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A NEW POLITICS FOR THE ENVIRONMENT

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The fate of environmental law and its regulations is inextricably bound to the field of international economic law. Yet, few critiques of environmental law have sought to demystify the relationships between it and international economic law. This starkly contrasts with renewed interest—particularly among practitioners and diplomats—in the promise of international law as an instrument for achieving both environmental protection and economic growth. Yet, on almost every conceivable metric, the global environment has become more significantly degraded over the last 50 years. With these worrying trends in mind, the overarching theoretical question that I will seek to interrogate in my paper is what role international economic law has had in constructing our prevailing views toward ‘the environment’? Concomitantly, how have these notions of the environment helped to construct international economic law?

In my paper, I propose to examine these questions against a historical backdrop: the two decades following the Second World War. In it, I will aim to show that the emergence of both international economic and environmental law, as seemingly separate fields, were in fact deeply connected and co-reliant upon each other. More specifically, I will argue that the environment became a central feature in the emergence of an object called ‘the economy’. Following this, my objective will be to demonstrate how a task of the newly-formed United Nations was to conserve the supply of—and access of First World countries to—key natural resources in order to strengthen their relative positioning in the new global economy. As we shall see, this logic was, in a sense, ‘ratified’ in the constitutions of several post-Second World War international

institutions. This logic, I will argue, also spurred the establishment—through international legal instruments—of African national wildlife parks and mega-dams as springboards for newly-decolonised nations' claims to greater independence and recognition in global affairs. Simultaneously, my story will explain not only how some actors sought to assert competing visions and resistance against these logics, but it will also strive to reveal how influential lawyers and diplomats sought to occlude such visions as means to preserve the dominant logics and techniques of natural resource use (and ultimately, to sustain a familiar form of global (economic) ordering).