Do current multilateral frameworks like CITES and the Convention on Biological Diversity have sufficient enforcement teeth, or are they instruments of noble rhetoric

without implementation? Should habitat loss be treated not merely as a developmental side-effect, but as an international environmental crime, a breach of a state's obligation to protect common heritage?

The focus of this committee is not to assign blame, but to interrogate a structural inertia in global environmental governance. The task before us is to examine how international forums, including UNEP, can be empowered to foster binding norms, promote scientific equity, and compel genuine compliance with conservation goals. We must ask what it truly means to protect endangered species, and whether such protection is compatible with extractive models of growth.

The Background Guide will provide foundational knowledge. But the depth of this committee will only emerge through your research, initiative, and the solutions you dare to explore. As delegates, you are tasked with reshaping environmental priorities, legally, diplomatically, and morally. We urge you to enter this space with seriousness, boldness, and curiosity.

Welcome to SNISMUN 2025. The floor is yours.

Regards,

Co-Chairperson – Aabid Maldar

Co-Chairperson – Noel Ankit Nayak

What is the United Nations?

The United Nations is an international organisation founded in 1945 to maintain international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights by 51 countries. The United Nations has 6 principal organs.

The UN has 4 main purposes:

- 1) To keep peace throughout the world;
 - 2) To develop friendly relations among nations;
 - 3) To help nations work together to improve the lives of poor people, to conquer hunger, disease and illiteracy, and to encourage respect for each other's rights and freedoms;
 - 4) To be a centre for harmonising the actions of nations to achieve these goals.
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How to prepare for the Model United Nations?

General Research and Preparation Guidelines:

There are three consistently significant aspects of representative planning: practical, meaningful, and positional preparation. Practical readiness equips representatives with essential tools, including a clear understanding of the rules necessary to perform effectively in committee. The meaningful aspect involves acquiring specific information relevant to the subject areas under discussion. Positional planning requires students to adopt and defend perspectives that are not their own. To support this process, the Executive Board provides three key resources: the Guide to Delegate Preparation, Background Guides, and Position Papers. Together, these materials will ensure that you are fully prepared for the conference. In addition to reading and understanding the provided content, gaining practical experience through debate, resolution drafting, presentations, and similar exercises will greatly enhance your readiness.

Meaningful Preparation

The Background Guides are the result of extensive research and effort by the Executive Board and serve as the foundation for substantive preparation in each committee. We strongly recommend that you read them thoroughly, discuss them with others, and revisit them multiple times. If a delegate has not read and absorbed the information contained in the Background Guide, they will not be able to contribute effectively to the committee's proceedings. Beginning your review of the Background Guides early will allow you to fully understand the topics at hand and begin developing your own ideas. Remember that your role is to act as a policymaker, analyzing the information provided and shaping it into coherent solutions and resolutions. Engaging in discussions with other delegates will further help you refine and expand your ideas. While the Background Guide will form the core of your substantive preparation, independent research remains a valuable, rewarding, and essential component of a successful conference experience.

Positional Preparation

We expect delegates to consistently uphold the position of their assigned country throughout the Model UN simulation. This is a crucial element of the “international” experience in MUN, as it compels delegates to critically examine the perspectives, challenges, and policies of a nation other than their own at a fundamental level. It is also one of the more difficult aspects of MUN, as students must confront and set aside their personal biases and national viewpoints in favour of accurate, informed representation. Position papers form the core of positional preparation prior to the conference. Though generally brief, we urge you to dedicate time and effort to researching and writing them thoroughly.

Materials provided by the Executive Board are not intended to replace your independent research. Rather, they serve as a starting point, encouraging you to ask critical questions about the issues at hand. The best-prepared delegates are those who treat the provided resources as the foundation of their research and delve deeper into the topic areas. Beyond these materials lies a wide range of information sources, beginning with official United Nations documents. UN resources often include detailed statistics, reports, and visual data such as charts and graphs, all of which may be useful in deepening your understanding of the issues. Many UN documentation centres maintain comprehensive records of past meetings, and one of the most effective ways to understand your country's position is to observe it articulated directly by its diplomats.

