Federated Entities in Environmental Law

Codebook

### ID

Most agreements were found in the International Environmental Agreements Database (EADB) Project[[1]](#footnote-1). The identification numbers given by IEADB were kept.

* #1 to #5999 were from the International Environmental Agreements (IEA) Database Project.
* #6000 to #7000 were from James Hollway’s Database
* #7001 to #7500 are from UNTC
* #7501 to #7800 are from FAOLEX
* #7801 to #8200 are from ECOLEX
* #8201 to #8400 are from national sources
* #8401 to #8600 are from a database developed by Aaron Wolf

### Name of the agreement

This column indicates the full name of the environmental agreement, translated in English..

### Official signature date

The signature date column records the moment where signatories initially signed the environmental agreement. It is possible that some signatories have signed the agreement later. The format used for the dates is year-month-day.

When the exact date of signature is unknown and that the PDF’s name is mentioning a specific year, we use the formula ex: 2004-00-00. When the signature date is unavailable, we use the formula 0000-00-00.

###

### Official entry into force date

The dates of entry into force represent the date where the agreement has entered into force. The format used for the dates is year-month-day.

In some agreements, the date of entry into force is provided as retroactive to an earlier date for the entire agreement. In some cases, only some parts of the agreement are subject to enter into force to a retroactive date. In these cases, we did not consider this retroactivity, and we took the regular date of entry into force. The same occurs for a provisional date of entry into force.

When the date of entry into force is unavailable, we use the formula 0000-00-00.

### Signatory country

This column lists the countries that have signed an agreement. For the same agreement, each party has its own line in FEEL database. If an agreement has thirty signatories, then thirty lines will be reserved for it in FEEL database: one signatory country per line.

It includes recognized countries as well as territories with a certain autonomy, allowing them to sign their own treaties and to engage on their behalf. This includes British Overseas Territories (Montserrat, Saint Helena, Turks and Caicos Islands, British Virgin Islands, Falkland Island, Bermuda, etc.), Dutch Caribbean islands and territories part of the Kingdom of the Netherlands (Aruba, Sint Marteen, Curaçao), China’s special administrative regions (Hong Kong and Macao), as well as others like Tokelau, Cook Islands, New Caledonia, Abkhazia and South Ossetia.

The name of the country is indicated as it was when the agreement was signed.

In case of federated countries signing on behalf of their federated entities, the country will be included in the signatories and the name of the federated entity display in another column.

###

### ISO country code

This column indicates the ISO country code (alpha-3) for each of the signatory country.

### Federated State

This column records the presence or absence of a federated entity in an agreement. As mentioned earlier, the State to which the federated entity is related is included in the column Signatory country, because federal States signed on the behalf of their entities. The data was taken from IEA and as well as from the texts of the agreements.

The mention “NA” means no federated States are included in the agreement. Otherwise, the name of the federated entity will be written.

The Canadian Research Chair in International Political Economy retained, as a federated entity, all the sub-state entities that are characterized by federative political setting, such as Canada’s provinces, United States’ states, Switzerland’s cantons, Germany’s Länder, Australia’s states, Belgium’s regions, South Africa’s provinces, Russia’s federal subjects, India’s states, and many other historic entities. They also include autonomous regions, such as Greenland, Scotland and Catalonia, even though the sovereign states to which they are related are not federations.

The entity is then considered as a partially self-governing entity with some degree of constitutionally guaranteed autonomy. Meanwhile, we did not consider, as a federated entity, the Free States or the Free cities, the Dominions, the indigenous communities’ traditional territories, the colonies or the subnational entities, such as agencies or ministries.

If an independent entity is party to a treaty and later becomes part of a federation (ex: Bavaria before its union with Germany) only its status at the moment of signing the agreement is considered.

### Signature date of the country

The signature date of the country column records the moment when the country signed the agreement. Hence, , the date of signature of the country is specific to each State. The format used for the dates is year-month-day.

In some cases, the exact date of signature is unknown, but we still have information on the specific year of signature. We thereby use the formula ex: 2004-00-00. When the signature date is unavailable, we use the formula 0000-00-00.

###

### Ratification date of the country

The ratification date of the country column records the moment when the country ratified the agreement. The date of ratification of the country is thus specific to each State. The format used for the dates is year-month-day.

In some cases, the exact date of ratification is unknown, but we still have information on the specific year of ratification. We thereby use the formula ex: 2004-00-00. When the ratification date is unavailable, we use the formula 0000-00-00.

The term “ratification” is deemed to include accession and equivalent procedures.

