

# **Environment As A Factor In Australian Foreign Policy**

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## CERTIFICATE

Certified that this dissertation entitled  
"Environment as a Factor in Australian Foreign Policy"  
Submitted by Anita Kanungo in partial fulfilment of the  
requirements for the award of a degree of Master of  
Philosophy of Jawaharlal Nehru University has not been  
submitted to any other university for the award of any  
degree and is her own work.

We recommend that it should be placed before the  
examiners for evaluation.

  
(PARIMAL KUMAR DAS)  
Supervisor

  
Chairperson

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# CHAPTER - I

## INTRODUCTION

The purpose of this chapter is two-fold. Firstly, it seeks to underline the importance of environment as an issue in foreign policy. Secondly, it discusses the Australian experience in environmental regimes.

A nation's foreign policy is a reflection of its goals and national interests. After all, national behaviour like human behaviour, is purposive, it seeks to attain certain goals. Governments pursue goals in both national politics and international relations. National hopes and aspirations on the world stage are constrained by two sets of considerations. Internally, they must be related to national capabilities, or the political, economic and military resources available to them. Foreign policy is essentially the attempt to pursue national objectives in the international arena along these lines.<sup>1</sup>

Issues such as changes to the strategic balance, shifts in trading fortunes or internal upheavals in neighbouring regions have traditionally been the concern of foreign policy. But until very recently, the foreign policy of any particular country has given scant attention to the

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<sup>1</sup>Ramesh Thakur 'In Defence of New Zealand Foreign Policy choices in the Nuclear Age' (London, 1984). p-1.

issue of environment as a matter of international concern. This relative neglect has been reflective, to a great extent, of the priorities of the international community.<sup>2</sup>

From the 1970's environmental protection became an important part of the domestic political programmes of several nations, but it was not perceived as having urgent international dimensions. There were many other issues like non-alignment, a new international economic order, disarmament and decolonisation which seemed to be of a greater importance. The environment was generally regarded as a domestic issue or, at the most a worthwhile but minor aspect of international cooperation.<sup>3</sup>

The 1980's saw a significant shift in both perceptions and priorities. In Europe and North America ecological problems like acid rain served to highlight the transnational aspects of environmental threats. The scientific evidence on trends like global warming began to accumulate. The expanding financial markets and improved communication technologies, paved the way for greater global integration, bringing the developed and developing countries closer together, and making them more aware of their common interests and inescapable links. Moreover, an active and articulate green movement, especially in western

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<sup>2</sup>Gareth Evans 'Foreign Policy and the Environment'. Round Table July 1990 p. 46.

<sup>3</sup>M. Holdgate, M. Kassas and G.F. White, (ed) 'The World Environment 1972-82' (Dublin, 1982) p. 1.

countries, was gaining strength and demanding that environmental protection be built into national and international strategies. By 1987, the Brundtland Commission on Environment and Development - with a membership drawn from across the regional economic and political spectrum - captured both the direction and driving rationale of this new trend with its seminal report on 'our common future'.<sup>4</sup>

The Brundtland Report<sup>5</sup> represented two major shifts in the thinking on environment. Firstly, it rejected the idea that the environment presented a constraint or limit to growth and pointed out that, it was an essential component of growth, without which, growth would not take place or would inevitably falter. Secondly, it moved from working at environmental problems as a collection of disparate, unrelated problems, to viewing them as, an integrated whole. This was made possible through its elaboration of the idea of sustainable development.

The Brundtland Report pointed out that environmental issues were on the global agenda to stay, and since then hardly any international meeting has been convened which has not repeatedly underlined the urgency of common action to save our common future. In less than a decade,

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<sup>4</sup>Gareth Evans (n-2). p. 46-47.

<sup>5</sup>World Commission on Environment and Development - Our Common Future (New York 1987) p1.

protection of the global environment has emerged as one of the most pressing issues facing the world. The greenhouse effect, the ozone hole, protection of Antarctica, all this and more became the concern of foreign policy. An increasing number of nations now recognise that international cooperation on environment is the imperative need of our times.

The study of regimes has become an increasingly important feature of empirical studies of the bases of world order. Much of the research has been focused on the dynamics and internal working in a number of policy areas. The determinants of the approaches of states to regimes, however, have been relatively neglected. Using findings from the Australian approach to the international environmental regime, Robert Boardman explores seven sets of factors that are believed to be crucial to the understanding of responses of state: The ecological-economic milieu of states, the developmental attributes of a regime, bureaucratic politics within national governments, the influence of governmental structures such as federalism, interest group activity, the foreign policy orientations of states and the regime capabilities of states.<sup>6</sup> Regimes are an enduring feature of international society, but neglect of the complexity and variety of

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<sup>6</sup>Robert Boardman 'Approaching Regimes: Australia, Canada and Environmental Policy'. Australian Journal of Political Science Vol. 26, Nov. 1991 pg. 446.



national approaches, can lead to ineffectual policy recommendations.

The concept of regime entered the vocabularies of scholars on international relations in the mid 1970s. While there has been much debate about the definitions of key terms, the focus of much empirical enquiry has in practice centred around the study of the formal and informal rules, processes and behaviours that characterise the interactions of states in a given policy area.<sup>7</sup>

The character of the international environmental regime is complex. Many subsystems operate relatively autonomously. Well established sub-regimes coexist with rudimentary ones still in the process of formation. For example, although, questions such as chemical pesticide control, endangered species protection and ozone layer management are conceptually linked in broad ranging assessments of world environmental problems, the three issue-areas are in practice sufficiently discrete to bring into play different (though overlapping) national and international actors, diverse sets of linkages with other sectors of policy space and varying legal obligations on states. One can realistically talk of an international regime in the environmental policy area then, if it is recognised, that this is not a unified, centrally

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<sup>7</sup>Ibid pg. 447.

coordinated or even effectively organised system.<sup>8</sup> Multiple sets of issues are dealt with in the regime, but the most active components, often enjoy in practice, a degree of autonomy, that frustrates attempts at macro-level coordination.

Environmental issues share some characteristics associated with global issues generally. They fit into each of the three types identified by Soroos: (1) transboundary problems originating in one state which have effects on others; (2) problems concerning the use of international commons; and (3) domestic problems which have entered international agenda because they are common to several countries.<sup>9</sup>

Whatever may be the characteristics of environmental issues, what must be kept in mind, is the fact that, environmental issues are being increasingly portrayed not simply as yet another cluster of global problems, but rather as fundamental to the handling of all others. They have been defined for example, as crucial to redefinitions of international security as well as to problems such as that of refugees.<sup>10</sup> In his 1989 statement on the

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<sup>8</sup>Robert Boardman The Global Environment Towards an Effective Regime. Pearson Notes Vol. 4 Feb. 1989 pp. 2-3.

<sup>9</sup>M.S. Soroos A theoretical Framework for Global Policy Studies International Political Science Review Nov. 1990 pp. 310-11.

<sup>10</sup>M.K. Tolba 'Environment for Peace' Futures Vol. 22, 1990 pp. 465-66.

environment Australian Prime Minister Bob Hawke focused on global warming as an issue which had underlined the urgency of the environmental problems facing the international community.

Using the factors pointed out by Robert Boardman, as determinants, an attempt can be made to analyse the Australian response to international regimes.

Firstly, the ecological - economic milieu - the objective facts of geography and ecology retain a significant agenda setting function. Relative proximity - combined with the historical record of exploration, territorial claims and national security considerations, has been an influential strand underlying Australia's approach to the Antarctica regime.<sup>11</sup>

A related phenomenon has been the impact on international, as well as, national agenda of each country's distinctive flora and fauna. The increasing rarity of many Australian species provoked scientific and public debate there, and in the United States and Britain in the 1920s which anticipated by several decades, later appeals to the global common heritage principles. Pressure from conservation groups in the United States, for example, prompted a ban on import of Koalas from 1929. This historical context and later developments, such as the

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<sup>11</sup>C. Spencer 'The Evolution of Antarctic Interests in S. Harris (ed) Australia's Antarctic Policy Options Canberra 1984 p. 116.

emergence of a lucrative international trade in wild birds, was a prelude to the transnational politics of environmental group activity that was a significant feature of Australian responses in the 1980s to conservation issues in South-west Tasmania and Northern Queensland.<sup>12</sup>

Boardman, however, points out that beyond predicting the structuring of some agenda, such factors as geographical location or the character of wild life resources can provide only partial clues also at Australian approach to international issues. Political systems have autonomous traits of their own which play a crucial role in shaping agenda, strategies and outcomes and the nature of the regimes themselves is a relevant factor.<sup>13</sup>

Secondly, the factor of systemic pressures on the developmental attributes of a regime or its degree of maturation, which for example, influence the probability that states will tend to comply with its outputs. However, states are not monoliths. Pluralism and internal competition for influence are, in varying degrees, the hallmarks of any political system. This is particularly the case when one focuses on economic, social, environmental and other spheres of internationalised domestic policy. This makes the identification of specific pressures of

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<sup>12</sup>"Vanishing Wild Life of Australia" Nature vol. 128, 1931, pp 425-6

<sup>13</sup>Robert Boardman (n-6) p 457

international regimes on policy problematic. Nevertheless, several types of consequences can be identified for Australia, of rules adopted by and the behaviour of actors within, the international environmental regime. These include effects in terms of federal government organisation, federal-state relations, the activities of environmental groups and the policies of the federal government in the environmental arena generally.<sup>14</sup>

Boardman, however, cautions that this should not be inferred to be evidence solely of the growing authority of the international environmental regime. The special circumstances of the Australian Federalism and vigorous campaigns undertaken by groups in the Southwest Tasmania or northern Queensland conservation cases of the 1980s, suggest rather that domestic political factors have contributed to this policy.<sup>15</sup>

Thirdly, the link between Bureaucratic politics and Environmental Regimes. The political factors that lead to the establishment of government agencies play a role in shaping their later influence. The federal environment department in Australia was a product of the period preceding UNCHE in 1972. Moreover, it was composed of segments carved out of other departments. It grew from earlier initiatives by others particularly Health,

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<sup>14</sup>Ibid pg. 458.

