

**UNITED NATIONS CONFERENCE ON ENVIRONMENT
AND DEVELOPMENT, 1992 : AN ASSESSMENT**

*Dissertation submitted to the Jawaharlal Nehru University
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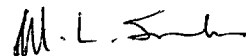
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CERTIFICATE

Certified that this Dissertation entitled "UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT, 1992 : AN ASSESSMENT", submitted by MS BODENO SAKHRIE in partial fulfilment of the requirement for the degree of MASTER OF PHILOSOPHY has not been previously submitted for the award of any other degree of this or any other University. To the best of our knowledge this is a bonafide work.

We recommend this Dissertation be placed before the examiner for evaluation.


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(BODENO SAKHRIE)

CONTENTS

ABBREVIATIONS

CHAPTERS :	PAGES
I INTRODUCTION	1 - 6
II UN AND PROBLEMS OF ENVIRONMENT: A HISTORICAL BACKGROUND	7 - 30
III PREPARATORY PROCESS	31 - 64
IV PROCEEDINGS OF UN CONFERENCE	65 - 93
V CONCLUSION	94 - 99
SELECT BIBLIOGRAPHY	100 - 106

ABBREVIATIONS

CFCS	-	chlorofluorocarbons
FAO	-	Food and Agricultural Organisation
GEMS	-	Global Environment Management System
GHGs	-	green house gases
IAEA	-	International Atomic Energy Agency
ILO	-	International Labour Organisation
INC	-	International Negotiating Committee
IPCC	-	Intergovernmental Panel on Climate Change
IUCN	-	International Union for the Conservation of Nature and Natural Resources
NGOs	-	non-governmental organisations
ODA	-	official development assistance
UN	-	United Nations
UNCED	-	United Nations Conference on Environment and Development
UNDP	-	United Nations Development Programme
UNEP	-	United Nations Environment Programme
UNESCO	-	United Nations Educational, Scientific and Cultural Organisation
UNICEF	-	United Nations Children's Fund
UNIDO	-	United Nations Industrial Development Programme
WCED	-	World Commission on Environment and Development
WHO	-	World Health Organisation
WMO	-	World Meteorological Organisation

DEDICATED

TO

MY PARENTS

CHAPTER I

INTRODUCTION

The United Nations Conference on Environment and Development (UNCED) was truly a remarkable event for it had been the largest collective effort to save mankind from further collapse of the earth's life-support systems. High-level delegates from 182 nations (including 102 Heads of State or Government) along with 650 accredited NGOs attended the official Conference. At the same time, more than 7,000 NGOs from 165 countries including 17,000 concerned citizens participated in the '92 Global Forum. As United Nations Secretary General Boutros Boutros-Ghali had observed "A great stride has been taken towards our goal, which is simply stated: saving our planet". He further opined that "Rio is but one moment on a long road, a moment which is useful because of the awareness that has been created, the decisions that have been taken, the mobilization to which it has given rise".¹

Most of the world conferences had been initiated through the United Nations General Assembly, dealing primarily with economic and social problems. Such a conference usually focuses its attention on a specific issue, makes arrangements for the preparatory process and then hold the meeting where principles and action plans are

¹ Quoted in UN Chronicle (Asian Edition, New Delhi), vol. 29, no. 3, September 1992. p. 59.

adopted for implementation². In this context, the UNCED had also followed the typical pattern. The subject on focus was to prevent further environmental degradation and to foster sustainable development in all countries. To this end, a preparatory process had been formally launched by the General Assembly in 1989 which had involved tremendous efforts from its member-states, the various UN system, the relevant NGOs and the opinion of the people. However, the UNCED which was held from 3-14 June 1992 at Rio de Janeiro in Brazil could not be studied in isolation for it was part of the environmental process that had started two decades ago in Stockholm. So, this dissertation seeks to view it in a historical perspective.

One of the main purposes and principles of the UN, as stated in Article I of the UN Charter, was to achieve international cooperation in solving global problems of an economic, social, cultural and humanitarian in character. Though there was no explicit mention of the environmental aspect in the charter, the mandate was so comprehensive that the United Nations could not be prevented from addressing environmental issues affecting vital spheres of human lives. This was how the UN rose to the occasion in manifesting mankind's concerns with reference to other problems like population, human settlements and so on. The problems

² A. Leroy Bennett, International Organisation : Principles and Issues, (Englewood Cliffs, N.J., 1988), p.293.

relating to the environment had cropped up over the years as human activities increased. Man, in the exploitation of the ecological system had deteriorated the environment to a large extent, some through their greed and waste, while others through desperation for survival³. The need to check this destructive process and to better manage the environment required a concerted effort. To, this end, the UNCED can be taken as the best example in mustering international cooperation to solve global problems so that an era of environmentally sound and sustainable development can be ushered in.

For the attainment of its objectives, the UN had never ceased to be a centre for harmonizing the activities and perceptions of different countries. This was specially evident in the UNCED process. Right from the beginning, the developed and the developing countries had expressed different opinions regarding environment and development, and its linkages. The developed countries had attributed the main causes of environmental degradation to the poverty and the over population of the developing countries. On the other hand, the developing countries opined that the wasteful production and consumption patterns of the developed countries were responsible for the sad state of affairs. However, through UN's endless endeavours, a process leading to an international forum had been provided where

3 World Environment, (New Delhi, 1985), p.1

such differences had been reconciled. As a result, a broad consensus had been reached at the UNCED and its outcome - the Rio Declaration, Agenda 21, the forest principles, the conventions on climate change and biodiversity, gave hope for a viable future.

What was the purpose for calling such a conference? What has been the track record of the United Nations in addressing the environmental problems so far? To what extent were the problems of development linked to environment? What were the perspectives of the developed and the developing countries? Do their priorities differ and if so, were they irreconcilable? What were the ways in which the UN forum had been able to reconcile this divergence? On the basis of the report of the World Commission on Environment and Development (WCED), to what extent were the recommendations realised? How did UN coordinate the different inputs in order to provide a common platform? What was the role of the NGOs into the deliberations of the Conference? What had been the original objectives of this Conference and to what extent had they been met?

This dissertation seeks to explore the above questions and also its related issues. Chapterisation are along the following lines. The second chapter which is entitled "UN and problems of environment: A historical background" will seek to provide a profile of the UN environmental activities with special reference on the Stockholm Conference in the

establishment of the UN Environment Programme as follow-up measure. Moreover, it will also highlight the recommendations made in the Brundtland's Commission Report. Chapter III entitled the "Preparatory Process" will present the vast dimensions of the preparatory work for the Conference. In so doing, it takes into account negotiations on complex issues like climate change, biodiversity, forests management, finance, transfer of technology and so on. Here, the inputs of the national governments, the intergovernmental agencies and the NGOs will be discussed. Furthermore, the efforts made in narrowing down the differences of the developed and the developing countries will be mentioned. Above all, it will study the work of the Preparatory Committee (PrepCom) in finalizing the process. Chapter IV entitled "Proceedings of the UN Conference" will examine the organisational structure and the deliberations made at different levels of the Conference. This chapter will also focus on the speeches made by the select statesmen and the commitments - cum- initiatives associated with them. It will also include the ongoings at the Global Forum '92, UNCED's parallel NGO event. The last chapter will attempt an overall assessment of the UN Conference in relation to the long-range activities in the field of environment.

The nature of study is basically a combination of descriptive and analytical methods of research. A variety of

source materials had been consulted including available UN documents, official records, some official publication of governments, and secondary sources like books, articles and press clippings. However, it may be added that the material is somewhat restricted, especially in the fourth chapter due to non-availability of records of the Main Committee as also of the General Debate of the UN Conference.

CHAPTER II

UN AND PROBLEMS OF ENVIRONMENT : A HISTORICAL BACKGROUND

The present state of the world's environment is alarming. Each year about 50,000 species become extinct, seventeen million hectares of forest vanish, 8.2 billion tons of carbon dioxide pollute the atmosphere and 6.5 million tons of wastes are dumped in the seas.¹ The vulnerable earth had been subjected to increasing strain due to man's activities which have been the cause for environmental deterioration. Human beings have attained the capability to determine the manner in which he wants to live in. He requires a habitat to provide him the basic essentialities of life such as food, air, water, shelter and the like. Man needs nature for his very sustenance but he has misused it. The richer nations have degraded the environment by over-consumption of resources and wasteful lifestyles. On the other hand, the majority poor in the developing countries impinge on the environment so as to eke out a living. Such activities threatens the planet and its inhabitants. To stem further worsening of the situation, efforts were made to be more sensitive to the utilisation of the earth's resources.

As early as 1945, the United Nations system had sought to achieve international cooperation to solve problems which are economic, social, cultural and humanitarian in nature, under the umbrella of the Economic and Social Council

1. UN CHRONICLE, Vol. 29, no.2, June 1992, p.40

(ECOSOC). Though the UN Charter does not have an explicit article on the environment, Article 55 clearly states that the UN should promote the living standards of the people by advancing congenial conditions for it. Besides, ECOSOC had to co-ordinate the activities of the various specialised agencies which are concerned with the well being of man.

In carrying out its mandate, the UN had adopted a sectoral approach initially. Instances are those of the specialized agencies such as FAO which was concerned with food, agriculture, fisheries and forestry; WHO concentrated on global climate and weather; UNDP promotes economic and social development based on sound management of the environment.² Such activities were mainly localised.

1972 STOCKHOLM CONFERENCE

The need for international cooperation to tackle environmental issues arose when problems like oil spills transcended national boundaries.³ So in 1968, Sweden took the initiative.⁴ The General Assembly, therefore, called for a United Nations Conference on Human Environment (UNCHE)

2. Mostafa K. Jolba, et al., ed., UNEP, The World Environment 1972-1992: Two decades of challenge, (London, 1992), p. 741.
3. The United Nations Environment Programme, (Nairobi, 1979), p.3
4. E/4466/Add.1. Consideration of provisional agenda for 45 session. Letter of 20 May 1968 from Sweden requesting inclusion in agenda of item entitled "Question of Convening an international conference on the problems of human environment".

to be held at Stockholm in 1972.⁵ This sparked off a series of actions which sought to discuss and disseminate those topics which affected the world's environment. In fact, UNCHE was the culmination of a process of discussion where the developed and the developing nations brought out different perspectives. The developed countries wanted international solutions to control pollution arising from various industrial activities. They were also concerned with threats to particular species like whales and habitats such as rainforests. The developing countries approached the Conference with a different perspective, for they felt that only rapid industrialization can alleviate poverty thereby enhancing the quality of life.⁶ India went a step ahead by saying that poverty was the worst form of pollution.⁷ This divergence became a stumbling block during the preparatory process. However, both the developed and the developing countries began to realise the need for compatibility between environment and development, so as not to upset the delicate balance of nature. This relationship became clearer at a meeting held at Founex, Switzerland in 1971.⁸

5. UN General Assembly resolution 2398, 3 December 1968.
6. Digvijay Sinh, The Eco-Vote : People's representative and global environment, (New Delhi, 1985), p.5.
7. Indira Gandhi, Address by the Prime Minister of India, Stockholm 1972 in Mostafa K. Tolba, ed., Evolving Environmental perceptions : From Stockholm to Nairobi, (London, 1988) p. 97.
8. A. Leroy Bennett, International organizations: Principles and issues, (New Jersey, 1988), 4 edn, p.296.

The UNCHE's theme of 'Only One Earth' emphasized the interdependence of the life-supporting systems of the world⁹. One hundred and thirteen countries were represented at UNCHE, or the Stockholm Conference as was popularly known. The purpose of UNCHE was to provide a framework which would entail collective responsibility to idealize and solve the problems of human environment. Maurice F. Strong, the Secretary General of UNCHE, was the driving force behind the Conference. The outcome of the Conference were the Stockholm Declaration, the Action Plan, resolutions on financial and institutional arrangements. Deliberations at the Conference led to the realisation that both the developed and the developing countries have contributed to environmental deterioration, so both should accept responsibilities to remedy it. Twenty six principles were formulated which stressed the need for man to collaborate with nature in order to have a viable future. Conservation of resources, pollution control, financial and technological assistance to the developing countries, peace and stability, national planning and promotion of environmental awareness as agreed upon at the Conference were indeed steps in the right direction. One hundred and nine recommendations for action were adopted which included planning assessment, environmental management and supportive measures. Other areas for action were management of human settlements,

9. *ibid*, p. 297.

relationship between environment and development, prevention of pollution, protection of resources and the like.¹⁰ These plans were concretised when institutional arrangements were made, as further discussions would reveal. The declaration of 5 June as the World Environment Day was significant since it set day aside to promote environmental awareness.