###

### Entry into force date for the country

The entry into force (EIF) date for the country column records the moment when the agreement enters into force for one country. This individual date of EIF is specific to each State. This does not exclude the fact that those dates can be the same. The format used for the dates is year-month-day. T

In some cases, the exact date of EIF is unknown, but we still have information on the specific year of EIF. We thereby use the formula ex: 2004-00-00. When the date is unavailable, we use the formula 0000-00-00.

### Subject

The Subjects column represents the themes of the agreement. The subjects are based on the categorisation and the data of IEA and from Jörg Balsiger and Lorris Germann from the University of Geneva. The methodology used to generate these subjects was an automated search for the first buzz words appearing in the title and preamble of treaties. Our team separated or combined subjects so that each subject category contains a sensible number of agreements. We therefore created ten mutually exclusive subjects. For some agreements, no subjects were assigned by IEA or Geneva team. We took care of attributing a subject to these treaties. Part of the following definitions are from the IEA database:

|  |  |
| --- | --- |
| Subjects | Definitions |
| Energy  | This category seeks to capture agreements that address all types of energy production, including nuclear energy. Treaties dealing with nuclear energy safety and accidents were included. Agreements linked with nuclear weapons are excluded (see Weapons and environment) as well as agreements linked with radioactive pollution or wastes (see Pollution). This category includes also agreements dealing with hydroelectricity and hydroelectric dams. Agreements on “dams”, if their use is not strictly reserve for the making of energy, were excluded (see Freshwater resources).  |
| Weapons and environment | This category seeks to capture agreements that address nuclear weapons free zone or test ban, as well as agreements dealing with chemical and bacteriological weapons. |
| Pollution | This category seeks to capture agreements related to all forms of pollution, whether affecting air, land, oceans, or freshwater systems at regional or global scales. This includes agreements dealing with climate change, ozone layer depletion and disposal of wastes of all sorts. Agreements dealing with radioactive wastes and radioactive pollution are included as well, just as agreements dealing with contamination from industrial accidents and other manmade accidents, such as oil spills (except nuclear accidents, see Energy). |
| Freshwater | This category seeks to capture agreements related to regulation or protection of lakes and rivers. It excludes agreements dealing with the pollution of freshwater resources (see Pollution) or its use for hydroelectricity (see Energy). Is also excludes agreements linked to fisheries in these lakes or rivers (see Fish). |
| Fish | This category seeks to capture all agreements related to fish and fisheries management. It also includes agreements aiming to conserve species of fishes. It only includes agreements dealing with the fishing of fishes, shells and crustaceans (crabs, lobsters, and prawns for example) and not for the fishing of mammals and the taking of marine reptiles (see Conservation of species and biodiversity). “Marine living resources” are not sufficient to be considered as fishes (see Conservation of species and biodiversity instead). |
| Agriculture | This category seeks to capture agreements related to agriculture, farming, sanitary and veterinary issues or animal health field. It includes agreements dealing with invasive insects and plants, as well plant protection. Agreements dealing with plant genetic resources and modifications are included. |
| Conservation of species and biodiversity | This category seeks to capture agreements that address the conservation and protection of species of animals (except fishes, see Fish), endangered or not. It also includes the protection of wildlife and of marine living resources. Agreements against poaching or regulating hunting are also included. Furthermore, this category capture agreements about forest conservation (including forest fires issues), and agreements on forestry and timber. It also includes agreements about the protection of biodiversity.  |
| Habitat and ocean | This category seeks to capture agreements related to particular ecosystems, including the ocean. With respect to ocean protection, agreements related to ocean exploration and ocean science are also included. This category also includes agreements on land, drought and desertification. It also includes agreements on wetlands, protected areas and natural reserves or sanctuaries. Furthermore, it captures agreements protecting entire regions (e.g. Amazonian region). Agreements on protected areas “and biodiversity” are included (and not in Conservation of species and biodiversity). Agreements dealing with fisheries in the ocean are excluded (see Fish). |
| General environmental cooperation  | This category seeks to capture agreements related to efforts to conserve, manage, preserve, and protect natural resources or environment in general. It includes agreements on environmental impact assessments and prior notification procedures, as they apply to the environmental in general. This category includes agreements dealing with general “nature conservation” and bilateral agreements on “environmental cooperation”. It includes agreements dealing with natural disaster management, except for forest fires management (see Conservation of species and biodiversity). This category also includes agreements containing provisions dealing with many subjects, without one subject clearly standing out (for example, agreements calling for cooperation in agriculture, water management, protection of biodiversity and fishing). |
| Others  | This category seeks to capture all agreements that do not fit in other subjects. It includes notably agreements on environmental health and other very specific issues. |