<sup>15</sup>Ibid pg. 458.

Education and Science and from a small office established in the Prime Minister's department in 1970. It incorporated a mix of responsibilities from other departments, which has prevented it from establishing a clear lead for itself in the formulation of environmental policy whether domestically or in relation to environmental regime.<sup>16</sup>

Environmental departments have encountered major obstacles in attempts to influence policy directions in interdepartmental settings. As intermediary bodies between central agencies on the one hand and interest groups and broader domestic constituencies on the other, environmental bureaucracy has been subject to conflicting pressures. The Australian Heritage Commission was restrained in the wake of the 1982-83 Tasmanian dam crisis and was attacked inside government for being too independent when it openly advocated more active measures to protect northern Queensland rainforests.<sup>17</sup>

Fourthly the division of powers in a federation. Significant regime implications arise from the respective constitutional definitions of foreign affairs, as central government matters, and areas, such as, environmental policy as falling under the jurisdiction of state or provincial governments. Following an earlier case in which,

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<sup>16</sup>Hawker, Smith and P.Weller, Politics and Policy in Australia, (St. Lucia 1979) p 207-211

<sup>17</sup>Improvements Needed in Heritage Policy. Australian Conservation Foundation Newsletter Vol. 17, 1985. pp. 1, 4.

the federal government used section 51 (xxix) (the external affairs power) to legislate on civil rights, Canberra successfully secured the world heritage listing of two sites, one in Tasmania in 1982 and a tropical rainforest area of northern Queensland in 1988.

In each case the state concerned registered vigorous objections. Defenders of the principle of state's rights claimed to see in such moves the threat that international conventions could provide the national government with a large inventory of instruments with which to encroach on many areas of state authority. Australia tried to evolve mechanisms during the 1970s and 1980s to cope with the stresses and strains of federalism. The state and federal sides were able to reach broad agreement in 1982 on the principles underlying the formulation of national environmental policies.<sup>18</sup> Moreover under pressure from the states, the Australian government agreed in the late 1970s to a series of steps designed to ensure their participation in international policy matters including negotiation of conventions.

Fifth, domestic and transnational group politics. Thinking globally has traditionally been one of the guiding principles of environment groups, but the degree to which,

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<sup>18</sup>Australian Env't. Council/Conservation Ministers Comm. (AEC/CONCOM). 'Australian Achievements in Environment Protection and nature conservation 1972-82 (Canberra 1982) pp. 31-32.

they are effectively oriented towards international regime questions varies.

During the 1980s environmental groups strengthened their own capability for playing international roles. Policy ideas are not restricted to particular organisational boxes. In Australia, broadly similar criticisms of developments in the Antarctic Marine living Resources Convention (CAMLR) tended to be shared in the late 1980s by Green peace and by environmental and Antarctic officials of the federal government. Overlapping official non-governmental organisation and scientific concerns about the risks of future mineral resource exploitation on Antarctica were a crucial factor in shaping Canberra's criticism of the 1988 Convention on the Regulation of Antarctic Mineral Resources Activities (CRAMRA), and its advocacy together with France and New Zealand of a world park option for the region.<sup>19</sup>

Sixth, the foreign policy orientations of states. In approaching UNCHE in 1972, Australia sought a number of specific environmental objectives, including greater international controls over marine pollution. Australia also saw the conference in the perspective of wider foreign policy goals. Australia decided early that securing a seat on the proposed governing council of UNEP would be a major

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<sup>19</sup>Anthony Bergin 'The Politics of Antarctic Minerals: the Greening of White Australia. Australian Journal of Political Science Vol. 26, Nov. 1991, pp. 232-33.



diplomatic objective. It waged a successful campaign both to secure this and also to expand the size of the new council as a means to this end. Antarctic policy has similarly been a major foreign policy concern. The framing of Australia's Antarctic environmental policy has been influenced by a variety of other factors, including the perceived need to maintain good relations with Australia's treaty partners in order to preserve recognition of any territorial claim that might be activated in the future.<sup>20</sup>

Seventh, the regime capabilities of states. The links between the capabilities and the regime approaches of countries are varied. Australia's ability to provide aid and technical assistance on environmental administration to the developing countries of the south Pacific is a crucial element in Australia's aspirations to play a leadership role in the region.<sup>21</sup>

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<sup>20</sup>Ibid. p. 233.

<sup>21</sup>EB Hass When Knowledge is Power Three Models of Change in International Organisations (Berkeley 1990) p 74.

## CHAPTER - II

### AUSTRALIAN ENVIRONMENTAL POLICY

The foreign policy initiative of any government, is to some extent a reflection of its domestic policy. The Australian foreign policy being no exception to this rule, has been greatly influenced by the labour government's policies on environment and also by the growing environmental consciousness in that country. the Australian environmental policy will be discussed from the standpoints of constitution and nature of policymaking.

The Australian case is unique. Being a federation, the federal government has not only to balance between different groups but also between the different states. The Australian response to this problem of finding a balance between environment and business through the concept of sustainable development, would also be studied.

So far as the legislative and administrative framework for environmental policy and its management is concerned - The Australian Constitution does not make any specific reference to environment. Nevertheless this has not prevented both the commonwealth and the states from enacting legislation within the fields of environmental policy and natural resources management. In general, natural resources utilisation, land-use planning and nature

protection at a Federal level of sites and structures constituting important elements of the built, cultural and natural environment, which have enduring national significance;

(c) The Australian National Parks and Wildlife Conservation Act 1975, which provides for the establishment and management of parks and reserves in Federal territories, as well as, the protection of some other nature conservation sites and the meeting of various obligations under international treaties and conventions; and

(d) The Great Barrier Reef Marine Park Act 1975, which provides for the establishment and management of a major marine park encompassing the Great Barrier Reef.

In addition to the above, other legislation deals with safeguards in uranium mining and exports, grants to states for nature conservation purposes and recently a World Heritage Properties Conservation Act.<sup>2</sup>

In parallel with these provisions at Commonwealth level, all the Australian states have introduced land-use management reforms, environmental impact assessment, enlarged national park systems, air and water quality controls, some coastal and marine conservation guidelines. Yet the overall performance is patchy because states

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<sup>2</sup>Australian Information Service Reference Paper 'Environment and Conservation' (Canberra, 1980) p.2.

compete with one another to attract economic development, hence, political expediency becomes important whenever private corporations seek resource exploitation rights. B.W. Davis accounts for the variation between states in terms of the variation in the personality of its premiers, of the ideology of the political party in power, influence of development and conservation groups. One antidote to variation amongst states has been the establishment of ministerial councils at the Federal level, consisting of commonwealth ministers and their state counterparts. Examples are the AEC (Australian Environmental Council) and CONCOM (the Council of Nature Conservation Ministers). The Council deals with broad policy issues.<sup>3</sup>

So far as, the subject of environmental law is concerned, it includes within its ambit aspects of many other more traditional legal areas. It involves, or is concerned with, the law relating to land, mining, local government and town planning, torts, administrative law, fisheries, forestry and access to courts. These areas of law have been traditionally within the state sphere.

D.E. Fisher has conveniently categorised many types of Australian laws in this field into three groups: (a) resources legislation dealing with the development, exploitation and use of natural resources; (b) the protection of specific elements such as wildlife,

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<sup>3</sup>Bruce W. Davis (n-1). p.3.

aboriginal relics and scenic features; and (c) environmental planning.<sup>4</sup>

In a federal system the constitution provides the federal government with means to control the states. The most important constitutional means of achieving commonwealth control in Australia are the power to make laws with respect to:

(a) trade and commerce with other countries and among the states (section 51 (i)).

(b) foreign corporations and trading and financial corporations formed within the limits of the commonwealth (section 51 (xx));

(c) taxation (section 51 (ii); and

(d) external affairs (section 51 (xxix)); and

(e) the people of any race for whom it is deemed necessary to make special laws (section 51 (xxvi)).

A further notable provision in this area is section 96, which gives the parliament the power to grant financial assistance to any state on such terms and conditions as it thinks fit.<sup>5</sup>

As is evident from the description of the political and constitutional aspects of environmental policy making, in Australia, as in other countries, environmental issues

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<sup>4</sup>D.E. Fisher "An Overview of Environmental Law in Australia" Earth law Journal vol. 3, no. 47, 1977 p. 13.