The preparatory process of UNCHE had stimulated environmentally conscious people such as conservationists, youth and scientists who prodded their governments to take a strong stand at the conference.¹¹ The Stockholm Conference was truly a landmark in the history of environmental policy for it awakened an awareness amongst the people that international cooperation was essential in order to protect the earth.

INSTITUTIONALISATION OF STOCKHOLM SPIRIT

Establishment of UNEP

The Stockholm Conference facilitated the establishment of an institutional machinery, namely, the United Nations Environment Programme, (UNEP) in 1972.¹² The Mandate of UNEP was to co-ordinate, catalyse and stimulate action in

10. See Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June, 1972, A/CONF, 48/14/Rev. 1, (New York, 1973).

11. Lynton K. Caldwell, International Environmental Policy : emergence and dimensions, (New Delhi, 1991), edn 2, P. 58.

12. UN General Assembly resolution 2997, 15 December, 1972.

environmental and related subjects within and even outside the UN system. The four main components of UNEP are:

- a) a fifty-eight member Governing Council which meets biennially and reports to the General Assembly through ECOSOC.
- b) an Environment Secretariat headed by an Executive Director and having its headquarters in Nairobi, Kenya.
- c) an Environment Co-ordination Board to ensure cooperation among UN bodies concerned with implementing environmental programmes. It functions under the Administrative Committee on Coordination and reports annually to the Governing Council.
- d) an Environment Fund financed by voluntary contributions.

The UNEP promotes environmental policies but is not an executing agency. It manages the global environment through Earthwatch facilities like the GEMS, the International Referral System and the International Register of Potentially Toxic Chemicals. Through environmental assessment, environmental management, and supporting measures such as education, training, public information, financial assistance and so on, UNEP had been able to mobilise support for environmentally sound development prospects. Dissemination of information through publications like World

Conservation strategy, Environmental Perspective to the year 2000 and Beyond, and the Annual state of Environment Reports keeps the governments and the people in touch with global environmental affairs. Another sphere in which UNEP stimulates action is through its 'clearing house' programme where developing countries are assisted in formulating projects and donors are prodded to finance them. The Designated Officials on Environmental Matters prepares and reviews the System-Wide Medium Term Environment Programme (SWMTEP) which coordinates all the UN agencies carrying out different environmental activities. The adoption of SWMTEP I covering 1984-89 and SWMTEP II covering 1990-95 is definitely a move forward.

To promote international law, UNEP realised that without scientific evidence to specify the environmental problems and needs, political support was generally difficult. This approach was successfully applied in the 1975 Mediterranean Action Plan. Similarly, it was scientific proof that led to the adoption of the Vienna Convention for the Protection of the Ozone Layer, the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer and its London amendments, and the adoption of the framework Convention on Climate Change in 1992.¹³

The establishment of the Environmental Liaison Centre

13. Tolba, n. 2, p. 748.

International (ECLI) in 1974 gave a prominent place to the non-governmental organisations (NGOs) like International Institute for Environment and Development, World Resources Institute, World Wide Fund for Nature, Greenpeace and Friends of the Earth, have raised the public environmental awareness and put pressure on governments.

Above all, the creation of the Global Environment Facility (GEF) in 1990 under the aegis of the World Bank, UNEP and UNDP as a pilot programme to fund environment projects in developing countries was a positive sign.¹⁴

Activities of UNEP

The progress made by the UNEP in the first decade after the Stockholm Conference was reviewed in the Session of Special Character in Nairobi, 1982. Five resolutions were adopted by the Governing Council of which resolution I entitled 'The Environment in 1982: retrospect and prospect' comprising of six sections was the most important.¹⁵ The implementation of the Action Plan adopted at the UNCHE was assessed. Some progress had been achieved as in the

14. GEF became operational in 1991. The goals for GEF are in four areas: reducing emissions of greenhouse gases, to protect ozone layer from further depletion, preserving the variety of biosystem and diversity of species, and protecting international waters. A/46/25 (dec. 16/47).

15. For the report of the Governing Council on the Session of Special Character see GAOR, session 37, supplement no. 25, (A/37/25), 1982.

operation of GEMS and the International Register for Potentially toxic Chemicals, regional and international agreements giving guidelines for environmental management had been concluded but implementation had often been delayed leading to its ineffectiveness. In the area of supporting measures, the session acknowledged that environmental education and publications had been encouraged though it was deficient in training. An important aspect of the resolution lay in its giving guidelines to UNEP for 1982-1992 to continue its mandate and initiate international cooperation focusing on land and water management, control of desertification and deforestation and so on. The partial implementation of the Action Plan had been attributed to inadequate understanding of long-term benefits, inequitable distribution of resources and the like.

The adoption of World Charter for Nature aimed to harmonise man's relationship with the earth.

A highlight of the session was the Nairobi Declaration which reaffirmed its commitment to the Stockholm Declaration and Action Plan. It rightly stated that resources should be increased, national efforts and UNEP should be strengthened in order to have a greater impact. Above all, both the government and people were urged to take their responsibilities seriously.

The need to make long term environmental strategies grew out of the 1982 Special Session of the UNEP. In 1983, two independent but interconnected reports were called for.¹⁶ One was an inter-governmental report under UNEP and the other was a special independent report which would take into account the views of governments, NGOs and the general opinion at large, in regard to inter-relationship between people, in regard to inter-relationships between people, resources, environment and development, including ways to deal with problems effectively.

The intergovernmental report entitled 'Environmental Perspective to the Year 2000 and Beyond' was adopted by the General Assembly in 1987.¹⁷ It reflected the challenges found by the governments in six main sectors-population, food and agriculture, energy, industry, health and human settlements, and international economic relations. Other issues of global concern like oceans, outerspace, biological diversity, security instruments for action including role of institutions had been considered. This report affirmed that environmental awareness was evident in the establishment of ministries for environmental conservation and enhancement.

The second report was prepared by the World Commission

16. UN general Assembly resolution 38/161. 19 December, 1983.

17. UN General Assembly resolution 42/186, 11 December, 1987.

on Environment and Development (WCED).¹⁸ The objectives of the Commission were to re-examine the environment and development issues and to formulate innovative and realistic proposals to deal with them; to propose new ways of international cooperation that would influence policies and events for a global change; and to raise the levels of understanding and commitment to action by individuals, governments, NGOs and other institutions. Chaired by Mrs. Gro Harlem Brundtland, the twenty-two members¹⁹ regionally balanced Commission were eminent persons who could serve in their individual capacities.²⁰

The commission focused on the problems threatening the world environment, the need for development that is sustainable and the role of international economy. These issues were considered a concern, challenge and endeavour

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18. UN General Assembly resolution 42/187, 11 December, 1987.
19. The member of WCED were: Chairperson : Mrs. Gro Harlem Brundtland (Norway). Vice Chairman : Mansour Khalid (Sudan).
Bernard Chidzero (Zimbabwe); Bukar Shaib (Nigeria); Emil Salim (Hungary); Janez Stanovnik (Yugoslavia) Lamine Mohammed Fadika (Cote d' Ivoire); Margarita Marino De Botero (Colombia); Ma Shijun (People's Republic of China); Maurice Strong (Canada); Mohamed Sahnoun (Algeria); Nagendra Singh (India) Paulo Nogueira - Neto (Brazil); Saburo Okita (Japan) Saleh A. Al-Athel (Saudi Arabia); Sridath S. Ramphal (Guyana); Susanna Agnelli (Italy); Vladmer Sokolov (USSR) Volker Hauff (Federal Republic of Germany); William D. Ruckelshaus (USA); Ex Officio : Jim Macneill (Canada)
20. Michael Redclift, Sustainable Development. Exploring the Contradictions, (London, 1991), p. 13.

common to all. The emphasis and the urgency that prevailed throughout the report had accelerated the need for greater cooperation at the international level.

The open and participatory process launched to feel the pulse of the people was the best approach adopted by the Commission. Keeping in tune with its mandate, the Commission sought expert advice from scientists, industrialists, leaders, bureaucrats and the like. But the basis of consensus lay in the public hearings held in various site visits in different continents where the relevant issues were thrashed out.²¹ These first-hand knowledge from the people revealed the true picture faced by the poor in their daily lives.²² In the overview of the report, Mrs. Brundtland had said that the WCED's report 'Our Common Future' not only examined the root of environmental problems but it also recommended a new economic growth based on policies that would sustain environmental resource base, thus giving hope for the future. This report is well-worth examining in some details.

WORLD COMMISSION AND ITS REPORT

In order to look into the issues of environment and

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21. Jim Macneill, "Environment and Development" International Perspectives (Ottawa), vol. 17, no. 3, (May/June 1988), p. 4.
 22. Linda Starke, Signs of Hope : Working Towards Our Common Future, (Oxford, 1990), p. 4.

development thereby noting appropriate suggestions for a viable future, the WCED or the Brundtland Commission had been set up. The report brought out the unbridgeable gap between the developing and the developed nations. It stressed the fact that even though there was longer life span, increased literacy, higher growth of global food production the number of people who do not have the basic needs like food, clean water and so on was on the rise. Besides, the environmental problems like deforestation, pollution of air and water, global warming and the like were posing health hazards making the earth a difficult place to live in. The inter-relationship between economics and ecology was best illustrated in the drought-stricken Africa where the real causes like debts, trade barriers and inadequate aid forced them to put pressure on their fragile ecosystems. The institutional gap between environment and economics was still prevalent. The Report stated that the setting up of Environmental Ministries had met with limited success since programmes were focused on repairs such as reforestation, reclaiming desert lands, rebuilding urban environment and restoring national habitats. The mandates of sectoral ministries were also narrow, the Report noted. For example, the Ministry of Industry focus on the production targets and leave the Ministry of Environment to clear up the accompanying pollution. This revealed lack of environmental consideration at the policy formulation

stage.²³ Truly, a much needed change was required.

Common challenges cited in the Commission's report were population and human resources, food security, species and ecosystems, energy, industry and urbanisation. Acute economic inequalities between the developed and the developing countries was identified as the main cause for both environmental and development problems. Poverty in the developing nations and the wasteful consumption patterns of the developed countries have contributed to environmental degradation. The Commission stated that between 1950 and 1985, the world's population grew at an annual rate of 1.9 per cent whereas in the first half of the nineteenth century, it was only 0.8 per cent.²⁴ Furthermore, due to new seed varieties, chemical fertilizers and pesticides, the annual growth rate of cereal production within that same period was 2.7 per cent, yet millions of people, especially in the developing countries, did not have sufficient food.²⁵ These poor people thus put pressure on their natural resources in order to survive. On the other hand, the high consumption of resources like the use of energy due to rapid industrialisation in the developed countries not only tended to deplete the natural resources but contaminated the air

23. Our Common Future : The World Commission on Environment and Development, (Delhi, 1988), pp. 9-10.

24. *ibid*, p. 99

25. *ibid*, p. 118.

and water to a large extent. To overcome this attitudes needed to be changed and actions had to be accounted for. Only then, an era of ecologically sound development would be ushered in.

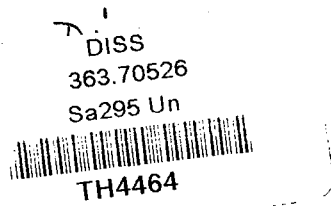
Throughout its report, the Brundtland Commission opined that every country should follow a development that is sustainable, one that would both conserve and enhance the environment. Sustainable development, according to the Commission, implied meeting "the needs and aspirations of the present without compromising the ability to meet those of the future".²⁶ Environment and development were inextricably linked for "without adequate environmental protection, development is undermined; without development resources will be inadequate for needed investments and environmental protection will fail".²⁷ As the two were inseparable, the protection of the environment becomes an essential part of development. Mrs. Gro Brundtland viewed environment as where humans live and development as what people do to improve their life within that sphere.²⁸ It is imperative that the basic needs of man should be taken care of. But in doing so, the requirements of the subsequent generations should be ensured. To achieve this target, the

26. *ibid*, p. 40.

27. World Development Report 1992 : Development and the Environment, (Washington, 1992), p. 2.

28. *Our Common Future*, n. 23, p. xi.