Explicit assets to research include:

- a) *Yearbook of the United Nations*: The Yearbook serves as a useful starting point for your research. It provides an overview of actions taken on your topic during a given year, along with helpful references to past resolutions and documents.
- b) *United Nations Chronicle*: This publication offers general information about the workings of the UN. Pay special attention to feature articles related to your topic area, as they provide insights into the issue and the positions of various countries.
- c) *UN Document Index*: This comprehensive index covers all UN documents and is available in three versions: UNDI (1950–1973), UNDEX (1970–1978), and UNODC (1979–present). Depending on which version you use, you will find subject indexes, country files, and an alphanumeric listing of all published documents. This system is useful because each committee has a unique alphanumeric prefix, enabling you to locate all documents released by a committee in a specific year regardless of the topic.
- d) *UN Resolutions*: This collection is both important and easy to use. It compiles all resolutions from 1946 onward, allowing you to consult the most recent index to find all resolutions related to your topic that the UN has ever passed.
- e) *Other UN Sources*: Depending on the subject, additional relevant UN materials may be available, such as books and special reports published by the World Health Organization (WHO). Beyond UN sources, explore your school and local libraries. Check journals, magazines, and newspapers for more current information, and do not hesitate to ask librarians for assistance.
- f) *Books*: Up-to-date books often provide depth and accuracy that UN documents or periodicals may lack. Be sure to search library catalogs for relevant print materials. However, book research can be time-consuming, so exercise discretion when selecting

books.

- g) *Periodicals*: Periodicals are useful for straightforward, current information on topics (resources like Reader's Guide to Periodical Literature and InfoTrack serve as indexes for these materials). However, do not expect them to provide the level of detail necessary for the conference.
- h) *People*: An often-overlooked resource, individuals can greatly assist your research. Consider consulting librarians, experienced delegates, staff advisors, and your committee's Director, Moderator, and Assistant Directors. These individuals can not only help you locate information but may also recommend sources you had not considered. Feel free to contact your committee Director by phone or email.
- i) *Embassies and Consular Offices*: Reach out to the government or consular offices of the country you represent. These offices are usually willing to support your research by providing statistical data and other unclassified information via mail.

Introduction to the United Nations Environment Programme

A. Introduction to the UNEP

Environmental protection has emerged as one of the most urgent priorities of international cooperation. The United Nations Environment Programme (UNEP) was established in 1972 by the United Nations General Assembly following the Stockholm Conference on the Human Environment. It serves as the leading authority within the United Nations system for environmental matters, guiding global efforts to address climate change, biodiversity loss, pollution, and the protection of natural ecosystems.

UNEP's mandate is to promote the sustainable use of the Earth's natural resources, coordinate international responses to environmental threats, and support the implementation of multilateral environmental agreements. Through this, UNEP ensures that environmental concerns are integrated into the broader work of the United Nations and are treated as essential to peace, development, and human rights.

UNEP is headquartered in Nairobi, Kenya, and operates through six regional offices and a wide range of thematic divisions. It plays a key role in supporting treaties such as the Convention on Biological Diversity (CBD), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the Minamata Convention on Mercury. UNEP also works closely with international scientific bodies such as the Intergovernmental Panel on Climate

Change (IPCC) and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

While UNEP does not itself pass binding laws, it serves as the global platform for setting environmental priorities, coordinating scientific research, and offering legal and policy guidance to states. It also publishes global assessments, provides technical assistance, and strengthens countries' capacity to meet environmental goals, particularly under the framework of the Sustainable Development Goals (SDGs). Among these, UNEP plays a leading role in advancing Goal 13 (Climate Action), Goal 14 (Life Below Water), and Goal 15 (Life on Land).

Through its legal, scientific, and institutional contributions, UNEP remains the cornerstone of international environmental governance and continues to be the central forum for states seeking to address shared ecological challenges.

B. Partnerships

The United Nations Environment Programme works through a broad network of partnerships to support global environmental protection and sustainable development. These include collaborations with national governments, regional organisations, scientific institutions, non-governmental organisations, indigenous communities, and other stakeholders committed to environmental action.