<sup>5</sup>Leslie Zines 'The Environment and the Constitution' in (n-1) p. 14.

in general arose late in historical time. The range of issues which were considered in determining the federal division of powers did not include environmental issues. The federal framework and the associated institutional arrangements were largely given (apart from important environmental matters such as sewerage and drainage and public health) when environmental consciousness emerged as a major factor in the community. The need to develop new institutions in such circumstances added to the costs and contributed to the slow governmental responses to environmental problems when they did emerge, but they were substantially fitted to the existing understanding of the division of powers.<sup>6</sup>

The constitutional provisions must be examined against the backdrop of two decades of major conservation controversies. Disputes such as those concerning mineral sands extraction on Fraser Island, destruction of rainforest in Queensland and New South Wales. Uranium mining in the Northern Territory, hydroelectric development in Wilderness areas of South-west Tasmania and bauxite mining in the jarrah forests of Western Australia have aroused much public comment, occupied considerable time and effort within government and caused some frustration and delay to the plans of private corporations. These

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<sup>6</sup>Stuart Harris and Frances Perkins "Federalism and the Environment - Economic Aspects" in (n-1) P. 37.

controversies have seen private corporations or development interests pitted against conservationists or environmental interests. The government has attempted to resolve these conflicts by trying to balance the opposing forces. To this end as it would be seen later in this chapter, that the concept of sustainable development offers hope. The essence of this concept is best summed up in the words of the then Prime Minister Bob Hawke "My personal view of conservation is a pragmatic one. Renewable resources provide the basis for much of our national income today and we are relying on them to continue to do so in years to come. Unless we conserve them for sustainable development it will be our children and their children who will pay the price of our neglect."<sup>7</sup>

The period prior to 1980s especially the Whitlam era as has already been mentioned was a period which witnessed many controversies where the need to develop was met with stiff resistance from those who felt the need to conserve. The problem that confronted policymakers was how to strike a balance. Over the last ten years the political debate on the balance between environmental concern and economic development has intensified. Both the Fraser and Hawke governments were involved in attempts to draft documents encoding overarching principles for a reconciliation

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<sup>7</sup>R.J.L. Hawke. Our Country, Our Future : Statement on the Environment (Canberra 1989). p.1

between environmental concern and economic development. The process began with the Fraser Government's acceptance of the World Conservation Strategy in 1980 and culminated in the lengthy reports produced by the Ecologically Sustainable Development Working Groups in 1991-92.

D. McEachern tries to analyse the government's approach to environmental policy making in the broader context of debates about politics and the character of state action. He seeks to provide a corporatist interpretation of environmental policy making.<sup>8</sup>

Nicholas M. Economou too discusses the reform of environmental policy-making by the Hawke government especially through the creation of the Resource Assessment Commission Agreeing with D. McEachern that this reform must be seen within the broader context of the Hawke government's approach to public policy generally. He argues, that the Australian Labour Party (ALP) has instituted a model for politics based on key strategic and normative approaches - a model he refers to as 'Accordism'.<sup>9</sup>

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<sup>8</sup>D. McEachern 'Environmental Policy in Australia 1981-91. A Form of Corporatism?' Australian Journal of Public Administration Vol. 52 no. 2 June, 1993.

<sup>9</sup>N.M. Economou, 'Accordism and the Environment: The Resource Assessment Commissioner and National Environmental Policy Making' Australian Journal of Political Science Vol. 28, Nov. 1993, p. 399.





Rather than providing a comprehensive account of the corporatist debate D. McEachern sets out some of the key developments as a guide to the kinds of issues that need to be considered when looking at environmental policy making. The Central features included an emphasis on incorporating peak interest representational organisations into forums for discussing, if not formulating policy; organisational and governmental representatives could interact; defining as clearly and as expansively as possible the nature of the policy issue to be addressed and in so doing deploy as much information as possible, and attempt to bind participants in the process. The tripartite form of discussion between the State, Labour and Business earned it the corporatist tag.<sup>10</sup>

D. McEachern concentrates on the analysis of some texts in order to explore some aspects of environmental policy-making in Australia. There are two basic sets of texts relevant to this consideration. The first set concerns the production of the National Conservation Strategy for Australia. In 1980, the World Conservation Strategy was published and like many countries Australia agreed to produce its own version as a way of securing broad community support for the concept of sustainable development. The preparation of an acceptable draft took from 1981 to 1983 and the preparation and dissemination of

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<sup>10</sup>Ibid.

the final text went on until 1986 when the schools version of the document was released. The National Conservation Strategy for Australia was endorsed by business at least by the Confederation of Australian Industry (CAI) and environmentalists, at least by the Australian Conservation Foundation (ACF), and by a number of state governments. The concept of sustainable development was adopted by both the mining and the forest industries.<sup>11</sup>

The second set of documents form part of the Ecologically sustainable Development process.<sup>12</sup> The concept of Ecologically sustainable Development was an Australian invention derived from a phrase used by the Prime Minister Bob Hawke in the 1989 statement "Our country, our future". In all its essentials it is indistinguishable from what is known elsewhere as sustainable development but it provided the opportunity for a new round of textual production involving government, business, trade unionists and environmentalist in a series of sectoral working parties producing more or less agreed proposals for handling contentious environmental issues and defining the principles on which the relationship between economic development and the environment should proceed.

The messages contained in the two final versions, the National Conservation for Australia and the Ecologically

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<sup>11</sup>D. McEachern 9n-8) p. 175.

<sup>12</sup>Ibid. pg. 175.

sustainable Development Reports are roughly similar: economic growth can be made compatible with environmental concern provided enough research is done and sufficient care is taken.

McEachern points out that in considering the emergence of the concept of sustainable development and its later presentation as ecologically sustainable development, there is an inner consistency that reflects the political context and the difficulty of defining an ecologically defensible accumulation strategy where growth can cause environmental damage. In terms of the political context the rise of sustainable development began as an attempt to find developmental grounds for a form of conservation policy. It sought to find a policy space which could be occupied by both business and conservationists.<sup>13</sup> Its political thrust was to allow as much economic development as possible within a strategy of resource conservation. In a broad sense drafting environmental policy statements has been a process by which governments have sought to do two things. They have tried first to define a politically acceptable response to evidence of ecological damage, and secondly to find a way to manage the unpredictable elements of increased environmental concern so as to preserve the maximum continuity of existing economic activity. It is in this combined effort that forms of corporatist initiatives

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<sup>13</sup>McEachern (n-8). p. 181.

have been evident.

Underlying this kind of environmental policy making are three main ingredients. First, there is a process of incorporation as both environmental activists and the business community are brought together, inside a set of normal political negotiations. Secondly, there is the process of assimilation in which the socially critical discourses of ecology and environmental concern are taken and turned into legitimate acceptable non threatening discussions about existing economic and resource development practices. Adaptation necessarily complemented assimilation in that it involved a consideration of the evidence of environmental damage drawn from the arguments of environmental concern.<sup>14</sup>

To construct an effective response to environmental concern and evidence of ecological damage is a difficult and challenging political process. very few countries have sought to use this group participation, debate and drafting strategy. Why was this adopted in Australia.

Nicholas M. Economor argues, that much more than being a corporatist model it was a consensus or accordism model of decision making. This was adopted because it involved central normative assumptions about policy making, that society is best served by the achievements of broad-based consensus rather than the persistence of class or socio

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<sup>14</sup>Ibid. pg. 181.

economic based conflict, and that policy could always be made by negotiation and bargaining (and, by logical extension consensus) regardless of how different the core values held by protagonists might be.<sup>15</sup>

Economou tries to analyse environment as a policy problem.<sup>16</sup> For a government committed to a policy process characterised by consensus, stability and order, environmental questions posed a major challenge, given that they could cause significant conflict on four major fronts.

First environmental issues had the capacity to trigger major disputes with the states. Many of the major disputes in this period began as bitter struggles between environmentalists and prodevelopment state governments. Some of these disputes including the landmark Franklin dam dispute - ended up in the High Court. Such conflict was in part the result of the ongoing tension in Australian Federalism where the division of powers outlined by the constitution restricts the ability of the federal government to make a national response to issues that the constitutional framers never envisaged as being so important. The environment has been a case in point; although a residual state responsibility, the incremental increase in commonwealth activity in land-use opened for environmentalists an important gateway onto national

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<sup>15</sup>N.M. Economou. n-9 p. 399.

<sup>16</sup>Ibid. p. 402.

policy-making terrain.<sup>17</sup>

The second major source of confrontation came from the nature of the interest groups working in the area. The main dividing point between those groups supporting development and those making environmental claims was, and continues to be, their fundamentally different values and attitudes.<sup>18</sup>

Two other major sources of strain were interdepartmental rivalry which divided the Canberra bureaucracy and also the division of the cabinet over these issues.<sup>19</sup>

The transition of the environment away from being something of a social issue and towards being something of an integral part of the economic debate was a major development in the post Franklin dam dispute era. Wesley Vale showed that environmentalists were now key sectoral players in the land-use debate. Whereas prior to Wesley Vale the government had been content to treat environmentalists as promotional interest groups to be kept outside the decision making process, its experience in the pulp mill dispute convinced the government of the need to

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<sup>17</sup>B.Brugger and D.Jaensch Australian Politics Theory and Practice (Sydney 1985) p 180.