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goals of development policies and appropriate environmental concerns should be complementary to each other. The 'World Conservation Strategy' had also pointed out the need for sustainable development but it was more in terms of living resources conservation.²⁹

In order to confront the challenges of poverty, the Commission recommended checking of rapid population growth by encouraging family planning and use of contraceptives; improved health care programmes like clean air, water and sanitation; providing well-being and security of humans such as age-old security and so on. It had been pointed out that distribution of food required serious attention for hunger was mainly due to lack of purchasing power rather than lack of available food. National governments play a vital role in providing food security to its people by encouraging production through effective incentive systems, promoting ecologically sound farming practices, water management like environmentally friendly small-scale irrigation projects, and making alternative to chemicals like organic nutrients. While integrating such principles of sustainable development into the policy-making process, the Commission stressed that the voice of the tribals and the indigenous people could not be ignored. Through the ages, these vulnerable groups had been able to manage their resources in forests, mountains

29. The Evolution and Development of Environmental Policies and Institutions within the United Nations System, (Washington, 1990), p. 5.

and dryland ecosystems sustainably, therefore, their experiences and traditional rights needed to be recognised. The Commission particularly emphasized the role of the women in the decision making process.

For the ecosystem to function normally, the diversity of species was considered necessary for it provided medicines, food, inputs to industry and so on. However, species were threatened and many had been on the verge of extinction due to loss of habitat particularly in tropical forests where deforestation was rampant; extensive agriculture; population pressure and the like. For example, in Madagascar around 1950s, there were 12,000 plant species and 190,000 animal species with at least 60 per cent endemic to the island. Scientists estimated that half the original species had disappeared.³⁰ The Commission acknowledged the activities of FAO and UNEP in genetic resources conservation, parks for protection of species but still, greater technical assistance and wider global co-operation was required. Stress was laid on the need for a species convention to be supported by financial arrangements. The Report also said that energy, which is necessary for man's daily survival was under pressure due to industrialisation and urbanisation. Energy was produced from non-renewable resources like oil, coal, nuclear powers and some renewable resources like wood, solar, wind and water. To ensure the

30. Our Common Future, n. 23, p. 149.

supply of energy, it should be used efficiently and steps taken for its conservation. Keeping in mind the environmental standards, transfer of clean technology especially to the developing countries was stressed in the field in industry. The Commission expressed that it was the duty of the governments to survey industrial operations and enforce guidelines for safety and provide basic information to workers. This would have averted accidents like the Bhopal tragedy in India in 1984 and the Chernobyl nuclear reaction explosion in the erstwhile USSR in 1986, which had killed thousands of people and injured thousands more. To check the hazards of urbanisation, recommended steps were development of small and intermediate urban centres, facilities like public housing units for poor families, recycling of wastes and so on. For these schemes to be successful, financial aid and technical assistance, international cooperation and the role of NGOs were considered essential.

In the management of global commons such as the oceans, outer space and Antarctica, the Brundtland Commission emphasised the need for environmental concerns. Improved fishing management, sound disposal of hazardous and nuclear wastes; regulating space debris and nuclear materials in the Earth's orbit; prohibiting military tests and safeguarding the peace under the 1951 Atlantic Treaty would definitely go a long way in strengthening international cooperation.

Indeed, nuclear war and arms race are a threat to the peace and security. No one would deny the fact that this makes a great impact on the environment and development. Money spent on military purposes should be channelised towards uplifting humanity. It is shocking to see the statistics proving that in 1985, the world had spent \$ 900 billion on military expenditure whereas to provide clean water to the developing countries would have cost \$ 30 billion a year.³¹ Arms race, therefore, have to be reduced to the minimum.

The Brundtland Commission proposed some main changes in the institutional and legal spheres which would make development sustainable, if adopted by all the countries. It stressed the point that governments should make the different national and sectional agencies directly responsible and accountable in formulating and implementing sustainable development policies. Increased financial assistance, transfer of clean technology especially to the developing countries was called for. The strengthening of UNEP was considered important for it identifies, assess global risks and reports through its Earth watch facilities. The role of regional agencies and international organisations in improving coordination and co-operation was repeated and suggestions for a special UN Board for Sustainable Development was put forth. The Commission

31. *ibid*, p. 303.

proposed that a universal declaration and later a convention be chalked out to give guidelines for state behaviour in the transition to sustainable development. In its report, the Commission reiterated the necessity of economic growth while keeping in mind the environmental constraints. To this end, multilateral financial institutions like the World Bank, Regional Development Banks, and the IMF were suggested to reorient its programmes towards greater environmental concerns.

Great emphasis had been laid on public participation and dissemination of relevant information particularly in the decision-making process. A higher level of commitment by all peoples and a stronger political will to observe the norms for a sustainable development was expressed by the Commission throughout its report. Without an active follow-up, suggestions and recommendations are soon forgotten. Hence, the Commission proposed to the General Assembly the transformation of the report 'Our Common Future' into a UN programme on Sustainable Development. To review the progress made, calling of special follow-up conferences at the regional level was put forth, and this was to be strengthened by an international convention at a later stage.

PROPOSAL FOR SECOND UN CONFERENCE

In 1972, UNCHE had adopted a resolution to convene a

second UN Conference on the environment at a future date.³² Such a conference was considered by the General Assembly in its resolution 43/196 of 20 December 1988.³³ It was decided that a UN Conference would be convened no later than 1992. The resolution requested the Secretary-General and the Executive Director of UNEP to obtain the view of governments, the units of the UN system and the relevant NGOs regarding the objectives and scope of the Conference. Such informations were to be considered by the Governing council and then submit it to the General Assembly at its forty-Fourth session through the ECOSOC. The Governing Council in its dec. 15/3, therefore, decided to convene UNCED at the highest level of participation which was to be held no later than 1992.³⁴ So in 1989, the General Assembly affirmed its deep concern that such a trend would "jeopardize the life-sustaining qualities of the earth and lead to an ecological catastrophe" therefore, decided to convene the United Nations Conference on Environment and

32. Report of the UNCHE, n. 10, p. 62. The Plenary Conference considered a proposal by Egypt and nine other delegations for a second UNCHE, For the adoption of the proposal, see Chapter IV, resolution 4 (1).

33. GAOR, session 43, Annexes vol. II, p. 26. The representative of Finland, on behalf of Canada, Denmark, Finland, the Netherlands, Norway and Sweden introduced a draft resolution (A/C. 2/43/L.36) entitled "United Nations Conference on Environment and Development : Towards Sustainable Development".

34. For the Report of the Governing Council on the work of its fifteenth session, 15-26, May 1989, see GAOR, session 44, supplement no. 25, (A/44/25), p. 116

Development "to elaborate strategies and measures to halt and reverse the effects of environmental degradation" so as to achieve sustainable development in all countries.³⁵ The conference was to be held in Brazil in June 1992 and participation was to be at the highest possible level.

In its famous resolution 44/228, the General Assembly expressed its concern at the continuing unsustainable pattern of production and consumption of the developed countries and recognised that measures level had to be taken at the international level taking into account the "current imbalances in global patterns of production and consumption" It also stressed that poverty and environmental degradation were also interrelated and hence, environmental protection in developing countries must be viewed as "an integral part of the development process and cannot be considered in isolation from it".

The General Assembly affirmed that the protection and enhancement of the environment affects the well-being of peoples and economic development throughout the world, but at the same time, economic growth in developing countries must be promoted so that the problems of environmental degradation could be tackled. All countries contribute to environmental deterioration and, therefore, the General Assembly affirmed that all have a responsibility in

35. UN General Assembly resolution 44/228, 22 December, 1989.

combating it; more so, the developed countries since they produce the largest emission of pollutants into the environment, including toxic and hazardous wastes.

In order to achieve environmentally sound and sustainable development, environmental problems have to be dealt with. The General Assembly, in its resolution 44/228, listed the major issues at stake as:

- (a) Protection of the atmosphere by combating climate change, depletion of the ozone layer and transboundary air pollution,
- (b) Protection of the quality and supply of fresh water resources;
- (c) Protection of the oceans and all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources;
- (d) Protection and management of land resources by, inter alia, combating deforestation, desertification and drought;
- (e) Conservation of biological diversity;
- (f) Environmentally sound management of biotechnology;
- (g) Environmentally sound management of water particularly hazardous wastes and of toxic chemicals, as well as prevention of illegal international traffic in toxic and dangerous products and wastes.

- (h) Improvement of the living and working environment of the poor in urban slums and rural areas, through the eradication of poverty by, inter alia, implementing integrated rural and urban development programmes, as well as taking other appropriate measures at all levels necessary to stem the degradation of the environment;
- (i) Protection of human health conditions and improvement of the quality of life.

The General Assembly, therefore, stressed the need for a stronger concerted effort for better management of the environment.

The transition to sustainable development requires international co-operation, a sincere and effective effort to be undertaken by all countries for the common good. Hence, the UNCED was to find a viable balance between environment and development and incorporate them in the decision-making process. The task ahead was massive. The preparations to the conference was to involve all states, the UN system and the relevant NGOs. The General Assembly, therefore, established a Preparatory Committee (PrepCom) to oversee these activities and also set up an ad hoc secretariat to assist it. The preparatory process would be elaborated in the next chapter.

CHAPTER III

PREPARATORY PROCESS

A positive trend in the 1980s was the growing realisation of both the developing and the developed countries of the sense of urgency in addressing the problems of environment and development. However, there could be a danger of governments adopting unilateral approaches that would overlap, duplicate and waste the resources. Hence, an integrated approach needed to be established which could meet the special situation and different priorities of all the countries, especially the developing ones. The UN play an important role in this, for it co-ordinates the efforts made at the national and international levels towards the achievement of sustainable development. The need of the hour was to incorporate environmental considerations into the development programmes.¹ Resolution 44/228, passed by the General Assembly in 1989, strongly affirmed the need to prevent further environmental deterioration and to promote sustainable and environmentally sound development in all countries. Realising that this required a concerted effort at the international level, the General Assembly, by the same resolution, called for a UN Conference on Environment and Development to be held in 1992.

1. Report of the Secretary General on the work of the Organization, 1989, pp. 26-27.

OBJECTIVES OF THE UNCED

In addressing environmental issues in the developmental context, the General Assembly outlined the following objectives of the Conference in its resolution 44/228.² Some of them were:

- (a) To examine the state of the environment and changes that have occurred since UNCHE, held in 1972;
- (b) To identify strategies to be co-ordinated regionally and globally, as appropriate, for concerted action to deal with major environmental issues in the socio-economic development processes of all countries within a particular time-frame;
- (c) To take into account the specific needs of developing countries with special emphasis on incorporating environmental concerns in the economic and social development process and of various sectoral policies;
- (d) To promote the further development of international environmental law, and to examine in this context the feasibility of elaborating general rights and obligations of states in the field of environment, and taking into account existing international legal instruments;
- (e) To arrive at specific agreements and commitments by governments, taking into account the main responsibility of the developed countries.

2. UN General Assembly resolution 44/228, 22 December 1989.

- (f) To accord high priority to drought and desertification control;
- (g) To examine the relationship between environmental degradation and the international economic environment to ensure a more integrated approach without introducing new forms of conditionality.
- (h) To identify ways and means of providing new and additional financial resources, particularly to developing countries for environmentally sound development projects in accordance with national priorities;
- (i) To consider various funding mechanisms, including voluntary ones and the possibility of a special international fund and other innovative approaches.
- (j) To recommend effective modalities for favourable access to and transfer of environmentally sound technologies, especially to the developing countries on concessional and preferential terms.
- (k) To promote open and timely exchange of information on national environmental policies, situations and accidents.
- (l) To review and examine the role of the United Nations system;
- (m) To promote environmental education;
- (n) To quantify the financial requirements for the successful implementation of the conference recommendations.

With these objectives in mind, the Conference was expected to produce an Earth Charter embodying basic principles concerning the rights and responsibilities of man and states; a detailed plan of action encompassing all areas of human economic activities affecting the environment (called as Agenda 21, this plan focused on the period till the year 2000 and extends into the twenty first century); two conventions on climate change and biodiversity, negotiated separately from UNCED's preparations, to be ready for signature at the Conference.³

INPUTS TO BE PREPARED

The UNCED was to be a global meeting where the Heads of State or Government would make commitments to ensure a viable future in the planet for its inhabitants. This entailed much work behind the scenes. As the agenda for the 1992 Conference was very wide-ranging, the preparatory process was complex and tedious. It had involved detailed discussions, background reports, analysis, proposal-making negotiations and reviews, in the hope that an agreement would be reached amicably. Such a massive task would have been impossible had the government representatives, the staff of the various UN system and non-governmental experts not combined their efforts. In order to oversee the preparations for the Conference, the General Assembly had

3. In our hands, Earth Summit, (New York), DPI/1118/Rev.1-92187, February 1992.

also appointed a Preparatory Committee in 1989, whose membership included the UN member states, the specialized agencies and the participation of observers.⁴ The Preparatory Committee, in accordance with the provisions of resolution 44/228, was given the task to:

- a) Draft the provisional agenda of the Conference;
- b) Adopt guidelines to enable states to take a harmonized approach in their preparations and reporting; and
- c) Prepare draft decisions for the Conference and submit them to the conference for consideration and adoption.