UNEP plays a central role in convening and supporting the work of the United Nations Environment Assembly (UNEA), which brings together all 193 UN Member States to make collective decisions on environmental matters. Through this forum, governments negotiate and adopt resolutions, set global priorities, and coordinate responses to shared ecological challenges.

In addition to state actors, UNEP maintains working relationships with accredited environmental organisations, universities, and research bodies. These partnerships allow UNEP to deliver technical assistance, share data, support legal reform, and promote environmental education at local, national, and regional levels.

UNEP also coordinates with treaty secretariats, such as those of the Convention on Biological Diversity and the Basel, Rotterdam and Stockholm Conventions, to ensure coherence and support the implementation of international environmental agreements.

By working across sectors, UNEP builds coalitions that link science, policy, and law. These partnerships strengthen the global response to environmental degradation and ensure that solutions are informed by both evidence and equity.

C. Mandate and Functions

The mandate of the United Nations Environment Programme is rooted in General Assembly resolution 2997 (XXVII), adopted on 15 December 1972, which established UNEP as the central coordinating body for environmental activities within the United Nations system. This resolution was a direct outcome of the 1972 United Nations Conference on the Human Environment, held in Stockholm, and reflected the growing recognition that environmental degradation was not a matter confined to national jurisdictions, but a transboundary concern that required a global institutional response.

UNEP was entrusted with the task of monitoring the state of the global environment, coordinating environmental activities across the UN system, promoting the development of international environmental law, and assisting countries in addressing environmental challenges through capacity-building and technical cooperation. Over the years, UNEP's mandate has been reaffirmed and expanded through subsequent General Assembly resolutions, the 1992 Rio Declaration on Environment and Development, the 2000 Malmö Ministerial Declaration, the 2012 outcome document "The Future We Want," and through the institutional authority of the United Nations Environment Assembly, which succeeded the Governing Council in 2013 as UNEP's principal decision-making body.

In fulfilment of its legal and institutional mandate, UNEP undertakes several key functions. First, it serves as the primary global platform for the formulation and dissemination of environmental norms. Through its Medium-Term Strategies and Programmes of Work, adopted biennially by the United Nations Environment Assembly, UNEP identifies thematic priorities, supports legal and institutional development, and implements programmes at the national and regional levels.

Second, UNEP functions as the secretariat or co-secretariat for a number of multilateral environmental agreements. These include the Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants, and the Minamata Convention on Mercury. Although UNEP itself is not a treaty-making body, it facilitates the negotiation, ratification, implementation, and review of environmental treaties by providing legal assistance, scientific expertise, and institutional support.

Third, UNEP leads the development and harmonisation of national environmental law through the Montevideo Programme for the Development and Periodic Review of Environmental Law. This programme, initiated in 1982 and currently in its fifth cycle, enables UNEP to assist states in drafting environmental legislation, developing regulatory frameworks, and strengthening compliance and enforcement mechanisms. Through this programme, UNEP also supports environmental law education, judicial training, and the establishment of specialised environmental courts and tribunals in certain jurisdictions.

In addition to legal development, UNEP plays a vital scientific role. It produces comprehensive environmental assessments, such as the Global Environment Outlook, and supports knowledge platforms that inform policy decisions, including the Global Mercury Assessment and the Emissions Gap Report. These assessments form the evidentiary basis upon which environmental agreements, declarations, and national policies are constructed. UNEP's scientific authority is further extended through its collaboration with the Intergovernmental Panel on Climate Change (IPCC) and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), both of which UNEP helped to establish.

From an operational standpoint, UNEP provides direct technical assistance to countries, particularly developing and least developed states, in areas such as sustainable land management, biodiversity conservation, pollution control, and ecosystem restoration. It supports environmental components of the 2030 Agenda for Sustainable Development, with a particular focus on Goals 12 through 15, and assists countries in reporting progress under relevant multilateral instruments.