<sup>18</sup>Economou n-9 p 405

<sup>19</sup>Painter and Carey 'Politics Between Departments' (St. Lucia 1979) p 9.

incorporate environmentalist participation from the outset.<sup>20</sup>

The Wesley Vale case (Pulp mill controversy over the emission of dioxidin into the environment vividly revealed the inability of the institutional decision-making process to cope with the overload of information caused by protagonists producing voluminous, contradictory data in support of their case. An administrative solution would not only have to institute multilateral dialogue but also attempt to accumulate, aggregate and sort the information available in the realm. A model for just such a body existed in Vistoria where, since 1971, a body called the land conservation council had been adjudicating over competing landuse demands. Based on it the Resource Assessment Commission was set up.

The Resources Assessment Commission Act 1989 provided for a statutory authority comprising a chief commissioner capable of appointing assistant commissioners with specific expertise in those areas of inquiry referred to the commission by the government. Assisting the commissioner would be an office structure whose primary functions would evolve around the processes of accumulating information, undertaking research, facilitating interest group interaction through the preparation of submissions and

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<sup>20</sup>J.Kerrin 'Making Decisions We can Live with Canberra Bulletin of Public Adminsitration vol. 62, Oct. 1990 p. 20.

undertaking community education and consultation through the public bearing process.<sup>21</sup>

The Resources Assessment Commission (RAC)'s establishment as a mediating pillar in the hitherto problematic politics of land use aimed to solve four major sources of strain and conflict. First, the RAC's mediation processes aimed at eliminating allegations of exclusion usually levelled by disgruntled participants at the completion of the decision making process. Secondly, the opening up of opportunities for protagonists to have input into the decision making process at its beginning rather than at its end was designed to stop interest groups pressuring government into reversing policy decisions. Thirdly, the RAC was established to solve real problems institutionalised decision makers had been having with the debate over technical and scientific information.<sup>22</sup>

Finally, the RAC process aimed to achieve one of the ultimate objectives of "Accordism", namely to arrive at decisions where the government is able to claim some form of cross interest group consensus as part of the outcome. The opening up of proactive roles in the RAC's deliberative processes for those bodies identified by the government as leading interest groups in the field is the basis upon which consensus is implied. By participating in such a

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<sup>21</sup>Nicholas Economou n-9 p. 405.

<sup>22</sup>Ibid. p. 406.



process, interest groups and their respective leaders link themselves into outcomes regardless of whether or not they support the fundings that are published in draft or final reports.<sup>23</sup>

The formation of the RAC was indeed an important moment in the recent history of the Hawke government's approach to environmental policy-making - particularly when considered alongside the creation of the EDSWG process and the moves towards instituting RSC which represented a major, qualitative reform of the land use and resource policy making process. These initiatives were to be the foundation upon which a new approach to land use politics was to be instituted. This was designed to bring stability to an area that had hitherto been constantly beset by strain, tension and instability to such an extent, that calls for a rationalisation of the system had come from both developer and environmental protagonists in the debate.

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<sup>23</sup>Ibid p. 407.

# CHAPTER - III

## AUSTRALIA AND THE ENVIRONMENTAL CONFERENCE (Rio Earth Summit)

Since a country's international endeavour are partly the outcome of its domestic policies, the previous chapter focused on some Australian constitutional provisions, as well as, the approach of the government towards environmental policy making.

This chapter will focus on the Rio Earth Summit and highlight the main documents signed here and also discuss the issues, which are of importance to Australia.

The United Nations General Assembly decided to convene a historic international conference, the United Nations Conference for Environment and development which was held in Rio de Janeiro capital of Brazil from 3rd to 14th June 1992. Brazil being a symbol of severe ecological crisis, was elected to host the summit to effectively highlight the consequences of man's recklessness.

Whether the summit constitutes cause for hope or for despair is a complex question. Without the benefit of a decade of hindsight, how does one appraise the effectiveness of a meeting that brought together more than 150 nations, 1,400 nongovernmental organisations and 8,000

journalists, as well as, thousands of Brazilians.<sup>1</sup>

Instead of being judged against a single conception of what its outcome should have been, the Rio conference dubbed as the Earth Summit, must be judged within the context of a process of increasing attention, sophistication, and effectiveness in the management of environment and development issues. As UNCED Secretary-General Maurice F. Strong said in his opening address to UNCED.

"The Earth Summit is not an end in itself, but a new beginning. The measures you agree on here will be but first steps on a new pathway to our common future. Thus, the results of this conference will ultimately depend on the credibility and effectiveness of its follow-up. The preparatory process has provided the basis for this and the momentum which has brought us to Rio must be maintained. And institutional changes, as the secretary-general has said, to be made within the United Nations must provide an effective and credible basis for its continued leadership of this process... The road beyond Rio will be a long and difficult one; but it will also be a journey of renewed hope, of excitement, challenge and opportunity, leading as we move into the 21st century to the dawning of a new world in which the hopes and aspirations of all the world's children for a more secure and hospitable future can be

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<sup>1</sup>Times of India 21 June 1992.

fulfilled."<sup>2</sup>

Thus, the important question is not how many treaties were signed or what specific actions were agreed on, but rather how effectively UNCED contributed to this broader process. This more politically sensitive judgement of UNCED should be of greater use both to observers who wish to make sense of the unfolding political activities and to practitioners attempting to enhance the process.

International Conferences and institutions are only as effective as governments choose to make them. International efforts to promote environmental protection have been most effective when they enhance governmental concern, provide a forum for governments to harmonise international policies and improve national capacities to cope with environmental threats.

It is this context, that one must examine the role of the Australian delegation to the conference. Ms Ros Kelly the Australian Minister for Arts, Sport the Environment and Territories led the delegation which consisted of 49 people - representatives from commonwealth, state and local governments, the Federal Opposition, business and industry, trade unions and community groups. It was very active at UNCED in initiating discussion and ensuring debate remained focused on the relevant issues. Ms Ros Kelly points out

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<sup>2</sup>M.F. Strong, UNCED Secretary General statement at opening of UNCED Rio Brazil 3rd June, 1992.

that Australia - with its international reputation as an honest broker, positioned between the 'Big Seven' industrial nations and developing countries - is uniquely placed to provide direction and assistance in the ongoing process that flows from UNCED.<sup>3</sup>

Commenting on the role of the Australian delegation the ministerial report points out that three major negotiating sessions ran concurrently every day in which eight contact groups were established to deal with key issues, finance, technology transfer, forests, biodiversity and biotechnology, atmosphere freshwater, institutional arrangements and legal issues Australia participated actively in each of these and in the parallel main committee and plenary sessions, NGO liaison and other functions all necessary to effective involvement.<sup>4</sup>

The officials were also part of a small group which successfully negotiated a resolution of an impasse between the oil-dependent Arab nations and others in relation to the atmosphere chapter of Agenda 21.

They were responsible for facilitating resolution through a small working group, of differences over the need for changing consumption patterns.

they were closely involved in a small working group which resolved differences on compliance and dispute

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<sup>3</sup>Ros Kelly - Report on UNCED. Canberra 1992. p. v.

<sup>4</sup>Ibid. p. 4.

resolution within the Agenda 21 Chapter on legal instruments and mechanisms.

The delegates were active players in final negotiations on Agenda 21 Chapters in oceans, forests and on the role of major groups.

They were closely involved, both in a small working group and through informal negotiations, in resolving problems associated with funding issues, which were vital to the successful outcome of the whole conference.<sup>5</sup>

So far as the outcomes of the conference is concerned. Four major documents resulted from the two years of preparation for UNCED, the series of preparatory meetings which took place - and finally UNCED itself.

First the Rio Declaration - The Rio Declaration was originally conceived of as an 'Earth Charter' a statement of environmental principles for national behaviour. During the Preparatory Committee meetings developing countries insisted that a balance be established between environmental principles and those relating to development. Although the resultant compromise declaration is less inspiring and coherent than its original proponents had hoped, its 27 principles include key elements of the political agendas of both industrialised and developing countries. Principles in the document include a state's

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<sup>5</sup>Dept. Foreign Affairs & Trade - Australia and the Environment Australian Briefs Canberra, Sept. 1992.

sovereign right to exploit its on resources in accordance with its own policies, without harming the environment elsewhere (principle 2); the right to development principle 3; environmental protection as an integral part of development (principle 4); sustainable development that requires reducing unsustainable patterns of production and consumption and that promotes appropriate demographic policies (principle 8); access to information and citizen participation (principle 10); the precautionary principle (principle 15); and the polluter pays principle, including the internalisation of costa and the use of economic instruments (principle 16).<sup>6</sup>

The Australian Ministerial Report on the Summit points out that while some of the language used to reflect particular principles is not exactly as Australia would have preferred, the Declaration has been endorsed by consensus resolution of the 178 countries present. The declaration does contain however some important principles, strongly promoted by Australia and like minded countries during the UNCED preparations. These do advance international agreement and, ultimately, customary international law. Principles relating to environmental impact assessment, population, the precautionary principle, the polluter pays principle, cost internalisation,

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<sup>6</sup>Parson, Haas & Levy. A Summary of Major Documents Signed at Earth Summit Environment Vol. 34 no. 8, Oct. 1992, pg. 12.

intergenerational equity and public consultation are particularly important.<sup>7</sup>

Second the Convention on Biodiversity - Discussions for a convention on biological diversity or biodiversity which concluded on 22nd May 1992 in Nairobi, were initiated in 1988 by the United Nations Environment Programme's (UNEP) governing council. The issues of biodiversity and biotechnology were originally treated by separate working groups, but were merged to be handled by a single intergovernmental negotiating committee in 1991 over the objections of the United States and other nations.