Keeping in tune with the resolution 44/228, the Prep Com held an organisational meeting in New York from 5-16 March 1990. Here, Tommy Koh, the ambassador of Singapore, was elected as its Chairman. Besides, thirty nine Vice-Chairmen and a Rapporteur were elected.⁵ Other four substantive sessions were held in Nairobi (6-31 August 1990); Geneva (18 March - 5 April and 12 August - 4 September 1991) and New York (2 March - 3 April 1992). For the PrepCom to prepare its decisions for the Conference, preliminary work had to be done first.

4. See UN General Assembly resolution 44/228, 22 December 1989.

5. For the report of the Preparatory Committee for the UNCED on its organizational session, see GAOR, session 44, supplement no. 48, A/44/48.

PRELIMINARY WORK / NON-GOVERNMENTAL

The establishment of an *ad hoc* Secretariat at the UN office at Geneva, with a unit each in New York and Nairobi, assisted the PrepCom tremendously. The Secretariat, headed by the Secretary General of the UNCED, was based on the principle of equitable geographic distribution and consisted of UN staff members with expertise in UNCED's topics.

Symposiums

Throughout the preparatory process, the Conference Secretariat provided the analytical background and developed proposals for action to be considered by the Prep Com. This task had been possible by convening consultative meetings and workshops with the collaboration of the various UN agencies and the NGOs in different parts of the world. Some of the more important meetings have been mentioned.

By discussing issues on poverty, environmental linkages and the options for action, a consultative meeting which was organised by UNDP and NGOs in 1991, provided much input for Agenda 21.

Talks on sustainable agriculture and environmentally sound land-use, put forth during a conference initiated by FAO and the Government of Netherlands in 1991, contributed to the preparatory process. Economic development giving priority to activities which would ensure women and children

food, housing and education needs were proposed in a symposium organised by the UNCED Secretariat in 1991.⁶ This meeting 'Women and Children First: Symposium on Poverty and Environmental Degradation' also recommended that Agenda 21 should recognize women as managers of natural resources and to involve them in the decision-making process. Realising that the role of women should not be minimized, their successful stories in environmentally -sound development projects were heard in the 'Global Assembly of Women and the Environment' in November 1991.⁷ Markets also play an important part in moving economies towards sustainable practices by regulations, taxes and fees. This aspect was examined at the Hague Symposium on 'Sustainable Development: From Concept to Action', which pointed out that economic behaviour can be influenced through advertising and education.⁸ Other important events included an Agenda on Science for Environment and Development, 1991; UNIDO's meeting on environmentally sustainable industrial development; Workshop on the Application of Biotechnology and so on.

Access to information

It would be difficult for people to participate at all levels of the preparatory process if adequate information

6. UN Doc. A/CONF. 151/PC/114, 24 February 1992.

7. *ibid.*

8. UN Doc. A/CONF. 151/PC/97, p.3

was not made public. Hence, UNCED Secretariat collaborated with the Department of Public Information of the United Nations Secretariat in performing this task. Updates on various environment and development activities had been provided by launching promotional projects such as films, print and music. Moreover, quick access to the Conference information had been possible with the use of electronic means.

Financial assistance :

The creation of a Voluntary Fund in accordance with resolution 44/228 by the General Assembly, had increased developing countries participation in the preparation for the Conference. Contributions had amounted to \$ 1,500,000 and this helped in covering the travel expenses of their representations. In exceptional cases, a daily subsistence allowance was also given to the least developed countries.⁹

Up to 31 October 1991, \$ 10,970,000 had been pledged to a Trust Fund to enable the Secretariat to carry out its activities for the preparations for UNCED. The General Assembly decided in its forty sixth session that the Secretariat activities would continue till 30 September 1992 and that a small staff would be retained till 31 December of the same year.¹⁰

9. UN Doc. A/CONF. 151/PC/97, 13 February 1992.

10. *ibid*

Action by the UN system

The close cooperation of the UN specialized agencies and programmes had considerably strengthened the preparatory process by preparing papers for UNCED and making relevant changes in their programmes.¹¹ Above all, the UNEP as the main organ dealing with environmental issues, had contributed immensely to the preparations of the Conference by stimulating and catalysing the relevant systems.

FAO, in its twenty fifth Conference decided to give high priority to prevention of environmental degradation and ensure environmental consideration in all its programmes.¹²

By establishing a Commission on Health and Environment, WHO accelerated its efforts to provide safe drinking water and sanitation to all the people. It further gave support to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

UNICEF prioritised programmes that would contribute to sustainable rural development and action for child welfare.

Through its Special Programme Resources, the Indicative Planning figures and Trust Funds, UNDP sought to advance awareness building for sustainable development. The pilot phase of GEF is being implemented in collaboration with

11. UN Doc. A/47/121-E/1992/15, 15 April 1992.

12. UN Doc. A/CONF. 151/PC/26, 24 January 1991.

World Bank and UNEP. UNDP had been of immense help in preparing national reports for UNCED. It also assisted those countries in implementing action for the protection of the ozone layer, under the Vienna Convention and the Montreal Protocol.

Preparing codes of practise on the control of major hazards and conducting environmental training for its workers comprises the work of ILO.

The activities of WMO included World Weather Watch and monitoring environmental pollution. To support the work of the Intergovernmental Negotiating Committee for a framework Convention on Climate Change, it authorized the continuation of the Intergovernmental Panel on Climate Change (IPCC).

The World Bank conducts research on the underlying causes of environmental degradation, uses environmental assessment in preparing and evaluating Bank-financed projects. The Bank's increasing environmental sensitivity was reflected in its 1992 World Development Report whose theme was on environment and sustainable development.

Role of NGOs

A highlight of the UNCED and its preparatory process was the emphasis and given to the NGOs participation. This was in compliance with Article 71 of the Charter where the ECOSOC was to make "suitable arrangement for consultation

with non-governmental organisations". Accreditation of NGOs was, thus, based on its competence and relevance to the UNCED's issues. By the fourth PrepCom, its number had increased from 350 to over 1000. NGOs contribution to the preparatory process, especially in the preparation of the national reports cannot be undermined. To assist the relevant NGOs from developing countries to participate at all levels of the UNCED process, a fund had been set up which would cover travel and accommodation expenses.¹³ A separate NGO Liaison Unit was created with UNCED Secretariat to co-ordinate the working of different NGOs. Basic facilities such as meeting rooms, communication services and secretarial support provided to them had facilitated their participation in the preparatory process.

The Centre for Our Common Future, an NGO based in Geneva, conducted a series of public forums in support of UNCED. Additional input was thus provided into the preparatory process for a wider NGO participation by stimulating the need for public action.

A number of youth groups had organized several international conferences to provide the input of youth to UNCED. In view of this, a group of Youth Ambassadors for UNCED had been given the charge to disseminate and promote participation of the younger generation both at the local and regional levels.

13. UN Doc. A/CONF. 151/PC/41, 16 July 1991

Issues relating to women and the environment were highlighted in conference like 'World Women's Congress for a Healthy Planet' which was a meeting of NGOs concerned with women.

Besides, information was sought from indigenous groups about their traditional knowledge and practices with the help of consultants.

The creation of the Business Council for Sustainable Development had facilitated the contribution of the leaders of principal corporations to UNCED. Here, the various impacts of industry towards the process of sustainable development was examined.

'ECOFUND 1992' extended help to the Conference by supporting research assistant fellows and experts.

The Brazilian NGO Forum and the International Facilitating Committee had combined their forces to organize the citizens events in Rio de Janeiro. Parallel to the official conference, UNCED, this meeting was to be attended by different independent section groups including environment and development groups, scientific and academic community industries; religious groups; women, youth and indigenous peoples; representatives from the art and culture groups and so on. Under the umbrella of '92 Global Forum, the scheduled activities would be mostly in substantive

debates and other events which would focus attention on the issues on environment and development. Over ten thousand people were expected to participate in the Global Forum which would take place mostly in Flamengo Park. Different events like the inter-social dialogues, workshop and cultural shows had been designed to stimulate interest and support of peoples in the preparatory process.

GOVERNMENTAL / INTER-GOVERNMENTAL

National Reports

In pursuance to the General Assembly resolution 44/228, member states of the UN had to prepare reports on the environment and development issues in their countries, anticipated results of the conference and so on. These national reports were to be submitted to the UNCED Secretariat for consideration by the Prep Com. Preparations for these reports had been consultative in nature and was a combined effort of the governments, NGOs and representatives of other important constituencies like women, youth, indigenous people, scientific community and experts in various fields.

A survey of the reports revealed that both the developed and the developing countries had expressed concern on the issues of soil erosion, urbanization, population, energy, deforestation, loss of biological diversity,

disposal of household and hazardous wastes, air and water pollution, natural disasters and other related problems. However, there was a difference in the priority areas. The developed countries pointed out that waste management areas, air and water pollution were often transboundary. On the other hand, the developing countries listed poverty as a major impediment to sustainable development. High priority was given to demographic pressures, urbanization, health and sanitation, unemployment, deforestation and so on. Developing countries, Africa in particular, expressed deep concern over desertification which was linked both to agricultural practices and forest destruction. Islands and coastal states mentioned the possibility of a rise in the sea-levels which would threaten their very existence.

The need for Agenda 21 to be action-oriented was stated by the national reports. The developed and the developing countries agreed that legislation, enforcement measures and institutions should be strengthened. Better planning and co-ordination, awareness building, participation of the people and NGOs, greater regional and international co-operation would certainly hasten the process towards sustainable development. In order to make the transition, developing countries stressed the need for additional funding and technical assistance. Developed countries, too, supported the need for funding.

India, in its national report to UNCED, had brought out the socio-economic challenges faced by the country such as poverty, land degradation, deforestation, rapid urbanization, water pollution, unemployment and the like. Of these, poverty remained the central issue. The large number of poor people depended on their resources of their immediate environment thereby causing environmental degradation. India emphasised that technology alone would not do and so should be combined with "sound traditional values and practices"¹⁴ which were inherent in the country. Stress was laid on development as a global issue for India believed that "a sustainable and viable planet requires that development be global".¹⁵ India also reaffirmed Indira Gandhi's speech at the 1972 Conference that the removal of poverty should be an integral part of the goal of an environmental strategy for the world. The only basis for building a common future, noted the report, lay in the "concept of shared responsibility that funding becomes obligatory."¹⁶ And that in problems like ozone depletion and global warming, developed countries should accept the principal responsibility since they had created it. The report further presented India's efforts in sustainable

14. National Report to UNCED June 1992, Environment and Development: Traditions, Concerns and effort in India, (Ahmedabad, 1992), p.8

15. *ibid*, p.9

16. *ibid*, p. 56

development activities like social forestry programmes, establishment of protected areas like national parks and wildlife sanctuaries, new and renewable energy resources and the introduction of 'Ecomark' to label environment-friendly products.

In the preparation of India's report, the Ministry of Environment and Forests were given tremendous assistance by persons from different organisations who critically reviewed drafts of the document at various stages. Some of the more prominent ones who contributed to the report were Centre for Environment Education, Centre for Science and Environment, World Wide Fund for Nature-India, Tata Energy Research Institute and so on.¹⁷

Developing Countries participation

It was essential for countries to cooperate so as to secure a future which could sustain them. In particular, the developing countries needed a greater concerted effort if they want to safeguard their interests effectively at an international level. Developing countries were of the view that protecting the environment should be a common endeavour of the international community. However, they pointed out that the developed countries have to bear the main responsibility of environmental degradation since their

17. *ibid*, See p. 2 for the names of the persons who had contributed in the preparations of the National Report to UNCED.

unsustainable patterns of production and consumption had been the cause for it. The environmental problems of the developing countries, on the other hand, arose from conditions of poverty. The developing countries saw no contradictions between environmental considerations and the right to development. This view was reiterated in the Ministerial Conferences of the Developing Countries held in Beijing in 1991 and in Kuala Lumpur in 1992.¹⁸ The process to sustainable development could be accelerated if the developed countries provide greater assistance in finance and environmentally-friendly technologies to the developing countries to confront their problems. Developing countries further opined that environment and development programmes must support national priorities as every country had special situation and needs. Emphasis had been laid on the need for compatibility of the proposed outcomes of UNCED like Agenda 21, Rio Declaration and others with the relevant resolutions of UN General Assembly. The Conference of the Developing countries reaffirmed its intention to participate in UNCED and its preparatory process where global environment could be protected without obstructing development measures. To achieve this, developed countries had to respond in a positive and constructive manner.