Although UNEP does not possess coercive authority or formal enforcement powers, its legitimacy is derived from its capacity to convene states, to produce authoritative scientific knowledge, and to assist in the creation of legally and institutionally robust environmental regimes. It remains the principal institution of global environmental governance, linking science, policy, and law in pursuit of international environmental cooperation.

Introduction to the Agenda

“Enhancing Global Efforts to Protect Endangered Species and Their Habitats”

The question of endangered species and habitat destruction lies at the very intersection of environmental governance, legal responsibility, and the survival of planetary life systems. While the extinction of species may appear to be a biological phenomenon, it is, in legal and political terms, the outcome of human action and inaction. The loss of biodiversity is neither incidental nor unforeseen. It is systematically produced, institutionally ignored, and increasingly normalised under frameworks that prioritise economic extraction over ecological preservation. As such, this agenda is not merely ecological in nature. It is fundamentally legal, normative, and moral.

According to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, nearly one million species face extinction within the coming decades, many within the span of a single human lifetime. The causes are multifaceted, illegal wildlife trade, deforestation, land-use change, marine pollution, climate change, and invasive species, but their acceleration is the consequence of state failure to enforce, ratify, or even conceptualise biodiversity as a matter

of binding international obligation. While declarations and voluntary commitments have proliferated, binding legal frameworks remain fragmented, weak in enforcement, and limited in both scope and coverage.

The Convention on Biological Diversity (CBD), adopted in 1992, represents the most comprehensive multilateral treaty governing the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from genetic resources. However, despite near-universal ratification, the CBD remains largely dependent on national implementation and lacks binding mechanisms for compliance or penalty. Similarly, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which regulates cross-border trade in endangered species, operates as a licensing regime without any universal enforcement body or formal dispute settlement procedure. As a result, illegal wildlife trafficking, estimated at over \$20 billion annually, continues with impunity, particularly in regions affected by corruption, conflict, or institutional collapse.

Beyond treaty frameworks, the fragmentation of global environmental law has created significant normative gaps. The absence of a unified international legal regime for habitat protection means that forests, wetlands, marine ecosystems, and migratory corridors remain governed by overlapping but incoherent instruments, many of which lack legal force. The Ramsar Convention on Wetlands, the World Heritage Convention, and regional agreements such as the African Convention on the Conservation of Nature and Natural Resources provide partial protections, but their applicability is limited by jurisdictional scope, funding constraints, and state discretion.

At the domestic level, environmental protection laws are often poorly enforced or subordinated to industrial, agricultural, and infrastructure development. Environmental impact assessments may be circumvented, community rights are routinely denied, and indigenous stewardship of ecosystems is overlooked in favour of extractive concessions. Where habitats are destroyed in violation of treaty obligations, there is often no forum for redress, no mechanism for restitution, and no international legal doctrine that treats ecocide or ecological loss as a violation of jus cogens norms. Impunity becomes policy, and silence becomes law.

UNEP's role in this context is critical, yet structurally limited. As the coordinating body for international environmental governance, UNEP offers scientific guidance, legal tools, and normative frameworks, but it does not possess enforcement power. It relies on member states to enact national legislation, comply with reporting mechanisms, and contribute voluntarily to conservation funds. The Aichi Biodiversity Targets, adopted under the CBD framework, expired in 2020 with the majority of goals unmet. The subsequent Kunming-Montreal Global Biodiversity Framework, adopted in 2022, set new targets for 2030, including the protection of 30 percent of land and marine areas. However, like its predecessor, it is not binding, and its effectiveness will depend entirely on the political will, financial commitment, and institutional capacity of member states.

The challenge of this agenda lies in transforming environmental promises into enforceable obligations. Delegates must consider whether current treaty frameworks are sufficient to protect endangered species, or whether new legal doctrines, such as the recognition of ecocide or the rights of nature, are necessary to create accountability. They must interrogate the institutional limitations of UNEP and propose mechanisms for cooperation, financing, and legal innovation that are both pragmatic and enforceable.