The treaty has three goals: the conservation and sustainable use of biological diversity and the fair sharing of products made from gene stocks. To advance these goals, the signatories must develop plans for protecting habitat and species; provide funds and technology to help developing countries provide protection; ensure commercial access to biological resources for development and share revenues fairly among source countries and developers; establish safety regulations and accept liability for risks associated with biotechnology development. Financial assistance initially set at \$ 200 million will ultimately be channelled through some mechanism under the control of the signatories but will be administered by the global environmental facility on an interim basis.

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<sup>7</sup>Ros Kelly (n-3) p.6.



The negotiations were plagued by conflict over the financial mechanism the sharing of benefits, and biotechnology regulation. France originally threatened not to sign the treaty because it did not include a list of global biodiversity rich regions; Japan threatened not to sign because it feared biotechnology regulation. At the last moment, both relented, and only the United States refused to sign the treaty because the US officials felt, that the financial mechanism represent an open ended commitment without sufficient oversight and control; that the benefit sharing provisions were incompatible with existing international regimes for intellectual property rights; and that the requirement to regulate the biotechnology industry would needlessly stifle innovation.<sup>8</sup>

Signature of this convention by more than 150 countries provides added impetus to the completion of the National Strategy for the Conservation of Australia's Biodiversity, which is being currently developed through the work of an advisory committee which includes broad community representation. Being more than just a framework convention, the biodiversity convention provides some substantive and detailed direction which will influence the direction of the Australian national strategy.

As the only developed country with megadiversity

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<sup>8</sup>Angela Harkavy The Earth Summit the Final Effort (Rio de Janeiro 1992) p 6.

status, and with considerable expertise in the conservation, management and sustainable use of that biological diversity Australia has much to gain from its effective implementation.<sup>9</sup>

Third, the climate change convention. Before discussing the negotiations at Rio it would be useful to discuss the Australian approach to climate change. Pera Wells while highlighting the Australian point of view points out that Australia attaches great importance to the convention dealing with all aspects of human induced climate - including limits on emissions of the several greenhouse gases, protection and improving the effectiveness of sinks, and adapting to the impacts of climate change.<sup>10</sup>

Australia favoured the adoption of comprehensive approach which would address the full problem (all aspects) of climate change not just a part of the problem (such as carbon dioxide).

It provides the flexibility to take into account individual differences between countries, thereby, allowing greenhouse reduction strategies to complement other national policies for the environment or the economy.

It seeks to develop an effective program of action

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<sup>9</sup>Environment Australia's International Agenda no. 5, July 1992.

<sup>10</sup>Pera Wells, "The Climate Change Convention", Sustainable Development, Feb. 1992, p. 105.

based on consensus and joint commitment to a target.

It seeks to develop an effective program of action based on consensus and joint commitment to a target.

It recognises the interrelation between national and international action; and

It recognises current areas of scientific uncertainty, and the improving level of knowledge which is expected to occur.<sup>11</sup>

Australians placed a lot of importance on the establishment of a target for greenhouse gas emission reductions. They were in support of the adoption of the Toronto target (target agreed to at the international conference on Global Warming held at Toronto and sponsored by the Canadian Government) as a global target. Australia, therefore, supports the idea that there should be international agreement to the Toronto target on carbon dioxide and reductions of other greenhouse gases not controlled by the Montreal Protocol, as a global target. However at the sametime it would be appropriate for all developed countries to establish national targets and for all developing countries to commit themselves to appropriate action to reduce the threat of human induced climate change in accordance with their common but differentiated responsibilities.<sup>12</sup>

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<sup>11</sup>Ibid. p. 105-106.

<sup>12</sup>n-9 p.4.

Pera wells puts forward the following arguments emphasising the need for targets. First, targets are an effective policy tool as demonstrated in the Montreal Protocol to reduce CFCS and in their use for other environmental issues. Second, targets provide a framework for action especially where action will be required across a number of sectors and over time. Third, targets provide a clean signal to governments, industry, and the community that specific measures to implement significant reductions are on the way; and finally that targets are flexible and can be increased or decreased to take into account changes in the science or other relevant factors.<sup>13</sup>

Against this background of Australian approach one can now proceed to discuss the negotiations for the convention on climate change formal international discussion of a convention on climate change<sup>14</sup> began in 1988 with the establishment of the Intergovernmental Panel on Climate Change (IPCC), an advisory body of scientists and officials that assessed comprehensively climate science, impacts, and response strategies. IPCC served as a form for prenegotiation because many of its participants expected it to be followed by formal negotiations under the same authority. Instead the UN General Assembly passed a

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<sup>13</sup>Pera Wells (n-10) pp. 106-107.

<sup>14</sup>Drafts Agenda 21, Rio Declaration Forest Principles Preparatory Committee Report (New York 1992).

resolution in December 1990 that established the Intergovernmental Negotiating Sessions, however, discussions stalled between the United States and other industrialised countries, particularly those of the European Community and Australia which argued that the convention should contain specific commitments to limit emissions of carbon-dioxide - at present the largest contribution to human induced changes in radiation forcing it to 1990 levels by 2000. The United States argued that such units were premature and lacked sufficient scientific evidence and that any controls should be enacted comprehensively on all gases contributing to climate change.<sup>15</sup>

INC chairman Jean Report of France broke the deadlock by drafting a compromise document that requires industrialised countries to develop national emission limits and emission inventories and to report periodically on their progress, without targets or dates instead of detailed commitments, the countries would accept a circuitously worded goal of returning their greenhouse gas emissions to earlier levels by the turn of the century.<sup>16</sup>

The ultimate objective of the convention is to stabilise greenhouse gas concentrations in the atmosphere

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<sup>15</sup>S.Collet-'Prepcom 3 Preparing for UNCED 'Environment vol. 24, Jan.-Feb. 1992. pp 3-5.

<sup>16</sup>Ibid.

at a level that would prevent dangerous anthropogenic interference with the climate system. Even though Australia was unable to press for the adoption of the Toronto target as the global target due to stiff opposition from the United States of America. (American resistance was due to the fact that commitment to target for bringing down emission levels would result in cutbacks on industry thus affecting the economy adversely). Importantly for Australia, the convention takes account of the differing economic structures and resource bases of countries. It particularly recognises the special difficulties facing countries with economies that are highly dependent on income generated from the production, processing and export and or consumption of fossil fuels and other energy intensive products as a result of measures to limit green house emissions.

These outcomes highlight the need for Australia to advance the National Greenhouse Response strategy developed following processes established in the Intergovernmental Agreement on the Environment.<sup>17</sup>

Finally, Agenda 21<sup>18</sup> Agenda 21 is the only document signed at UNCED that attempts to embrace the entire

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<sup>17</sup>Environment Australia's International Agenda no. 7 Jan. 1993. Canberra. p. 2.

<sup>18</sup>The Global Partnership for Environment and Development - A guide to Agenda 21, UNCED, Geneva, April 1992.

environment and development agenda. It is also the largest product of UnCED, comprising 40 chapters and 800 pages and states goals and priorities regarding a dozen major resource, environmental social, legal, financial and institutional issues. Each chapter contains a description of a program and its cost estimate.

Agenda 21 is not a legally binding document but a work plan or agenda for action with a political commitment to pursue a set of goals. Agenda 21 includes estimates of the annual costs of its programs in developing countries from 1993 to 2000, of which about \$ 125 billion per year will come from the industrialised countries. Although it may only be a workplan the contentions negotiation of many parts of Agenda 21 underscores its importance to the signatories.<sup>19</sup>

Chapters most difficult to negotiate were those on financial resources in developing countries to implement UNCED outcomes (an issue crucial to a successful outcome of the whole conference. Second, forests (where many mainly developing countries like Malaysia were determined to ensure strong recognition of sovereign rights and looked to developed countries to take responsibility for their own forest resources and for their historical responsibilities for atmospheric pollution). Third, atmosphere (in which

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<sup>19</sup>Mark Nicholls 'The World Prepares for The Earth Summit' World Press Review March 1992 pp 22-23.

some fossil fuel dependent nations resisted several aspects of this chapter. In particular, those nations claimed there was an over emphasis on new and renewable energy sources and on problems associated with high levels of energy, particularly fossil fuel, consumption as well as specific reference to policy instruments such as carbon tax); and fourth oceans which contained many issues concerning the rights and responsibilities of states with respect to the management and use of marine living resources.<sup>20</sup>

While most chapter of Agenda 21 have significance for Australia, key among the outcomes from a domestic perspective are chapters on:

International cooperation (chapter 2) which contains detailed material on the need for compatible trade and environment policies.<sup>21</sup>

Integration of Environment and Economics (Chapter 8), stresses market based mechanisms such as taxes, tradable rights and the removal of subsidies as complementary to more traditional command and control regulation of activities. It also promotes the greater use of economic instruments in achieving environmental objectives.<sup>22</sup>

Protection of the Atmosphere (chapter 9), which seeks

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<sup>20</sup>Crispen Tickell The World After the Summit Meeting at Rio Washington Quarterly Spring vol. 16, no. 2, 1993 p. 76.