Regional Meets :

Stress was laid on holding regional conferences in the

18. See SMCED/MC/DOC.2, 1992, for the Kuala Lumpur Conference

resolution 44/228. The preparatory process, therefore, saw the five UN Regional Commissions holding meetings so that plans for sustainable development in their region could be formulated.

'Action for a Common Future' was sponsored by the Economic Commission for Europe (ECE) in Bergen in May 1990. Environmental and trade policy linkages, sustainable use of energy and industrial activities and methods of involving peoples' participation in all sectors, were the main issues discussed at this conference. A striking feature was the large participation of the NGOs.¹⁹

The Economic and Social Commission for Asia and the Pacific (ESCAP) organised a Ministerial meeting in Bangkok in October 1990. Emphasis was given on the inter-relationship and environmental degradation to evolve an integral approach for solving them. A second follow-up meeting in February 1991 adopted a regional strategy which sought to alleviate poverty, improve the quality of life, protect land and marine ecosystems, and promote environmental awareness.²⁰

The 'Tlatelolco Platform on Environment and Development' adopted by the Economic Commission for Latin America and the Caribbean (ECLAC) in its meeting in March

19. UN Doc. A/CONF.151/PC/44, 5 July 1991.

20. UN Doc. A/CONF. 151/PC/38, 26 March 1991.

1991, laid stress on the solution of the debt problem, without which environmental development in the region remains far-fetched.²¹

The Economic Commission for Africa (ECA) in July 1991 meeting agreed upon a Cairo Common Position on the African Environment and Development Agenda. Priority was directed towards achieving food self-sufficiency and food security, preventing desertification and drought, reversing deforestation and conserving wildlife, sound management of water and marine resources. The second African Regional Preparatory Conference on Environment and Development held in November 1991 made it clear that poverty remained the major reason for the challenges that sustainable development raises.²²

For the 1992 Conference, the Economic and Social Commission for Western Asia (ESCWA) organized the Arab Ministerial Conference on Environment and Development in September 1991. Here, focus was on the need for financial resources, role of national and international institutions, technology transfer, challenges of population growth, aftermaths of war, rational use of energy and promotion of environmental awareness.²³

21. UN Doc. n. 19

22. UN Doc. A/CONF. 151/PC/97, 13 February 1992.

23. UN Doc. A/CONF. 151/PC/99, 13 February 1992.

NEGOTIATIONS ON CONVENTIONS

In separate processes linked to UNCED international agreements were negotiated which would legally bind governments to reduce global warming and conserve the diversity of biological life. The completed agreements were to be ready for signature at UNCED. Another possible convention on the preservation and management of forests was also discussed. It may be recalled that the same issues had been discussed for inclusion in Agenda 21 but not as legal targets.

On Protecting the Atmosphere

The impact of global climate change was already being studied by IPCC but it was found that a convention to protect the atmosphere was needed. The General Assembly had agreed that existing legal instruments and institutions dealing with climate change were insufficient. This led to the establishment of the Intergovernmental Negotiating Committee (INC) in 1990 which had to prepare a framework convention including appropriate commitments and related legal instruments.²⁴

In all, five negotiating sessions were held to discuss how to stabilize 'green-house gases' concentrations in the atmosphere to a level. Which would not interfere with the

24. Un General Assembly resolution 45/212, 21 December, 1990.

climate system. Such a level was to be reached within a time frame. The developing countries, notably India, insisted that developed countries should bear the main responsibility due to their excessive emission of pollutant gases. It was, however, accepted that all states contributed to climate change and so the developing countries must be ecologically responsible and encouraged through technical and financial assistance. Thus, the concept of 'common but differentiated responsibilities' was recognized in the framework convention.

Two working groups -- one focusing on commitments and financing and the other on legal and institutional mechanisms debated on the compatibility of climate protection measures and economic growth. The INC reported directly to the General Assembly and was assisted by UNEP and WMO. In spite of pressure from the European Community and Japan who advocated a target of reducing carbondioxide emissions to 1990 levels by the end of the decade, the United States had opposed it. In the absence of a specific deadline, it became a goal to be met voluntarily. However, it could not be denied that this Convention was an important step to reverse climate change and its adverse effects. Developed countries agreed to provide new and additional funds to help the developing countries. Such assistance was to be channelised through GEF on an interim basis.²⁵

25. UN Doc. A/AC. 237/18 (Part II)/Add. 1, 15 May 1992.

The convention would come into force after fifty states ratify it. In May 1992, the completed convention was ready.

On Conservation of Species

An *ad hoc* working group of Legal and Technical Experts was set up by the UNEP to negotiate a convention on biological diversity. Later this body was renamed the Intergovernmental Negotiating Committee for a Convention on Biological Diversity. Such a move had been prompted by the need for an international legal agreement for the conservation and rational use of biodiversity. Five sessions of INC were held between June 1991 and May 1992. During the negotiations, the developing countries insisted on being compensated for conservation and sharing of profits if species were used for research. A broad consensus had been reached whereby the sovereign rights of states over their natural resources were recognized. Financial assistance to the developing countries were to be administered by the GEF, for the time being. The developing countries arguments for the transfer of technology on concessional terms was conceded. Initially, the developed countries had argued that biotechnology was largely in the hands of transnational companies and the transfer of such technology should be left to market mechanisms. In order for the Convention to become law, it must be ratified by thirty countries. The Convention on Biological Diversity was thus forwarded to the Summit.²⁶

26. UNEP/ Bio.Div/CONF/L.2, 1992.

On Management of Forests :

Consultations on a possible international legal agreement on the sustainable management of forests had already been initiated by FAO, prior to the establishment of UNCED. It was hoped that such a convention on forestry would be negotiated and ready for signature at UNCED. Here, disagreement between the developed and the developing countries prevailed. Developed countries wanted an agreement which would severely restrict the cutting of tropical rainforests which were rich in biodiversity. Developing countries viewed such a convention as impinging on their national sovereignty. India, too, was particularly firm on this issue. Led by Malaysia, the developing countries proposed that any agreement to include forest management was to take the temperate and boreal zones of the North into consideration. Developing countries were willing to sign a statement of principles but not a legally binding convention. On the other hand, the United States took an unusual tough stand on the forestry convention. However, a Treaty of principles for the sustainable management of all types of forests was produced through global consensus.

ROLE OF THE PREPARATORY COMMITTEES

The PrepComs were a series of negotiations that preceded UNCED. In this committees, the proposals and background reports prepared by the UNCED Secretariat were

considered. In all, the PrepCom held an organisational and four substantive sessions. During the PrepComs, specific subjects were entrusted to three separate Working Groups²⁷ for a more elaborate discussion such as protection of atmosphere and land to Working Group I; protection of oceans to Working Group II; and the legal and institutional arrangements to Working Group III. Other issues were called 'cross-sectoral' meaning they affect all the issues concerned. Some of these were financial resources, poverty, population growth and transfer of technology which were dealt with in the Plenary sessions. The PrepCom, therefore, worked through the three Working Groups and the Plenary. Moreover, nations could sort out controversies amongst themselves through informal meetings and 'contact' group.

Working Group I

Under the chair of Mr. Bo Kelljan, this Working Group considered possible options for action to protect the atmosphere and land resources, conserve biological diversity and to use biotechnology in environmentally sound ways.

Human activities like burning of fossil fuels had given rise to emission of pollutant gases, more so in the developed countries. While some pollutant gases take its

27. For the issues to be discussed in Working Group I and II, see UN Doc. A/CONF. 151/PC/13, and Corr.1; and for Working Group III, See UN Doc. A/CONF. 151/PC/L.31.

toll on the ground like acid rain, others such as chlorofluorocarbons (CFCs) and carbon dioxide deplete the ozone layer and trap the heat of the sun. This results in a shift of climate patterns, global warming, rising sea-levels, health hazards and so on. Alternative methods had to be adopted with the help of 'clean' technology, careful monitoring of environmental management, sustainable use of energy and so on. Discussions, however, was not to duplicate or pre-empt the work of the INC for a framework convention on climate change, the official negotiating forum. This provision made it difficult for Working Group I to reach a conclusion since 'Options for Agenda 21' could be finalized only after the outcome of the INC discussions. Throughout the negotiations, the element of differentiated responsibility was evident. The developing countries expressed that since the industrialized countries were mainly responsible for excessive levels of emissions of gases, they should not only shoulder the main responsibility to redress it but also help the developing countries in their transition to sustainable development. A major obstacle in reaching the agreement had been the reluctance of the developed countries to commit to specific timetables and targets for reducing and stabilizing emissions of pollutant gases. The negotiations on atmosphere proved to be very difficult and Prep Com IV had to forward a much 'bracketed' (indicating lack of consensus) text to UNCED.

Working Group I also discussed sound management and conservation of land resources. Forests, besides being the habitat for plants and animals, provides food and fuel for mankind, protect and enrich soils; and also acts as 'carbon sinks'. However, it was estimated that overgrazing, deforestation and intensive agriculture had destroyed or degraded fifteen per cent of the earth's land.²⁸ As a result, there has been heavy soil erosion, frequent floods, droughts, desertification, loss of biodiversity and contribution to global warming. Discussions dwelled on the need to alleviate poverty and control population growth which forces people, particularly the developing countries, to get their livelihood from the fragile ecosystems. Such a chain reaction could be prevented by adopting activities like reforestation, afforestation, conservation of soil, monitoring systems to combat desertification and drought. Initially, the developing countries particularly the African nations, felt that the issue of desertification had been neglected. But later negotiations called for preventive measures and an international desertification convention was also proposed. This was opposed by some developed countries and therefore, paragraphs dealing with it remained in brackets.²⁹

Increasing disappearance of natural habitats have led to loss of biodiversity. It is alarming to know that a

28. UN Chronicle, vol. 29, no. 2, June 1992, p.56.

29. UNCED Network News (World Bank), no.5, May 1992, p. 4.

specie is lost every hour in the present day.³⁰ Developing countries were of the opinion that these can best be conserved through the use of biotechnology in environmentally sound ways. The rich biological diversity provides food, fiber, medicine and inputs into industrial processes for man. Hence, Working Group I sought ways to use biological resources sustainably. For this purpose, there was a need for biotechnology which could increase the production of food, develop medicine and generate energy. It is a well-known fact that while the developing countries were rich in biological diversity, the biotechnological tools to exploit this diversity rests in the industrialized countries. Developing countries opined that issues of biodiversity should be discussed alongwith sharing of biotechnology since they were inseparable. By the end of PrepCom IV, agreement was still not reached on such issues as safety procedures and compensation for damage resulting from application of biotechnology. Pending the outcome of the Biological Diversity negotiations, several contentions paragraphs were left bracketed so as not to pre-empt the work of the INC.

Working Group II

This Working Group considered options for the protection of oceans, seas and coastal areas; to protect the

30. UN Chronicle, n. 28, p. 52.

quality and supply of freshwater resources; to ensure the environmentally sound management of wastes and prevent illegal international traffic of such substances.

Throughout the ages, humans have used oceans and coasts to obtain food, for recreation and to dump their rubbish. Overexploitation of marine resources and the discharge of industrial wastes and sewage have threatened the marine environment. Discussions centred around preventative approach including application of 'clean' technologies and increasing the potential of marine living resources to meet human nutritional needs. Consensus was reached in most areas, except the issue of straddling and highly migratory fish stocks.³¹

The urgency to have access to safe clean water and sanitation facilities had been advocated by the developing countries. Contaminated water gives rise to many diseases and high population growth results in acute water shortages. The best ways to manage water resources, according to Working Group II, were recycling, water-saving techniques and hygiene education.

