

International Environmental Institutions and Geoengineering

Geo-engineering represents a new and significant problem in the international community. Two approaches must be looked at for how to govern geo-engineering. The first is that of proactively solving climate change. In this case, the international community must see climate change as an issue that must be addressed and see geo-engineering as the solution. Implementation then becomes the key issue. The second is that of regulatory measures. Some forms of geo-engineering can be profitable, such as iron fertilization which can target rich philanthropists and possibly countries for carbon credits in the future. In this case, laws must be put in place to protect the environment from potential negative side effects of geo-engineering. Since the precedent for setting up regulatory environmental laws has already been established, I will focus on pursuing pro-active geo-engineering.

In terms of pro-actively pursuing geo-engineering, new organizations must be set up. Right now the most powerful authority on international environmental issues seems to be the UN. Being the largest body of international law, it overrides smaller more regional international laws. Thus it is only logical that for a project of global scale, such as geo-engineering, that it should be done through the UN. The UN has already declared that “necessary and timely action should be taken to deal with climate change within a global framework”. Thus if geo-engineering is somehow done through the structure of the UN it may avoid the possible downfall that an “injured state is entitled to obtain compensation from the state which has committed an internationally wrongful act for the damage caused by it”. Avoiding this legal issue is key, as any geo-engineering process will most likely change the climate in different ways for different parts of the globe and almost certainly be detrimental somewhere.

As far as I can tell, the best way to implement geo-engineering through the UN is to get interested parties to form a Multilateral Environmental Agreement (MEA). This agreement could study effects of geo-engineering and perhaps suggest action to be approved by the general assembly. However, it would still be up to individual states to fund these projects.