This agenda does not ask merely how species are to be saved. It asks what it means for the international legal system to recognise biodiversity not as a commodity or heritage asset, but as a condition of human survival and a subject of legal protection. The committee must approach this discussion not as an exercise in environmental goodwill, but as an inquiry into the failure of legal systems to address ecological collapse. The solutions that emerge must be grounded not only in ecological science, but in institutional reform, international legal development, and the long-neglected principle of intergenerational equity.

Key Terms

i) Endangered Species

Definition: Species classified as being at a very high risk of extinction in the wild, based on scientific criteria that assess population size, rate of decline, geographic range, and other factors. The term is formally defined under the IUCN Red List Categories and Criteria, which recognises Critically Endangered, Endangered, and Vulnerable species as degrees of threat. Endangered species are also listed under Appendix I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which restricts or prohibits their international trade.

ii) Habitat Destruction

Definition: The process by which natural habitats are rendered unable to support the species that depend on them, leading to population decline and extinction. Habitat destruction is often caused by deforestation, land conversion, urban expansion, and pollution. While there is no singular treaty defining habitat destruction, it is addressed under Article 8 of the Convention on Biological Diversity (CBD), which obligates parties to establish protected areas and regulate activities that adversely impact ecosystems.

iii) Biodiversity

Definition: The variability among living organisms from all sources, including terrestrial, marine, and other aquatic ecosystems, as well as the ecological complexes of which they are part. This

includes diversity within species, between species, and ecosystems. Biodiversity is defined in Article 2 of the Convention on Biological Diversity, and the conservation of biological diversity is one of the treaty's three central objectives.

iv) Illegal Wildlife Trade

Definition: The unlawful trafficking, smuggling, or trading of wild animals or plants, or their parts and derivatives, in violation of national or international laws. This activity is prohibited under the CITES framework, particularly for species listed under Appendix I, and is further addressed in domestic criminal legislation across multiple jurisdictions. The United Nations General Assembly has recognised illegal wildlife trade as a serious crime that undermines environmental, economic, and social stability.

v) In-situ Conservation

Definition: The conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings. This concept is codified under Article 2 of the Convention on Biological Diversity and is supported by legal obligations in Article 8, which requires the establishment of protected areas and measures for ecosystem restoration.

vi) Ex-situ Conservation

Definition: The conservation of components of biological diversity outside their natural habitats, such as in zoos, botanical gardens, seed banks, and captive breeding facilities. Ex-situ conservation is addressed under Article 9 of the Convention on Biological Diversity, which calls for such measures to complement, not replace, in-situ efforts.

vii) Protected Area

Definition: A geographically defined area which is designated or regulated and managed to achieve specific conservation objectives. Protected areas are established under Article 8 of the CBD and are often formalised in domestic legislation as national parks, wildlife sanctuaries, biosphere reserves, and marine protected zones.

viii) Sustainable Use

Definition: The use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biodiversity, thereby maintaining its potential to meet the needs of present and future generations. Sustainable use is defined in Article 2 of the CBD and is one of its core objectives, requiring legal and policy measures to ensure that exploitation is ecologically viable and socially equitable.

ix) Species-Specific Appendix Listings

Definition: The formal classification of species under various appendices of multilateral environmental agreements, determining the level of protection afforded to them. For example, Appendix I of CITES includes species threatened with extinction and prohibits their international commercial trade, while Appendix II allows regulated trade under specific conditions. These listings carry legal force under the CITES Convention, which obligates states to adopt domestic legislation for implementation.

x) Ecocide

Definition: Although not yet recognised under international criminal law, ecocide refers to the large-scale destruction of the natural environment by human activity, potentially qualifying as an international crime under future legal frameworks. Draft legal definitions have been proposed by the Stop Ecocide Foundation and supported by certain states in discussions on expanding the jurisdiction of the International Criminal Court to include environmental crimes of a grave nature.

Case Studies

A. The Kaziranga National Park and the Indian Rhinoceros

Kaziranga National Park, located in the Indian state of Assam, is home to the world's largest population of the one-horned rhinoceros (*Rhinoceros unicornis*), a species listed as Vulnerable on the IUCN Red List and included in Appendix I of the CITES Convention. The success of conservation in Kaziranga is frequently cited as a model of in-situ biodiversity protection, but it also raises important legal and ethical questions regarding conservation enforcement and human rights.