Hazardous and radioactive wastes, toxic chemicals, human sewage and solid wastes all put environment and human health at risk. Each year, an average of 120,000 tonnes of hazardous wastes was sent to the developing countries by

31. UNCED Network News, n. 29, p. 5.

Europe.³² This was a cheap and easy way to dump unwanted products banned in industrialized countries since most of the developing countries had no toxic control laws. Illegal traffic in toxic chemicals and hazardous wastes had to be prevented and given proper treatment. Emphasis was also laid on the options for Agenda 21 which included minimizing wastes, ensuring their safe disposal and promotion of recycling.

Working Group III

The task given to the third Working Group was to examine the existing legal agreements and make recommendations for any loopholes. To implement and monitor Agenda 21, institutional arrangements also had to be looked into. A survey of international agreements and instruments generated discussions on the international law-making process, its related problems and required reforms. Conflict arose over developing countries compliance with international agreements, means to prevent deliberate large-scale environmental destruction; alternatives for dispute resolutions and so on. PrepCom IV thus deferred these contentious issues to the UNCED for final resolution.

On institutional matters, discussions were focused on whether to strengthen existing institutional arrangements like UNEP or create new ones. The need for intergovernmental

32. UN Chronicle, n. 28, p. 61.

and inter-UN agency coordination as well as overall implementation of Agenda 21 was realized. At PrepCom IV the choice of a Sustainable Development Commission was agreed by all.

The feasibility of elaborating principles on general rights and obligations of states in the field of environment and development was also examined by this Working Group. Such principles were to be incorporated into an appropriate charter or declaration. Starting from UNCHE as a baseline, relevant principles including the 'World Charter for Nature' and the 'Proposed legal principles for environmental protection and sustainable development' (appended to the 1987 Report of WCED) were taken into account.

Plenary discussions in the PrepCom

Agenda 21 had set long term programmes to link economic development and environmental protection so that man could anticipate a viable future. These linkages included 'cross-sectoral' issues such as poverty, consumption patterns, health, human settlements, financial resources and technology which were integral to all the issues concerning environment and development were discussed in the Plenary.

The wasteful consumption and production patterns of the developed countries posed a serious threat to the global environment. Not only were the oceans polluted and marine

life killed, but its emission level of pollutant gases were eight times higher than the developing countries. It is ironic that three quarters of the developing countries still lack the basic facilities needed for survival. Population pressure had forced the world's poor to degrade the environment so that they could eke out a living. Increasing urbanization had further aggravated health and human settlements problem.

With a view to tackle these issues and usher in a development that is sustainable, poverty had to be eradicated. This could be done through income-generating projects and by providing basic shelter, food, health, water and family planning services to all. Deliberation in the Plenary led to a growing realisation that the achievement of sustainable development needed to have a broader public participation in decision-making. Therefore, major groups such as women, youth, indigenous people and so on have to be strengthened as well as given more access to information. Alternative lifestyles which would minimize wastes had to be adopted. This could be done through 'clean' technology which is environment-friendly. Developing countries needed technical assistance in order to make the transition to sustainable development. Discussions on technology transfer continued throughout PrepCom IV. However, portions which dealt with the terms of transfer remained bracketed even though agreement had almost been reached on concessional and

preferential terms, and the need to protect intellectual property rights.

The question on financial resources was one of the most difficult issues to negotiate. Funding of Agenda 21 required \$ 625 billion annually.³³ The G-77 and China emphasized the need for new and additional funds which would be separate from the ODA target commitments by the developed countries. They wanted a specific global fund to implement Agenda 21 since they felt that the GEF was not as transparent and democratic as it should be and had a heavy donor bias. The developed countries, led by the United States, argued that GEF can best serve the purpose and offered to lower the GEF entry fee.³⁴ Intensive discussions were carried out over the creation of the fund and how to administer it but in the end, negotiations broke down. A revised text by the G-77 had started making concessions such as dropping the demand for a separate fund for Agenda 21, accepting the GEF as one of the channels for funding projects and so on when some EC countries hardened their stance. As a result, the G-77 refused to continue discussions and decided to take its original text to the UNCED. Hence, all finance issues in Agenda 21 remained bracketed.³⁵

33. Times of India (New Delhi), 10 April 1992.

34. ibid, 20 April 1992.

35. UNCED Network News, n. 29, pp. 5-6.

THE PROCESS - A RECAPITULATION

The preparatory process to UNCED had been a long and complex one, involving detailed discussions and compromises in the hope that agreements would be reached in the end. It had been a tremendous effort on the part of the UNCED Secretariat, the various UN systems, its member states, the NGOs and so on. The Preparatory Committee, working through the three Working Groups and the Plenary finalized the process. Legally-binding conventions on climate change and biodiversity, and the statement of forest principles were evidences of man's endeavour to protect the earth and its inhabitants.

The Preparatory Committee had followed an orderly process. PrepCom I was primarily a procedural session where the initial agenda and the rules were laid. At PrepCom II, the voluminous background documents prepared by the UNCED Secretariat were reviewed. Here, states addressed the major issues and prioritized the action areas. PrepCom III marked the beginning of negotiations where governments debated the best ways to solve the problems. At PrepCom IV negotiations took place to finalize the technical portions of Agenda 21 and other political instruments that were expected to be signed at the UNCED. However, the end of PrepCom IV saw that while majority of Agenda 21 had been successfully negotiated and free of brackets, there were still some major issues that needed to be resolved. Some of these outstanding issues

were finance, including all of the 'means of implementation' paragraphs in each chapter of Agenda 21; technology transfer, forests and so on. What could not be resolved during two years of preparations was expected to be concluded within two weeks in Rio.

CHAPTER IV

PROCEEDINGS OF UN CONFERENCE

The UN Conference on Environment and Development provided the occasion for the largest intergovernmental meeting ever held, drawing leaders of Governments and Heads of State from 182 nations. It took place in Rio de Janeiro, Brazil, from 3-14 June, 1992. The world had to be saved from environmental degradation and its resources enhanced for a sustainable future. With this view in mind, the participants had come together in order to place environmental and development concerns into all levels of decision-making. But in fact, UNCED was the culmination of a comprehensive process that spanned over two years. In pursuance to the General Assembly resolution 44/228 to convene an international conference, a Preparatory Committee had been established to formulate plans for sustainable development in all areas of human activities. The UNCED Secretariat assisted the PrepCom throughout its preparatory process. A large number of units of the UN system, its member-states, intergovernmental and NGOs actively participated in the process. Four PrepComs of intense negotiations had been held and its products - the Rio Declaration on Environment and Development, Agenda 21 and the Statement of Forest Principles, were forwarded to Rio. However, major issues like finance, technology transfer, atmosphere, forests and some others still remained unagreed. On the other hand,

after protracted negotiations, the two legally-binding conventions on climate change and biological diversity had been completed and were ready for signature at UNCED.

STRUCTURES OF THE CONFERENCE

Prior to UNCED, pre-conference consultations were held on 1 and 2 June 1992 at Rio Centro, the venue for UNCED.¹ Here, procedural and organizational matters were considered.

On 3 June, the historic gathering saw the President of Brazil, Fernando Collor, being elected as the President of the Conference. Other officials were also elected to assist him.² Moreover, a nine-member Credentials Committee was also set up to see the status of credentials of all the representatives participating in the conference.

The main work of the Conference, however, was conducted in two forums. The Plenary was the forum for the general debate which consisted of country statements delivered at the ministerial level. Held from 3-11 June 1992, concerns for environment and development were voiced by more than 200 representatives of governments, inter-governmental agencies and NGOs.

The subsidiary body of the Plenary was the Main Committee whose mandate was to finalize those issues which remained unresolved during the preparatory process. The task

1. UN Doc. A/CONF. 151/L.1, 2 June 1992.
2. UN Doc. A/CONF. 151/26 (vol. IV), 28 September 1992, pp. 9-11

to remove the bracketed text through intense negotiations were given to eight contact groups on the issues of atmosphere, biodiversity and biotechnology, institutions, legal instruments, finance, technology transfer, freshwater resources and forests. The Main Committee met concurrently with the Plenary, under the chair of Tommy Koh who coordinated negotiations on the above issues.

The highlight of UNCED was the Summit level on 12 and 13 June, 1992. It was attended by 102 Heads of State or Governments or personal representative (some Vice-Presidents and a Crown Prince) who addressed the Plenary.

RIO SPIRIT - GOVERNMENTAL

Amidst high expectations, UNCED opened with a statement by the UN Secretary General Boutros Boutros-Ghali who declared that the Earth Summit was proof indeed that man had understood the fragility of the earth and, therefore, was determined to act together to protect it. He affirmed that the earth was "simultaneously suffering from underdevelopment and from overdevelopment".³ Hence, he called for expansion of the term development which would take place in two directions - one towards 'sustainable development' and the other towards 'planetary development'. Sustainable development, he noted, implied development that

3. Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, A/CONF. 151/26 (vol. IV), 28 September, 1992, p. 37.

could meet the needs of the present as long as resources were renewed. Special emphasis was laid on alleviating poverty for "the link between environmental protection and poverty does not only concern large-scale production, but also everyday life, particularly that of women, who have to provide for domestic needs, for water or wood".⁴ He further stated that the three key words for the future should be 'produce, consume but recycle' also.

'Planetary development' or the 'new collective security', as put forth by Boutros Ghali, included redirection of military spending towards planetary development projects; debt for environment swaps; and the transfer of technology and financing on the basis of 'polluter pays' principle.⁵ He further expressed that political will of the states coupled with a universal effort would chart a viable course for the earth. Hence, much depended on what the participants do at the Conference.

The Conference would thus "define the state of political will",⁶ said Maurice F. Strong, UNCED's Secretary General, in his opening statement. Stress was laid on the developing countries 'right to development' and the need for 'environmental space' which was to be brought about by the industrialized countries through control of their

4. *ibid*, p.37

5. *ibid*, p.39

6. *ibid*, p.47

development. He reaffirmed integration of environmental considerations into all aspects of economic policy and decision-making, including culture and value systems. Countries were urged not to delay the transition to sustainable development, but rather view its financing schemes as "an indispensable investment in global environment security."⁷ The need for acting on the 'precautionary principle' was also advocated. "The Earth Summit is not an end in itself, but a new beginning",⁸ therefore, it was imperative that a partnership should be forged which would ensure man's survival and well-being.

The challenges facing the governments, the intergovernmental agencies and the NGOs in the fields of environment and development including its linkages were heard in the Plenary session. Consensus regarding the need for concerted action and shared responsibility was evident. But differences still prevailed. Developing countries were wary of any infringement of their sovereign rights. They felt that their national priorities were neglected. Commitments were also sought from the developed countries on new and additional financial resources, transfer of 'clean' technologies on concessional and preferential terms, and a change in their consumption patterns. Developed countries, on the other hand, pointed to population and poverty as the

7. *ibid*, p.51

8. *ibid*, p.54

main problems. In his address to UNCED, the Environment Minister of India, Mr. Kamal Nath agreed that the wasteful lifestyles of the North and the increasing poverty of the South both contributed to the environmental deterioration. And India, he said, believed that "economic security alone can form the basis of ecological security"⁹ therefore, poverty alleviation programmes had been introduced. By creating employment opportunities through rural programmes like afforestation, soil conservation, water-harvesting and so on, India's efforts on providing sustainable livelihoods were evident. He also said that all human beings have an equal claim on 'environmental space' which implied the "per capita quota that should rightfully be their's".¹⁰ To this end, the developed countries needed to change their wasteful patterns of production and consumption. Only then, an equitable standard of living could be achieved. Emphasis was laid on a genuine sharing partnership which India accepted as the key to the transition towards sustainable development.

The World Bank President Lewis Preston, proposed that additional funding be made available to IDA - specifically that the amount given to replenish IDA funds for the 1993-

9. Address by Mr. Kamal Nath, Minister Environment and Forests India, to the United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, June 1992, (New Delhi) p.6.

10. *ibid*, p.10

1995 period (the IDA-10 replenishment) be at a level that would maintain IDA-9 funding in real terms. The IDA provides loans on concessional terms and this proposal was a way to help the poorest countries grapple national environmental problems. He further proposed that part of the World Bank's net income, \$ 1.2 billion annually, be given to the IDA as an 'Earth Increment' which would fund national environmental projects.¹¹ Such roles played by international institutions could further strengthen international cooperation towards sustainable development.