### Type of Membership

|  |  |  |
| --- | --- | --- |
| Value | Meaning | Example of instrument |
| 1 | Multilateral  | Convention on Biological Diversity |
| 2 | Bilateral | Agreement on Environmental Cooperation between Uruguay and Brazil |
| 3 | Other (non-multi/non-bilateral) | Great Lakes-St. Lawrence River Basin Sustainable Water Resources AgreementAgreement between the Environmental Protection Agency of the United States of America And the Ministry of Land Economy and Environment Protection of the Polish People's Republic on Cooperation in the Field of Environmental Protection |

### North South

|  |  |  |
| --- | --- | --- |
| Value | Definition | Example |
| 1 | Agreements signed among US, Canada, Western, Southern and Northern Europe, Japan, Australia and New-Zealand | 907\_agreement boreal\_canada\_US\_1994 |
| 2 | Agreements signed between one/several of above and all others | 966\_agreement technical agriculture\_mozambique\_portugal\_1995 |
| 3 | Agreements excluding those falling into categories 1 and 2 | 971\_agreement environment\_tajikistan\_turkey\_1995 |

We selected the countries listed as North according to the definition of the UN of Western, Southern and Northern Europe. However, we also considered the cold war European division and excluded former socialist states from the North group. Therefore, from Southern Europe we excluded Albania, Bosnia and Herzegovina, Croatia, Gibraltar, Montenegro, Serbia, Slovenia and Macedonia. In addition, we excluded the Baltic states (Estonia, Latvia and Lithuania) from the UN Northern Europe group. We included Austria-Hungary, Prussia and excluded East Germany (GDR).

Also, we considered the European Union, the European Community or the European Economic Community as from the North.

When an international organization is part to the agreement, we looked to the membership of the organization to determine which type of relation between north and south we are in presence of. If the list of membership is not available, then we look at the geographic region where the international organization has her head office.

Even if a State that we considered as from the North according to our definition was not necessarily industrialized at the date of the signing, we still considered this State a North’s State.

### HBT type Code

We followed the HBT type code given by IEA even if some ambiguities remain for some agreement’s HBT type code.

|  |  |
| --- | --- |
| Value | Meaning |
| 1 | Agreement |
| 2 | Protocol |

### EF signatory

This column indicates whether the agreement includes a federated entity as signatory. For each agreement that includes at least one federated entity in the column Federated State (see infra section 1.14), this column indicates a 1.

Provision1: Federated entities are authorized to sign, ratify, access

This column reports whether each agreement includes at least one provision corresponding to type 1 of the section on provisions related to federated entities: Federated entities are authorized to sign, ratify, access. The presence is confirmed by a 1.

Provision2 : Federated entities must comply with obligations in the agreements, even if they don’t sign or ratify

This column reports whether each agreement includes at least one provision corresponding to type 2 of the section on provisions related to federated entities: Federated entities must comply with obligations in the agreements, even if they don’t sign or ratify. The presence is confirmed by a 1.

Provision3: Participation of federated entities in the agreement’s implementation

This column reports whether each agreement includes at least one provision corresponding to type 3 of the section on provisions related to federated entities: Participation of federated entities in the agreement’s implementation. The presence is confirmed by a 1.

## What count as a “provision”?

* Except when otherwise expressly indicated in this codebook, a provisionprovision does not need to have a high degree of commitment (“must”, “shall”, “will”, etc.). Provisions with low degree of commitment (“may”, “could”, “best efforts”, “encourage”, “recognize”, etc.) are included. A provision can also be an example of a broader measure (“areas of cooperation may include”, “such as…”).
* A provision can be explicitly limited to a single Party.
* A single provision can be found in different parts of the same agreement.
* Except when otherwise indicated, a provision can be found in any part of the agreement, including the preamble, annexes, parallel documents, footnotes, exchanges of letters.
* Except when otherwise indicated, do not code the reservations.
* Provisions are not mutually exclusive. A single article, or even a single sentence, can qualify for several different provisions.
* Amendments to agreements must be coded taking into account of the original article that they modify. If the amendment only adds a single word to the original article, a provision can still be found in the amendment, since it is necessary to refer to the original article of the convention.

## What count as a “federated entity”?

* For the purpose of this dataset, we define federated entities as the sub-state entities that are partially self-governing with a high degree of constitutionally guaranteed autonomy.
* They also include autonomous regions, such as Greenland, Scotland and Catalonia, even though the sovereign states to which they are related are not federations.
* We exclude from our definition of federated states free cities, indigenous communities’ traditional territories, and colonies, as they typically have a lower degree of autonomy.
* If a sovereign state later becomes part of a federation or if a federation secedes into different sovereign states, we consider only the status at the time of the agreement signature.
1. See at <https://iea.uoregon.edu/>. We only included agreements classified as MEA or BEA by IEA, and not those from other non-binding classifications. [↑](#footnote-ref-1)