Over the last two decades, the Indian government has implemented stringent anti-poaching measures in Kaziranga, including the use of armed forest guards, expanded patrolling, and the delegation of shoot-on-sight powers in certain circumstances. These efforts have significantly reduced poaching incidents, but they have also led to growing scrutiny over the militarisation of conservation and the treatment of local communities living in or near protected areas.

The legal regime governing Kaziranga combines national legislation, such as the Wildlife (Protection) Act of 1972, with obligations arising under international frameworks including CITES and the CBD. While the protection of endangered species remains a legitimate state objective, questions have arisen regarding the proportionality of enforcement mechanisms, the

rights of indigenous communities, and the absence of effective grievance redressal mechanisms in cases of wrongful injury or eviction. The Kaziranga case demonstrates both the capacity of states to fulfil biodiversity obligations and the necessity of aligning conservation with human rights principles.

B. The Amazon Rainforest and Transboundary Deforestation

The Amazon Rainforest, spanning across nine South American countries, is one of the most ecologically diverse and significant biomes on the planet. It plays a central role in regulating the global climate and houses thousands of endemic species, many of which are classified as threatened or endangered. Despite this, the Amazon has experienced accelerated deforestation in recent decades due to illegal logging, land conversion for agriculture, and extractive industries, particularly in Brazil, Bolivia, and Peru.

This degradation has profound implications for the conservation of species and habitats, and it exposes the weaknesses in existing environmental legal frameworks. While states in the Amazon basin are parties to the Convention on Biological Diversity and have adopted various regional protocols under the Amazon Cooperation Treaty Organization (ACTO), enforcement remains fragmented and constrained by national priorities, regulatory capture, and institutional limitations.

One of the critical legal challenges in this context is the absence of binding transboundary environmental obligations specifically applicable to rainforest conservation. Although the principle of “no harm” in international environmental law obliges states to prevent activities within their jurisdiction from causing environmental damage to other states or to areas beyond national jurisdiction, this norm lacks a dedicated enforcement mechanism. The Amazon case underscores the limitations of state-centric treaty regimes in protecting shared ecosystems and raises the need for enhanced cooperation, monitoring, and potentially a new legal instrument specific to ecological zones of global significance.

C. Sea Turtle Conservation and Marine Habitat Loss in Costa Rica

Costa Rica, often regarded as a leader in environmental protection, has faced significant conservation challenges in its efforts to protect sea turtle populations along its Pacific and Caribbean coastlines. Species such as the leatherback turtle (*Dermochelys coriacea*) and the hawksbill turtle (*Eretmochelys imbricata*), both listed as Critically Endangered or Endangered under the IUCN Red List and protected under CITES Appendix I, continue to face threats due to coastal development, illegal egg harvesting, light pollution, and fisheries bycatch.

In response, Costa Rica has adopted a range of domestic laws and administrative regulations, including the establishment of marine protected areas, nesting site surveillance programs, and community-based conservation efforts. The Inter-American Convention for the Protection and

Conservation of Sea Turtles, a regional treaty to which Costa Rica is a party, supplements national efforts by promoting research, regional coordination, and protection across migratory routes.

Despite strong legal frameworks, implementation gaps remain. Infrastructure development often proceeds without adequate environmental impact assessments, and enforcement of marine conservation zones is limited by resource constraints. In certain instances, local fishing communities have protested conservation measures that restrict traditional livelihoods, illustrating the tensions between ecological protection and socio-economic realities.

Costa Rica's case illustrates the complexity of marine species protection, where even in states with strong legal commitments, balancing conservation with developmental pressures and community needs remains a persistent challenge. It also highlights the necessity of regional cooperation in addressing migratory species conservation.