The notable, associate role was played by select NGOs within the inter-governmental framework of the Rio Summit. This was in addition to the parallel conference of NGOs at Rio, outside the official conference structures. About 650 accredited NGOs also participated in the formal proceedings of the Conference, amongst them were the organisations of indigenous peoples. Many governments, including India, gave due recognition to the NGOs for creating environmental awareness and implementing programmes for ecology regeneration. In the Plenary, stress was laid on the need for more interchange between the governmental and the non-governmental sectors. Keeping in mind the large and diverse approaches of the NGOs, the question would arise as to how best they can render their services in the implementation

11. An address to the United Nations Conference on Environment and Development, Lewis T. Preston, President, The World Bank Group, (Washington 1992), p.4

of Agenda 21 and other relevant activities. In his address to the Plenary, Martin W. Holdgate, the Director General of IUCN made suggestions such as the acceptance of organizations like IUCN (which includes both governmental and non-governmental members) to act as speakers for the different constituencies. He further expressed that such NGOs must be credible, broad-based, democratic and their credentials must be established.¹².

The unprecedented gathering at UNCED had raised many expectations. The Summit level heard the first speaker, Prime Minister of India, Narasimha Rao, reflecting on the wisdom of Mahatma Gandhi - "our world has enough for each person's need but not for his greed"¹³ He further expressed that all countries must ensure that the affluence of some is not derived from the poverty of many. Rao's suggestion of a Planet Protection Fund, a proposal made by Rajiv Gandhi in 1985, had also been part of the Ministerial speech of Kamal Nath at the Plenary. Such a fund had been designed to "make all countries, save the least developed, bear an equitable financial burden for accessing environment - friendly technologies".¹⁴ Narasimha Rao, therefore, considered this

12. Martin W. Holdgate, "Forward from Rio", in Peggy Antrobus, et al, 1992 Rio Reviews (Geneva, 1992), p.18.

13. Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, A/CONF. 151/26/Rev.1 (vol.III), p.1

14. *ibid*,

point as one of the practical measures to tackle the global challenge. Another field for international cooperation, India suggested, could be the establishment of joint ventures between developed and developing countries. And that in the attainment of a sustainable future, India affirmed that all countries should be globally responsible and committed to the cause.

John Major, the Prime Minister of the United Kingdom, emphasized the sharp contrasts between the developed and the developing countries and the need to find a viable balance. To this end, the British Government announced its readiness to commit new and additional financial resources through the GEF and expressed its belief that this Facility should be replenished at a level of \$ 2-3 billion. The expansion of trade and private capital investment and the reduction of debt was considered to be more effective than the concessionary aid. Stress was laid on the valuable role played by NGOs which contributed much in building public confidence. Therefore, the United Kingdom expressed its desire to convene a major global forum of the NGOs the following year, in order to find ways in which they could best implement Agenda 21.¹⁵

The interrelationship between environmental protection and economic development was further elaborated by the

15. *ibid*, pp.25-27

Chinese Prime Minister, Li Peng. China further called for a "first and rational new international political and economic order" which should be based on the "purposes and principles of the Charter of the United Nations".¹⁶ At present, China claimed to enjoy sustained economic growth, political stability, national harmony and unity through the adoption of three principles - to put prevention first, to hold those who cause pollution responsible for cleaning up, and to strengthen environmental control and management.¹⁷ However, as a developing country, China recognised that its economic strength was limited and, therefore, opined that fruitful cooperation was an essentiality.

America's President George Bush claimed that they had the best record on environmental protection. Moreover, he said that America could disprove those who thought that economic growth and environmental protection cannot be compatible. For instance, after Stockholm 1972, America's economy had grown by 57 percent, yet they had reduced air pollution by lead by 97 per cent, the carbon monoxide by 41 per cent and the particulates by 59 per cent. However, Bush reiterated his refusal to sign the Biodiversity Convention on the grounds that the protection of ideas would be undermined and that its financing scheme would not work. America had been isolated on this issue, nevertheless, Bush

16. *ibid*, p.35

17. *ibid*, p.37

still claimed that it was "never easy to stand alone on principle, but sometimes leadership requires that you do. And now is such a time".¹⁸

In his statement at the Summit segment, Mohammed Nawaz Sharif, Prime Minister of Pakistan and Chairman of the Group of 77, pointed out the gross economic imbalances between the developed and the developing countries such as deteriorating terms of trade, heavy debt servicing, trade barriers and so on. How then, he questioned, could people give due attention to environmental problems? Pakistan, therefore, affirmed that Agenda 21 should be "a navigational chart" designed to take people from their "present hazardous state into an economic and environmental situation which is both equitable and sound".¹⁹ For this purpose, he also expressed the need for new and additional financial resources and transfer of technology on preferential terms to the developing countries.

"It is what the rich do that counts, not what the poor do, however much they do it",²⁰ opined Prime Minister Mahathir Mohammed of Malaysia, during his speech at the UNCED Summit level. Hence, it was considered imperative that the developed countries change their current lifestyles.

18. *ibid*, p.79

19. *ibid*, p.154

20. *ibid*, p.232

Sustainable development, he said, could be achieved if only everyone was willing to make the necessary adjustments.

Mrs. Gro Harlem Brundtland, the Prime Minister of Norway, frankly expressed that the Conference had achieved "progress in many fields, too little progress in most fields and no progress at all in some fields".²¹ She felt that the issue such as the need for more open trade alongwith its environmental and developmental impacts had been neglected. A change in the wasteful lifestyles of both the North and the rich in the South was called for. Norway could confidently claim that they were doing their bit, as they had already reached the ODA target about 15 years ago and even exceeded one per cent a decade back. In addition, new funds had also been provided which had been financed by having the highest carbon dioxide taxes in the world. If more countries would sincerely increase their contributions, she opined that Agenda 21 could become Accomplished 21. She feared that anarchy would prevail if nations adopt a unilateral attitude towards global problems. Traditional international conferences run by consensus, she noted, was not enough. Rather the challenge of the future should be to strengthen democratic decision - making procedures. And that, the outcome of Rio would reveal the direction in which the world was heading.

21. *ibid*, p.191

During the Summit, a number of world leaders had proposed specific initiatives or committed additional financial support for global sustainable development.²² To combat the 'greenhouse' effect, Belgium had promised to reduce 5 per cent of carbon dioxide emissions by 2000; Germany, 30 per cent by 2005; Luxembourg, 20 per cent by 2005; whereas Sweden and Austria supported carbon dioxide tax.

Austria proposed to finance bilateral projects to protect tropical rainforests and their inhabitants. Canada contributed \$ 115 million to developing countries for forest management. The United States, too, spoke of doubling global forest assistance, phasing out domestic clear-cutting and aimed to plant 1 billion new trees.

New conventions had been proposed by countries like Monaco on the protection of sensitive ecological zones; Russia Federation on emergency ecological assistance; Kuwait on making deliberate destruction of an ecosystem a 'crime against mankind' and so on.

Both Turkey and the Cook Islands offered to host conference in 1993. Turkey on special ecological protection of wetlands and the Cook Islands on the first global conference on small island states, in support of Agenda 21.

22. UN Chronicle, vol. 29, no.3, September 1992, p.64

The Russian Federation opined that the creation of a UN agency, along the lines of IAEA, to build environment - friendly chemical industry would be helpful. Argentina also put forth the idea of establishing a UN research centre at its southernmost port, for the preservation of Antarctica.

The need for holding a special session in 1995 of UN General Assembly to follow up UNCED had been proposed by Finland. This was also echoed by Marshall Islands and France.

The 'spirit of Rio' had indeed created an awareness for a concerted effort to save the planet. This was evident in the many decisions that had been taken by the countries during UNCED. What must be done is to build up on the decision taken in order to ensure a sustainable future for all.

Ketumile Masirekk, President of Botswana, speaking on behalf of Africa, laid emphasis on the challenge when he said that "the present opportunity for change must be seized" for "time is not on our side".²³ This speech was delivered at the one-hour round table conference which saw the largest gathering of world leaders around a single table in the history of international diplomacy. Here, statements were made by the Brazilian President, Boutros Ghali, Maurice Strong and Heads of State or Governments representing the

23. *ibid*, p.65

five regional groups. The President of Bulgaria, on behalf of Eastern Europe, talked of a new kind of humanism that had emerged which was evident in the new attitude towards the environment and a new relationship between developed and developing countries.²⁴ The Conference was a big step towards sustainable development, voiced Nawaz Sharif, the Prime Minister of Pakistan, on behalf of Asia. However, he said that UNCED may not have realised all the expectations of the countries but there was a sense of urgency and determination to work for a more equitable and environmentally sound world order.²⁵

OUTCOME OF THE CONFERENCE

The Conference deliberations, on the basis of the negotiations conducted prior to the Conference, climaxed in important agreements, declarations, conventions, statement of principles, covering substantive aspects of climate, forests, sustainable development and so on. In essence, the policy and practice oriented outcome was multi-faceted. A brief analysis of these is attempted here.

Rio Declaration on Environment and Development

Outlining the rights and responsibilities of states for environment and development, the Rio Declaration was the

24. *ibid*, p.60

25. Times of India (New Delhi), 15 June 1992

only unbracketed text to go to Rio. Originally, it was conceived as an 'Earth Charter', a document the developed countries felt should focus the need for environmental protection. The developing countries, on the other hand, desired a more detailed proclamation reflecting a greater balance between the environment and development.

The final text represented a serious attempt to balance the key concerns of both the Northern and Southern countries with the goal of creating 'a new and equitable global partnership'.

The Rio Declaration had been a build-up of the 1972 Stockholm Declaration. For instance, Principle 21 of the Stockholm Declaration had been reaffirmed in Principle 2 of the Rio Declaration with an addition that states have a sovereign right to exploit their own resources pursuant to their own environmental and 'developmental' policies. This addition reflected the need for development while protecting the environment also.

For the achievement of a higher quality of life, all states were urged to do away with unsustainable patterns of production and consumption, and promote appropriate demographic policies. The developing countries were successful in including concepts such as the eradication of poverty as a precondition to sustainable development; humans as the centre of concerns for sustainable development;

recognition of the special needs of the developing countries; promotion of a supportive and open international economic system and so on.

The only contentious issue in UNCED pertained to the principle referring to the rights of people under occupation. This was resolved after long discussions resulting in the language remaining in the Rio Declaration and its removal from the text of Agenda 21. However, the preamble to Agenda 21 stated that Agenda 21 would be carried out in full respect of all the principles contained in the Rio Declaration. The US tried to reopen substantive discussions but no country supported it on this point. The US, in the end issued a written statement declaring its reservations on the right to development as well as some other issues.²⁶

Critics described the Rio Declaration as a collection of self-evident truths for they believed that it hardly reached down to practicality or committed states to new obligations.²⁷ However, in the light of the very delicate balance achieved in the Declaration, this step was a great move forward. As the UN Secretary-General Boutros Ghali had said, these 27 principles represented a delicate compromise

26. Earth Summit Bulletin, An NGO final report on the proceedings of the Conference on Environment and Development, vol. 2, no.3, 16 June 1992, p.1

27. Holdgate, n.12, p.16

of various perceptions and priorities, therein lies its strength for it was accepted by every country in the world.

Agenda 21

According to the final text, sustainable development could be hastened through increased international co-operation and a stronger political will. This action-oriented plan contained forty chapters, divided into four sections, and included different programme areas. Seven chapters in the first section focused on the social and economic dimensions and aimed to resolve problems of international trade, poverty, consumption patterns, demographic pressures, health and other aspects of human settlements. To accelerate sustainable development in developing countries, recommendations were made on liberalisation of trade, supporting national priorities by meeting the basic needs of man, family planning programmes, sound health-care systems and so on.

The second section dealt with conservation and resource management and consisted of fourteen chapters aimed at protecting the atmosphere and more efficient use of land, forests, water, biodiversity and energy. Sound management of wastes and its safe disposal, recycling and the like, were called for.

In the third section, nine chapters were devoted to recognizing and strengthening the role of women, youth,

indigenous people and other major groups like NGOs, local authorities, trade unions, the scientific community, business and industry, in the pursuit for sustainable development.

Keeping in mind the UN General Assembly resolution 44/228, the last section outlined steps for implementation through financial assistance, transfer of 'clean' technology, promoting environmental awareness, national capacity-building and strengthening of institutions.

Most of Agenda 21 had been finalized during the preparatory process yet, some issues like finance, technology transfer among others were still unresolved.