<sup>21</sup>UNCED - Agenda 21 (Documents) Rio de Janeiro 1992 p.2.

<sup>22</sup>Ibid - p-77.



to support and hasten implementation of existing agreements in the areas of ozone depletion, transboundary air pollution and climate change. This chapter describes programmes to improve scientific understanding of the atmosphere and improve international cooperation in fields such as energy efficiency and consumption, transport, industrial development and resource policy.

Combating Deforestation (Chapter 11) which, along with the associated statement of Forest Principles, provides direction and specific programs to advance the achievement of sustainable forest management and conservation. The chapter also creates an opportunity for further international action on forest issues which may ultimately lead to agreement to negotiate a Forests Convention.<sup>23</sup>

Combating Desertification (Chapter 12) dealing with a comprehensive program to address the underlying causes and social and economic costs of unsustainable uses of lands subject to desertification and drought. UNCED has agreed to the negotiation of a convention on desertification. Australia's experience in this area are widely respected, and the early commencement of work on the convention will be a priority issue for many countries affected by land degradation, particularly those in sub-saharan Africa. An international convention particularly directed at Africa, could provide further opportunities for Australia in the

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<sup>23</sup>Ibid - p. 93, 113.

provision of land management expertise.

Sustainable Agriculture (Chapter 14) contains a number of strategies and programs aimed at providing a firm basis for sustainable food production at the global level. A total of 10 program areas address issues as diverse as integrated pest management, the conservation of water, energy inputs to agriculture, conservation of natural resources, plant nutrition, maintaining and improving the productivity of higher potential agricultural land and the rehabilitation of lower potential land. As a major agricultural producer this chapter has special significance for Australia.

Biological Diversity (Chapter 15) sets up a program complementary to the convention and one which will assist its early implementation.<sup>24</sup>

Oceans (Chapter 17) which covers the full breadth of marine and coastal management issues, including fisheries. The highlight of the outcome on this chapter was agreement to hold an intergovernmental conference to seek to resume pressing issues concerning the management of fish stocks which straddle or move across the boundaries of national fishing zones and the high seas. Australia's coastal management expertise and interest in marine resource issues make this an important chapter for Australia.<sup>25</sup>

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<sup>24</sup>Agenda 21 (n-21) - pp. 131, 159, 189.

<sup>25</sup> Ibid, Chap. 17, p. 215.

Wastes and chemicals (chapters 19 to 22) provide a comprehensive analysis and program for national and international action to minimise the adverse environmental consequences of the use, treatment, transport and handling of toxic chemicals and hazardous wastes, as well as measures to promote more effective treatment and disposal of other wastes. Waste minimisation is one of the key strategies pursued in these chapters.<sup>26</sup>

Sections of Agenda 21 relating to major groups - women, children and youth indigenous people, NGOs, local authorities workers and trade unions, business and industry, the scientific community, and farmers - are also of significance for Australia, as is the major section on means of implementation. It is upon this latter section which deals with the financial technological, scientific, institutional and legal means by which such development can be achieved that the success of UNCED will finally be judged.<sup>27</sup>

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<sup>26</sup>Ibid. Chap. 19-22. pp. 289, 309, 327, 343.

<sup>27</sup>n-3, p-8.

# CHAPTER - IV

## ENVIRONMENT AS A FACTOR IN AUSTRALIAN FOREIGN POLICY

The 1980s, saw the emergence of a new conception of national and international security, which challenged the traditional definition of security based on competition in political - military power. Known as 'comprehensive security' or 'common security, it is based on the principle that no country can increase its security without at the sametime increasing the security of other countries<sup>1</sup> by the entire international community : nuclear war, global environmental degradation etc.

The common security concept also views traditional military security policies as serious obstacles to meeting all these common global threats. The Palme Commission composed of senior political leaders from both the superpowers and from developed and developing nations articulated this new conception of security in its 1982 and 1989 reports. It argued, that the abolition or large reduction in weapons of mass destruction and conventional disarmament are necessary to provide momentum for progress

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<sup>1</sup>Jessica Tuckman Mathews, 'Redefining Security' Foreign Affairs, Vol. 68, Spring 1989, pp. 162-168.

on economic and social development and environmental conservation<sup>2</sup>.

The concept of comprehensive security, as further elaborated by a group of experts commended by the United Nations Environment Programme, as well as, other specialists on international environmental problems, hold that environmental security is one of the two fundamental aspects of global security along with assurance against nuclear war. According to this view such threats to the global life-support systems as green house warming, ozone depletion and the loss of tropical forests and marine habitats are just as important to the future of the earth as insuring against nuclear catastrophe.<sup>3</sup>

The Norwegian Prime Minister Mrs. Gro Harlem Brundtland became the chairperson of the world commission on Environment and Development, which produced the most important document in the movement for sustainable development. She was already, a member of the Palme Commission and thus, steeped in the concept of common security. The report Our Common Future was explicit about the tension between security defined primarily in military terms and environmental security. It criticized global

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<sup>2</sup>Palme Commission on Disarmament and security, "A world at Peace : Common Security in the Twenty-first Century. Stockholm, 1989,

<sup>3</sup>Environmental Security ; A Report Contributing to the Concept of Comprehensive Security; Stockhorm, 1989,

militarism and the vested interests that profited from it and called on nations to turn away from the destructive logic of an arms culture.<sup>4</sup> Increasingly, scientists, academics and professional in the fields of international development and the environment share the assumptions of the common security perspective, that the combination of economic interdependence and global environmental threats are shifting traditional national security concerns to a focus on collective global security.<sup>5</sup>

Conventional security policy is also concerned with the problem of natural resources scarcities, but it views such scarcities as yet another reason for waging political-military conflict. It assumes that, since, these are not enough resources to go around, nation states must compete for control of them using all their power and resources. The environmental security perspective, on the other hand, assumes that the real problem is the mismanagement of the resources by all concerned as that the solution to such threats is international cooperation for environmental and resource conservation not futile conflict over the degraded resources itself. Thus, environmental security as a concept cannot be integrated into conventional national

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<sup>4</sup>World Commission on Environment and Development; Our Common Future, New York 1987; 297.

<sup>5</sup>Preserving the Global Environment: The challenge of shared leadership; Final Report on the 77 in American Assembly April 19-22 1990, New York, 1990. p-5.

security thinking, this definition of security is global rather than national in scope<sup>6</sup>

Now to examine some of the non-military threats to Australian security, and the foreign policy initiatives undertaken in this regard the primary focus would be on Antarctica and climate change.

The Antarctica, which comprises about 10% of the earth's land and water areas is the only continent that has not been exploited for economic purposes. But it is believed to contain considerable mineral wealth, including reserves of uranium, gold, silver, and other precious metals under the Antarctic Peninsula and oil, natural gas and manganese nodules off shore<sup>7</sup>. Given the extreme conditions in Antarctica, which increase the likelihood of accidents and decrease the ecosystems ability to recover from disruption, ecologists fear that mineral exploitation would pose serious threats to the environment.

The issue of mineral exploitation is embedded in the broader regime for Antarctica established by the Antarctica Treaty of 1959 which bans military activities and radioactive wastes in the continent and sets it aside as a research preserve. The original twelve signatories to the

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<sup>6</sup>Daniel Deudney, 'Environment and Security; Muddled thinking. The Bulletin of Atomic Scientists. April 1991. p - 28.

<sup>7</sup>Barbara Mitchell, Frozen Stakes The Future of Antarctic Minerals, Washington Dc. 1983. p-7.

Antarctic Treaty (Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, the United Kingdom the United States and the Soviet Union), including seven that have made territorial claims in Antarctica and five others that insist on viewing the continent as the common property of mankind.

Antarctica is under the collective management of thirty-eight states called the Antarctic Treaty Consultative Parties (ATCPs) including the twelve original signatories and twenty-six other states, who have since signed the treaty and have been accepted by the original signatories as having done substantial scientific research activity there<sup>8</sup>

The Antarctic Regime is not primarily for environmental purposes. Three agreements have been reached on environmental protection in Antarctica : Agreed measures on the conservation of antarctic Fauna and Flora of the continent in 1964, as convention for the conservation of Antarctic seals in 1972, and a convention on the conservation of Antarctic Marine living resources (CCAMLR) in 1980. But compliance with these agreements is voluntary<sup>9</sup>.

Most of the ATCPs driven by the sudden price increase

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<sup>8</sup>Barbara Mitchell, 'Undermining Antarctica; Technology Review Feb. March 1988, p 56.

<sup>9</sup>Barbara Mitchell (n.7) p.20.



in the international oil market, agreed, that an international regime was needed to govern eventual exploration for antarctic oil and gas resources. Negotiations began in 1981 and continued through a series of international meetings for the next seven years. Reconciling the minerals regime with environmental protection was one of the many issues under negotiation. The most enthusiastic pro-mining states were the United states. West Germany, Japan, Britain and France. Australia, Argentina and Chile were working for stronger conservation measures<sup>10</sup>. In June 1988 at Wellington twenty of the ATCPs signed the convention on the Regulation of Antarctic Mineral Resources Activities (CRAMRA).