D. The African Elephant and the Southern African Development Community (SADC) Region

The African elephant (*Loxodonta africana*) has long symbolised the complexity of international wildlife protection. Although listed under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which prohibits international commercial trade in ivory and ivory products, specific national populations in countries such as Botswana, Namibia, South Africa, and Zimbabwe have been subject to Appendix II classifications, which allow limited trade under strict conditions.

This situation has created persistent legal disputes within the CITES framework. Southern African states argue that their elephant populations are stable, that their management systems are effective, and that the regulated sale of ivory can support community-based conservation efforts and fund anti-poaching operations. In contrast, a number of other member states, supported by conservation organisations and legal advocacy groups, argue that any resumption of ivory trade, even under controlled conditions, risks stimulating global demand, weakening enforcement, and encouraging laundering through illicit markets.

The controversy surrounding African elephant populations reveals the inherent structural weaknesses within the CITES regime. The convention is dependent on national enforcement, does not include binding compliance mechanisms, and operates through a decision-making process where votes at the Conference of the Parties may reflect geopolitical alliances rather than ecological urgency. Furthermore, the listing and down-listing of species under CITES appendices remain subject to political negotiation, raising concerns about consistency, transparency, and the precautionary principle.

The case of the African elephant reflects a broader legal dilemma in global conservation: how to

balance state sovereignty over natural resources with the collective responsibility to preserve biodiversity. It also highlights the difficulty of crafting equitable conservation policies in regions where wildlife is deeply intertwined with local livelihoods, national development strategies, and postcolonial land rights.

E. The Sumatran Orangutan and Deforestation in Indonesia

The Sumatran orangutan (*Pongo abelii*) is one of the most critically endangered primate species in the world, with fewer than 15,000 individuals remaining in fragmented forest habitats across northern Sumatra. Protected under Appendix I of CITES and designated as Critically Endangered by the International Union for Conservation of Nature (IUCN), the species faces imminent extinction primarily due to habitat loss resulting from illegal logging, unsustainable palm oil cultivation, mining operations, and infrastructure expansion.

Indonesia has enacted a range of domestic environmental laws, including Law No. 5 of 1990 on the Conservation of Living Resources and Ecosystems, and has established national parks and conservation zones intended to protect orangutan populations. However, enforcement remains inconsistent, and land-use decisions are often governed by conflicting regulatory frameworks between national ministries, provincial authorities, and private land concession holders. Environmental impact assessments are routinely bypassed or inadequately conducted, and protected areas have been encroached upon with little legal consequence.

Internationally, Indonesia is a party to the Convention on Biological Diversity and CITES, and has received support through multilateral financing mechanisms such as the UN-REDD Programme, which aims to reduce emissions from deforestation and forest degradation. Nonetheless, the lack of direct accountability mechanisms within these treaties has limited their impact on preventing habitat destruction at the scale necessary to ensure the survival of the Sumatran orangutan.

The case exemplifies the limitations of international law when faced with deeply embedded economic interests, institutional fragmentation, and weak governance. It raises urgent questions about corporate liability, state responsibility for environmental harm, and the extent to which conservation can be meaningfully achieved in the absence of enforceable legal norms and adequate judicial oversight.

Legalities

i) Convention on Biological Diversity (CBD)

Adopted at the Earth Summit in Rio de Janeiro in 1992, the Convention on Biological Diversity is the principal treaty governing the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from genetic resources. It legally binds parties to develop national biodiversity strategies, designate protected areas, and integrate biodiversity into planning and legislation. Though universally ratified, the CBD lacks a formal compliance mechanism, and enforcement depends on voluntary national implementation, periodic reporting, and review through the Conference of the Parties.

ii) Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

CITES, adopted in 1973 and in force since 1975, regulates the international trade of endangered species through a system of permits and species listings under three appendices. Appendix I prohibits commercial trade in species threatened with extinction, while Appendix II allows regulated trade to avoid overexploitation. As a legally binding treaty, CITES obliges parties to adopt domestic legislation for enforcement. However, it lacks an international dispute settlement mechanism, and its effectiveness is contingent on state compliance and the capacity of national enforcement agencies.