CRAMRA would require a consensus of all members of a commission to carry out any mineral exploitation that might have any substantial environmental impact. It would have provided for a ten-nation regulatory body. Nevertheless environmentally questioned whether the CRAMRA structure could adequately ensure the non-degradation of the Antarctic environment. They argued that the major purpose of the treaty was to facilitate minerals exploitation and not to protect the environment<sup>11</sup>.

On 22 May 1989, the Australian Government announced, that it would not be signing the CRAMRA . Instead

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<sup>10</sup>Christian Science Monitor 7, June 1988.

<sup>11</sup> Ibid.

Australia announced that it was opposed to any mining in and around the Antarctic continent and it would explore the establishment of an Antarctic wilderness park a concept which describes as a nature reserve land of science. The government's consensus position on Antarctic issues and came after much public debate which had encouraged on the merits of the convention<sup>12</sup>.

The no-mining decision was diplomatically risky; at that stage the only other antarctic treaty party to state that it would not ratify the minerals convention as it stood was France. Australia's move to a non-mining position was a significant shift from its previous position during the years of negotiations that Antarctic mining could be safe if properly regulated. While Australia had never supported mining in the Antarctica it has supported the minerals negotiations as the best way to achieve protection for Antarctica when mining commences. Australia's refusal to ratify the convention constituted a veto as countries claiming sovereignty in Antarctica need to ratify or accede to CRAMRA before it can enter in to force<sup>13</sup>.

There were many factors behind the shift to no mining position- the Exxon Valdez oil spill, opposition politics, the nature of the issue itself, and the changing mood of

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<sup>12</sup>Anthony Bergin ; "The Politics of Antarctic Minerals : The Greening of white Australia". Australian Journal of Political Science, vol. 26 Nov. 1991 p 216.

<sup>13</sup>Ibid. pp 216 - 17.

the electorate to environmental issues was clear from the Green vote in the elections.

In August, 1989, France another claimant state jointly proposed with Australia that Antarctica be designated a nature preserve asserting that mining was not compatible with environmental protection there. Belgium Italy, Austria, Greece, India and the European Parliament then joined the call for making Antarctica a permanent wilderness preserve. Finally New Zealand, formerly a strong supporter of the minerals regime process but under strong pressure from environmentalists abandoned the minerals treaty in early 1990 and indicated that it would work with France and Australia to protect antarctica from mining. with the tide now turning against the minerals regime, the UN General Assembly voted overwhelmingly in 1989 in favour of an Antarctic world Park<sup>14</sup>.

The Australian initiative was first strongly resisted by the united states, but it was soon subjected to its own domestic pressures, the United states retreated to a proposal for a legally binding moratorium, through still not a permanent ban on minerals exploration in Antarctica. At the 1990 ATCP meeting the parties agreed to pursue the negotiation of a new comprehensive legal, instrument. On the environmental protection of Antarctica, which would

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<sup>14</sup>Gareth Porter & Janet Welsh Brown, Global Environmental Politics, San Francisco, 1991, p.91.

prohibit any exploration for mineral resources in the region.

At a special meeting of the treaty parties in December 1990. The concept of a long term moratorium which was opposed by the United States, United Kingdom, Japan etc. A compromise proposal was tabled for a fifty year ban on mineral related activity in Antarctica that could be lifted only with the support of all twenty six of the present ATCP's thus continuing to give them each the power of a veto<sup>15</sup>.

At another meeting in Madrid two months later, the proposal was supported by every ATCP except the United States which demanded an amendment that would allow any state to dissociate itself from the ban, if a proposal for amendment was not passed within three years. After two weeks of intensive lobbying by other states like Australia, the United States agreed on July 3rd to a new compromise that would permit a repeal of the mineral ban by three-fourths of the twenty-six ATCPs<sup>16</sup>.

Explaining the reason behind Australia's action Bruce Grant and Gareth Evans point out that it is simply not possible to have mining or oil drilling in a unique fragile and irreplaceable environment such as the Antarctic without the risk of extensive environmental damage, of the kind

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<sup>15</sup>n.14, pp 91 - 92

<sup>16</sup>n.14, p 92

which occurred with the Exxon Valdez spill off the coast of Alaska in 1989. Another important consideration is that mining and oil drilling should they ever come to Antarctica are most likely to take place, in that two percent or so of the continent near the coast and in offshore areas—the very areas where wildlife is congregated and where human interference could be disastrous<sup>17</sup>.

Explaining the imitative taken, Gareth Evans points out "for thirty years the Antarctic Treaty has protected the Antarctic Environment, kept Antarctica free of political conflict and preserved it as an area of scientific urging from which nuclear weapons and military activities are prohibited. Australia's Antarctic initiative sought to build on this unique achievement, within the framework of Antarctic Treaty greater protection for the Antarctic than could have been anticipated at the outset of the campaign. Australia with France has the satisfaction of knowing that we have fundamentally changed the terms of the environmental debate about the future of a whole continent"<sup>18</sup>.

Another important issue engaging the attention of the Australian foreign policy makers is the issue of climate change. Since we have already discussed this issue and its

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<sup>17</sup>Gareth Evans & Bruce Grant, 'Australia's Foreign Relations in the world of 1990s', Melbourne 1991, p 156.

<sup>18</sup>Ibid. pp 156 - 157.

significance for Australia, in detail, in the earlier chapter we shall only dwell on its importance and certain specific programmes undertaken in this regard.

States have sometimes been driven by their exceptional vulnerability to the consequences of environmental problems to support or even take the lead on strong global action. Thirty-two small states that are especially vulnerable to sea level rise because of global warming formed the Association of small Island States (AOSIS) in November 1990 to lobby in international fora for strong action to limit carbon dioxide emissions from the industrialised countries.

Australia's support for a strong climate change agreement is based on three factors first, its concentration of population centres in low-lying areas on the vast second, its large areas of semi-arid marginal land that could easily become decertified with global warming. Third, its location in the south Pacific, with its vast expanse and low lying relatively small islands. Australian officials fear that several hundred thousand refugees from pacific islands inundated by a rise in sea level would seek refuge in Australia <sup>19</sup>.

"The potential, economic, social and security costs of not acting to avert environmental threats are massive.

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<sup>19</sup>Stephen Schneider - Global Warming Are We Entering the Green House Century (San Francisco, 1990) p. 287.

Even if it were possible for the Australian continent itself to be insulated from environmental degradation, we would be still facing grave consequences from environmental threats in our region and beyond. A rise in sea levels to take just one example would have a devastating effect on the small island countries of the south pacific. It would destabilise a region of primary strategic interest to Australia. It would create in its wake scores of thousands of environmental refugees, who would mainly look to Australia for resettlement. It would place heavy additional demands on our aid programme. In short quite apart from the cost in terms of human misery and dislocation to island communities, which ofcourse are in themselves ample reasons for our concern, it would jeopardise vital Australian national interests<sup>20</sup>

"Australian policy has been responsive to all these concerns through commitment to exchanging information and undertaking research and monitoring of climate changes, through our support for regional conventions like the south pacific Regional Environment Protection Connection, and through working to ensure that south pacific interests are addressed in broader international xx and by major powers"<sup>21</sup>. Some particular programmes undertaken include,

- a) The ASEAN/Australian Energy Cooperation

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<sup>20</sup>Gareth Evans, Bruce Grant (n-17) p 153.

<sup>21</sup>Ibid. pp 153 - 155.

Programme, which is funded by the Australian International Development Assistance Bureau, and carried out under contract by the Gas corporation of the state of Victoria. It aims at improving energy efficiency and also examines the use of non-conventional energy sources<sup>22</sup>.

b) Sea-level monitoring programmes Australia is funding a network of tide gauges to monitor sea level in the South - Pacific Forum countries. The assistance will cover the provision of equipment, installation, training, in operations and maintenance and cooperation in the analysis of data. Australia is also cooperating with the ASEAN countries in the analysis of data from the tide gauges they have installed.

c) South Pacific climate monitoring programme- Australia has funded a feasibility study being carried out by world meteorological organisation to identify the needs of South Pacific countries for a climate change monitoring network to cover the region<sup>23</sup>.

Australia has been motivated to strongly support protection of the ozone layer because of the ultraviolet readings that are now 20% above normal and a rate of skin cancer among Australians that is already the world's

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<sup>22</sup>Wells Pera 'The Climate Change Convention' Sustainable Development Feb 1992 p 107

<sup>23</sup>Deccan Herald, Bangalore, 1 June 1992



highest<sup>24</sup>.

Australia has been at the forefront of international efforts to ban driftnet fishing because of its indiscriminate pillaging of the marine living resources.

Another aspect of security is assurance against a nuclear war. Opposition to nuclear testing in the South Pacific has been driven largely by the worries in the part of island countries that testing would contaminate their ocean environment. Allied to this is the concern over nuclear waste dumping, as well as, destruction of chemical weapons by USA on Johnson Atoll.