iii) Ramsar Convention on Wetlands

The Ramsar Convention, signed in 1971, is the only international treaty focused specifically on wetlands. It obliges parties to designate at least one wetland of international importance, promote its conservation, and ensure the wise use of all wetlands in their territory. While not an enforcement-heavy treaty, Ramsar promotes obligations through national reporting and a system of cooperation among member states. Many endangered species, particularly migratory birds and amphibians, depend on these wetland ecosystems for survival.

iv) Convention on Migratory Species (CMS)

The CMS, also known as the Bonn Convention, was adopted in 1979 to provide a legal framework for the conservation of migratory species across their range states. It obligates parties to conserve listed species and their habitats and to enter into international agreements for coordinated protection. While participation is voluntary, the CMS is one of the few treaties to explicitly address species whose life cycles span multiple national jurisdictions. Its implementation relies on national laws, intergovernmental agreements, and cooperative action plans.

v) World Heritage Convention (WHC)

The 1972 World Heritage Convention, administered by UNESCO, allows for the inscription of natural sites of outstanding universal value as World Heritage Sites. These sites receive

international recognition and may benefit from conservation funding and technical support. While the convention requires states to protect designated sites, there is no penalty for failure to do so, and enforcement depends on monitoring through periodic reporting and public pressure. Many habitats critical to endangered species are protected under this regime.

vi) United Nations Convention on the Law of the Sea (UNCLOS)

UNCLOS, adopted in 1982, provides the legal framework for all activities in the world's oceans. While not a biodiversity-specific treaty, it includes provisions relevant to the conservation and management of marine species and habitats. Part XII of UNCLOS requires states to protect and preserve the marine environment and to cooperate in the conservation of living marine resources. It also supports the creation of regional fisheries organisations and encourages states to adopt measures against overfishing and habitat destruction in their Exclusive Economic Zones (EEZs).

vii) Stockholm Declaration (1972) and Rio Declaration (1992)

Both declarations are foundational instruments in international environmental law. The Stockholm Declaration introduced the principle that states have the sovereign right to exploit their own resources, but also the responsibility not to cause environmental harm to other states. The Rio Declaration expanded on these principles, including the precautionary principle, the polluter pays principle, and the principle of common but differentiated responsibilities. While non-binding, both instruments have influenced treaty negotiations and national environmental policy.

viii) The Aichi Biodiversity Targets and the Kunming-Montreal Global Biodiversity Framework

The Aichi Targets, established under the CBD for the period 2011 to 2020, set twenty specific goals for halting biodiversity loss. Despite broad endorsement, most targets were not achieved. In 2022, the Kunming-Montreal Global Biodiversity Framework was adopted to guide action through 2030, including the goal to protect thirty percent of the planet's land and sea areas. These frameworks, though not legally binding, serve as the guiding vision for biodiversity conservation efforts and form the basis for national strategies and global cooperation.

ix) Environmental Rule of Law

The concept of environmental rule of law refers to the use of legal principles, institutions, and processes to protect the environment, ensure accountability, and uphold ecological justice. Recognised and advanced by UNEP through the Montevideo Programme and global declarations, it encompasses access to environmental information, public participation, environmental impact assessment procedures, and access to justice. It is fundamental to ensuring that environmental rights and obligations are enforceable under domestic and international law.

Questions a Resolution Must Answer

- 1) How can international legal frameworks such as the Convention on Biological Diversity and CITES be adapted or expanded to create binding obligations for the protection of endangered species and their habitats, with effective mechanisms for enforcement and compliance?
- 2) What institutional role should UNEP play in bridging the gap between scientific assessment and legal accountability, particularly in contexts where treaty regimes lack jurisdiction or implementation capacity?
- 3) How can member states ensure that conservation policies and the designation of protected areas are implemented in accordance with human rights principles, particularly with respect to indigenous and local communities?
- 4) What forms of multilateral financing, technological assistance, and capacity-building are necessary to enable developing states to meet global biodiversity targets without compromising national development priorities?
- 5) To what extent should the international community pursue the codification of ecocide or habitat destruction as a crime under international law, and what institutional structures would be required to support such a legal development?