It is in order to control the environmental impact of nuclear weapons that the initiative was taken for a nuclear weapons free zone. The concept devotes a zone" which a group of states may establish by a treaty whereby the status of total absence of nuclear weapons to which the zone shall be subject is defined and a system of verification and control is set up to guarantee compliance. The three essential characteristics of NWFZ are non possession, non deployment and non-use of nuclear weapons<sup>25</sup>. The initiative for the South Pacific Nuclear Free Zone came not only from within the region, infact it has considerable history behind it. The Australian Labour

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<sup>24</sup>Ibid. p 107

<sup>25</sup>Ramesh Thakur 'In Defence of New Zealand, Foreign Policy Choices in the Nuclear Age - London, 1984 p 149.

Party (ALP) was attracted to the concept as early as 1962, after the successful denuclearisation of Antarctica in 1959. The New Zealand labour party leader Norman Kirk was drawn to the idea after the conclusion of the Latin American Zone in 1967. The most appropriate agency for pursuing a regional initiative is the South Pacific Forum. The issue which had come up for discussion since 1975, however, nothing concrete came out of it due to the unsympathetic attitude of the conservative Government. The return to power of labour government in early 1980s in Australia saw the revival of the concept. The Labour Government took the proposal to the fourteenth South Pacific Forum Meeting held in Canberra in August 1983. The Forum Countries reiterated their strongest protests and condemnation of continued French nuclear testing in the south pacific, and expressed strong opposition to proposal for dumping and storing nuclear waste material in the pacific. The Australian initiative in reviving the NWFZ concept was commended <sup>26</sup>. After a series of deliberations the draft treaty was adopted by the Forum meeting in Cook Islands in August 1985 and is known as the treaty of Rarotonga.

Australia being mainly a trading nation, trade becomes an important consideration for foreign policy. Environmental regimes can affect trade. For example

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<sup>26</sup>Ibid pp 161 - 163

climate change has potential implications for Australian energy exports especially coal and for its agricultural productivity. The increased costs incurred by some industries through environmental taxes and regulations may result in pressure on governments to protect these industries through trade restrictions with flow-on effects for Australia's multi-lateral trading interests.

Moreover, greater international sensitivity to the causes of climate change would open up new trade opportunities for Australia - "the international preoccupation with the environment will have multi-million dollar spin-offs in new technologies training, consultancies development assistance programmes". The government estimation is that the world market in environment management and technology would be worth between US \$ 300-400 billion by the year 2000 and that much of that demand will be in the Asia-Pacific region. AUSTRADE judge that Australia could export up to \$500 million worth of environmental products and services by the year 2000. Australian companies are already succeeding in international green technology markets. Companies like MEMTECH, a world leader in filtration has already attained international sales of A \$ 90 million and has operations in South-east Asia, the US and Europe; or SEPA with industrial waste water treatments operations in New Zealand and Asia, sales of SIROFLUCs water purification technology have been

made to Europe, Taiwan, New Zealand and the potential for this technology world wide is enormous. Australian engineering companies with environmental management expertise like Kinhill, Camp Scott Murphy and Gutierrez Haskins and Davey are actively exporting services in the Asia - Pacific region<sup>27</sup>.

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<sup>27</sup>Penny Wensley 'Australia and the Environment' Canberra p 10. 17 November 1992.

## CHAPTER - V

### CONCLUSION

The previous chapters have discussed the various variables, which have influenced the foreign policy stand of Australia on environmental issues. No variable, by itself, can wholly explain a particular foreign policy posture. It must be looked at, as the result of the interaction of various factors.

The end of superpower rivalry, has shifted the focus of politics, from military security to a comprehensive notion of security that, even takes account of non-military threats like environmental issues. Throughout the industrialised world, the environment is no longer perceived as merely scientific and technical issue but as one, that is intertwined with other central issues in world politics such as, the future of North-South relations and the liberalisation of world trade.

Prior to the emergence of environmental problems on the global scene, the countries of the North and South were seen as two mutually exclusive clubs opposed to each other. In an inequitable world order the wealthier countries of North set the rules of the game, in which the poorer countries of the south had very little say. However, environmental problems have brought about a significant

change in all this. The Rio Earth Summit which was held in June 1992 altered the situation. Before the conference was held, it was feared, that it would be split on the familiar fault-lines of North-South conflict. Even though the countries of the North and the South had differing perceptions of their own national interests, they tried to accommodate each other in order to evolve a blue print to save what has been termed 'our Common Future'. Increasing international cooperation on environment means that environment will continue to be a major focus of foreign policy.

In this connection the Australian case is important. For small and medium countries like Australia, international cooperation is an important facet of foreign policy. Environmental cooperation will open up new vistas in its bilateral and multilateral relationships. Australia is a developed country with a good scientific research resource base, being located in the Asia-Pacific region, and surrounded by developing countries. This spells immense opportunities for Australia. Being a trading nation its foreign policy is neither averse to the opportunities of trade nor unaware of it. In fact, the Australian environmental policy can be said to have dual objectives, that of environmental protection and of job creation.

The Climate Change Convention meant to control global warming and ozone depletion poses two kinds of challenges

for the Australian foreign policy. First, Australia being the strongest of the regional partners of the South Pacific Forum has to protect the interests of the low lying coastal islands, as well as, its own coastal regions this makes it imperative for it to work for a comprehensive climate change convention with legally binding targets, which can adequately deal with the problem of global warming. The Australian aid strategies have to take into account the environmental problems faced by the Pacific Islanders. This shall in future be an important component in bilateral relations between Australia and other countries of South-Pacific. The Ozone depletion has been responsible for the high rate of skin cancers among the Australians. But at the same time the emission targets and the phasing out of chloroflouro carbons (one of the major factors responsible for ozone depletion), will affect the Australian trade adversely. Australia being a major exporter of fossil fuels like coal any legally binding emission target would mean fall in coal exports if not a total ban on it. How the Australian foreign policy makers respond to this challenge of global warming and its effect on coal exports remains to be seen. For an agricultural country like Australia climate change has significant implications for agricultural productivity.

Australia together with France must be credited for changing the course of the convention on Antarctic minerals.

It showed the sensitivity of the Australian foreign policy to domestic concerns. Prior to the public debate on Antarctica in Australia, the government had been keen on signing the treaty which sought to regulate minerals mining in Antarctica. Though Australia itself, was opposed to mining in Antarctica, it did not want to hurt the sensitivities of other Antarctic treaty members during the six years of negotiation which culminated in CRAMRA. One basic reason behind Australia's cautious approach was the fact that it wanted the Antarctic Treaty system to succeed. It needed the goodwill of the Treaty partners to protect its own territorial claims in the Antarctic. However in an effort to create a consensus on antarctic issue the government initiated a public debate on Antarctica in Australia. At that time, the government was in no doubt, that the public would support its stand on Antarctica. However, the course of events took an unexpected turn, the sustained campaign by environmental groups led to a public consensus against CRAMRA. The remarkable political foresight displayed by the then prime Minister Bob Hawke, in respecting the public verdict and changing the Australian foreign policy stand on the issue was note worthy. A no mining stand at that juncture was diplomatically risky yet at the same time it was also reflective, of the seriousness that is accorded to environmental concerns in the Australian foreign policy.



An important aspect of security is assurance against nuclear war. Since the environmental impact of a nuclear war is so great that it can lead to the destruction of islands if not continents, for many countries in the South Pacific assurance against nuclear war is basic to their survival. Even if these countries are not in a position to make the world nuclear weapons free, they can make a small beginning by making their area nuclear weapons free. The south pacific countries attempted to establish a nuclear weapons free zone in the south pacific. The proposal initiated by Australia and New Zealand culminated in the treaty of Rarotonga. However the needs of defence and that, of being an ally of the USA in the ANZUS treaty have prevented Australia from playing an effective role in this regard. Security consideration taking priority over environmental concerns leading critics to allege, that Australia has paid mere lip-service to the concept of a nuclear weapons free zone.

The post Rio scenario has seen Australia working sincerely to put into effect the agreements reached in Rio. It has ratified the Biodiversity convention and the culminate change connection. It has also signed the Basle connection on Transboundary Movement of Radioactive Wastes. It has evolved the National Greenhouse Response strategy to deal with the problem of climate change.

The Rio Earth summit saw Australia making a positive

contribution on to the conference. It worked actively with the European community members for a target for emissions with climate. change convention. However its plans were thwarted by the stiff resistance put up by the americans. (The Americans who were responsible for greenhouse gas emissions were in no wood to pay for what they had committed. This shirking of responsibility by the United States made things difficult at the conference).

Though Australia played an important role in the conference, there seems to be one factor that it has missed. The omission would not have been so glaring had it not been for the fact, that Australia is closer to the developing countries of the Asia Pacific region than any other country of the North. This omission was in the form of the inability to highlight the inter linkage between poverty. Population and environmental degradation.

The most important reason as to why environment will be factor in the Australian foreign policy is that environment is going to be the basis for bilateral cooperation between Australia and other countries. Australia already has signed agreements with Singapore, Italy France, Germany etc. Environment is also a factor in multilateral arrangements like the South Pacific Forum. Thus it has influenced much of the foreign policy decisions regarding bilateral and multilateral arrangements. The Australian Government in recognition of this fact has

specially appointed an Ambassador for Environment in Geneva.

As is evident environment has come to occupy a special place in the foreign policy of Australia, and if trends are any indication its importance would increase with the passage of time.

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