After protracted negotiations, it was decided that most funding for Agenda 21 would come from each country's public and private sectors. However, it was recognised that new and additional funds would be required by the developing countries in order to make a transition to sustainable development. UNCED's Secretary General had estimated that \$125 billion would be needed annually by developing countries in grants or loans to implement Agenda 21 proposals. This would be \$ 70 billion more than the current level of ODA. But the close of the conference saw only \$ 6 billion to \$ 8 billion in additional funds being committed.²⁸ Prolonged discussions, including an eighteen

28. UN Chronicle, n.22, p.61

hours session, resulted in the developed countries agreeing to a compromise text whereby commitments were reaffirmed to reach the UN target of 0.7 per cent of the gross national product (GNP) for ODA as soon as possible. The text stated that 'some countries agree or have agreed to reach the target by the year 2000'. This statement had been supported by Denmark, the Netherlands and France, but the United Kingdom and Germany did not. It was unfortunate that the United States had not even accepted the ODA targets. However, it should be noted that the ODA target was only a reaffirmation of the old promise made many years ago and which few countries had fulfilled.

In adopting Agenda 21, the G-77 and China were able to include clauses for restructuring GEF to give the developing countries a greater part in decision-making. They had insisted on the disbursement of funds without new forms of conditionality and expressed the opinion that a modified GEF would ensure transparent and democratic governance.

With regard to the 'means of implementation' section in each chapter of Agenda 21, it was agreed that the costs for the activities were estimates only and that the actual value would depend on the programmes implemented.

Other recommendations on finance concerned the IDA, the World Bank's concessional lending affiliate, whereby Chapter 33 of Agenda 21 directed the IDA Deputies to give special

consideration to the Bank's President Lewis Preston's speech at the UNCED Plenary.

Innovative ways of financing such as debt relief, fiscal incentives, tradeable permits and reallocation of resources presently committed to military purposes should be explored so as to fund Agenda 21. It was also hoped that voluntary contributions from NGOs could be increased.

The provision to take note of the special needs of 'economies in transition' underwent heated debates before an agreement was finally reached. The developing countries were apprehensive that such a clause would divert the new aid to the former socialist countries of Eastern Europe.²⁹

During the preparatory process it had been agreed that developing countries needed to have access to environmentally sound technology in order to attain sustainable development. Disagreements had been on the terms of transfer, ways to avoid abuse of intellectual property rights and the role of international business as an important vehicle for technology transfer. After much discussion, a compromise text was agreed where access to and transfer of environmentally - sound technologies would be made available to the developing countries on favourable terms, including concessional and preferential treatment,

29. Deccan Herald (Bangalore), 10 June 1992

while taking into account the need to protect intellectual property rights. Compromise was also reached on the point that while ways to assure access by developing countries to state-of-the-art technologies continue to be explored, enhanced success should be facilitated and financed as appropriate, at the same time providing fair incentives to innovators.

Next to discussions on finance, the atmosphere negotiations proved to be the most difficult. Due to some of the Arab countries insistence, PrepCom IV was compelled to forward a completely bracketed chapter to the UNCED. The Arab Group countries were concerned about the emphasis on the new and renewable energy. They also insisted on the use of the phrase 'safe and' in relation to energy systems and technologies, due to its opposition to nuclear power. Finally, it was agreed that the phrase 'safe and' would be deleted and that a paragraph would be included in the Preamble to Agenda 21 stating that 'environmentally sound' should be read as 'environmentally safe and sound' throughout the text when used in relation to energy systems and technologies. But the repeated references to new and renewable energy sources were to be retained. Saudi Arabia, however, placed reservations on the atmosphere chapter.³⁰

After some negotiations, the idea to convene an international convention on desertification by 1994 was

30. Earth Summit Bulletin, n.26, p.2-3

agreed. Such a convention was important to many African countries. Initially, the G-77's proposal was not supported by the United States.

In the area of biodiversity, several contentious paragraphs had been bracketed so as not to pre-empt the work of the INC. After the completion of the Biological Diversity Convention, agreement was reached in the contact group negotiations on a compromise language that reflected the provision in the Convention.

Finally, agreement was reached on Agenda 21. To monitor progress in the implementation of Agenda 21, a high level UN Commission on Sustainable Development was to be established. This body would report to the General Assembly through ECOSOC. The need for such a special UN Commission had been recommended by the WCED. The General Assembly also approved the creation of the Commission on Sustainable Development through its resolution 47/191 in 1992 so as to ensure effective follow-up arrangements.³¹

Statement of Forest Principles

The 'Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forests' was finalized after lengthy negotiations.

31. UN Chronicle, vol. 30. No.1, March 1993

Originally meant to be a binding convention, the developing countries opposition forced UNCED to draft only a non-legally binding agreement. This stand had been adopted by the developing countries for they felt that such a convention would infringe on their sovereign rights to exploit their forests as economic resources. The recognition that the world's forests were to serve as 'sinks', that the agreement would lead to a binding one, and that exploitation of forests should conform to international guidelines was not favoured by developing countries, particularly India. The developed countries also objected to the principles that external indebtedness and low international prices have pressurised the poor countries to clear their forests.³²

After much debates, agreement was finally reached and the statement of forest principles reflected a 'first global consensus' on this issue. Requesting all countries, notably the developed nations, to make efforts to 'greening the world' through reforestation, afforestation and forest conservation, the principles called for forest cover to be maintained and increased in ecologically, economically and socially sound ways.

The provision to provide specific financial resources to the developing countries which carries out forest conservation programmes was done with a view to stimulate economic and social substitution activities.

32. Deccan Herald, n.29

Mention of a possible convention on forests was replaced by a provision in the Preamble calling on countries to keep the principles 'under assessment for their adequacy with regard to further international cooperation on forest issues'.

Convention on Climate Change

Finalized in May 1992, this Convention was opened for signature at UNCED on 4 June. The aim of this agreement was to stabilize atmospheric concentrations of 'green-house gases' at levels that would prevent human activities from interfering dangerously with the global climate system. In signing this Convention, governments agreed to reduce such GHGs to earlier levels by the end of the decade. However, the Convention did not set out specific timetable or targets for industrialized countries to limit these emissions. A target of reducing carbon dioxide emissions to 1990 levels by the end of the decade was proposed by the European Community but was opposed by the United States, hence it became a goal to be met voluntarily. The reason why the United States took such a stand was because reductions of that nature would require fundamental changes in production which would cost too much.³³ The Convention, thus, revealed lack of firm commitments. While some countries saw such

33. Chee Yoke Ling, "Unequal negotiations in an unequal world", Third World Resurgence (Penang), no. 24/25, August/September 1992, p.9

targets as a constraint on their exports, others like the United States view it as a threat to their current lifestyles.³⁴

To enable developing countries to meet their obligations under the Convention, developed countries had agreed to provide new and additional financial assistance. In the meanwhile, such assistance would be channeled through GEF. The treaty had already been signed by 153 countries and would enter into force after ratification by fifty states.

Convention on Biological Diversity

The UN Convention on Biological Diversity aimed at the conservation and the sustainable use of all earth's species and ecosystems. The important provisions of the Convention included the need for countries to adopt regulations to conserve their biological resources; technology transfer on concessional terms without conflicting with intellectual property rights or patents; access to and ownership of genetic material; and compensation to developing countries for extraction of their genetic material and so on. Pending the establishment of a new institutional structure, the GEF was to administer funds to assist the developing countries in implementing the provisions in this Convention.³⁵

34. Holdgate, n.12, p.16

35. For the provisions of the convention see UNEP, Convention on Biological Diversity, June 1992 (November, 1992).

At the Conference, the Convention was opened for signature. Initially, a number of countries expressed reservations on various aspects of the Convention but later agreed to sign. The United States refused to sign on the grounds that it would adversely affect the American biotechnology industry and that the financing arrangements were wrong. By adopting such an approach, the United States clearly showed that it was putting its economic interests ahead of global environmental concerns. The United States was thus isolated in this issue. However, 1993 saw the signing of the Convention by the United States and this was indeed a positive sign.

157 countries signed the Convention at UNCED. To become a law, it had to be ratified by 30 countries. It was hoped that countries would have the political will to carry out its provisions.

RIO SPIRIT - NON-GOVERNMENTAL

The non-governmental world came together at Flamengo Park in Rio. Approximately, 7,000 NGOs attended the '92 Global Forum. Here, different activities such as workshops, discussions and meetings took place. It had been described as an extended funfair.³⁶ There was singing and dancing and the event featured well-known personalities like singer John Denver, actress Shirley Maclaine, actor Roger Moore, His

36. Economic Times, (New Delhi), 21 June 1992

Holiness the Dalai Lama together with diplomats, other officials and the environmental activists. More than 17,000 people attended the Forum and got the opportunity to express a different approach to the issues being discussed at Rio Centro. The Forum had been described as one which was less concerned with money, wording of conventions, technological solutions; and more concerned with changing policies and institutions, changing the attitudes of children and mobilizing people to change their daily lives. It cannot be ignored that the environmental issue and its increasing importance had been due to the growing power and diversity of the world's NGO movements. An NGO forum can bring to light, issues which the governments tend to neglect and prepare alternative texts. However, NGOs also face problems due to their diversity in approach and their ability to criticize than at the production of practical proposals.³⁷

It should be remembered that environment is a common concern and therefore, a concerted effort is required to address its problem. The Global Forum reflects the growing recognition for openness, collaboration and accountability of all the people. Greater citizen participation and interaction were largely due to the efforts of the NGOs which stimulated the public into action. The NGOs firmly believed that "action at the ground level is the only way to

37. Holdgate, n.12, p.17

ensure that legislation passed at higher levels will take effect".³⁸

A striking feature was the 'Tree of life', a wooden global structure, where thousands of children sent pledges to save the earth. These messages were pinned to the tree. It was also interesting to note that the Prime Minister of India was the only Head of State or Government to visit the Global Forum.

THE CHALLENGE

Boutros-Ghali in his closing speech at the UNCED called upon all countries to make an ethical and political contract with nature for he believed that the earth "had a soul. To find that soul again, to give it new life, that is the essence of Rio".³⁹ Likewise, Maurice Strong challenged the participants to change their present trends and to concretise the sense of urgency in the transition towards a sustainable development.⁴⁰

38. The Urban Age (Washington), vol.1, no.1, September 1992, p.4

39. Report of the UNCED, n.3, p.69

40. *ibid*, p.75

CHAPTER V

CONCLUSION

The 1992 UN Conference could be described as the single most significant step ever taken towards the protection of human environment. Yet, a sober view would show that it was not an isolated event. The UNCED was part of a continuing process - a process that had started in 1972, at Stockholm. As an important integral part of the process, Rio had provided key inputs for redefining future goals and reinvigorating the pace of process to safeguard and sustain the interface between environment and development for generations to come.

It had been rightly stated in the Report of the Secretary - General of the United Nations (1992), that UNCED was indeed a landmark for it had achieved consensus in securing a set of agreements, in steering political commitments at the highest level for the transition to sustainable development, in creating avenues for closer co-operation between official and non-official organizations, and in stimulating public awareness which should be the driving force to attain its objectives.

Realisation of the urgency to deal with environmental and development problems had been accelerated particularly by the Brundtland Commission's Report 'Our Common Future'. The thrust of this report had been the need for sustainable

development implying meeting the requirements of the present generation without compromising those of the future. A deeper awareness of the alarming state of affairs had prevailed and the determination to reverse the present trends of degradation had stipulated the need for a stronger combined effort.

To identify strategies to stem the environmental deterioration, to incorporate environmental concerns in the decision-making levels, to reach specific agreements and commitments, to provide new and additional funds especially to the developing countries -- were some of the objectives of the Conference. The interdependency of the issues at stake and the sensitivity of different countries towards some specific topics initially made the attainment of these objectives far-fetched. Hence, the preparatory process that had been launched underwent two difficult years. In the search for a sustainable balance between environment and development, heated debates and intense negotiations had been the order of the day. However, the United Nations keeping true to its endeavours had provided a common platform and thus, demonstrated that it is indeed a centre for harmonizing the diverse perceptions of the nations.

The remarkability of the UNCED lay in its providing an occasion not just for speeches to be delivered by the highest level of States or Governments, but more of an

occasion for committing the nations to take concrete measures. As a result, agreements were made for future environmental protection. Two legally binding agreements on climate change and biological diversity that had been signed by more than 150 countries at the Conference certainly gave brighter prospects for the future. The Convention on Climate Change aimed at stabilizing greenhouse gases in the atmosphere within safe limits, even though it ran short of setting specific time targets. The Convention on Biological Diversity is intended to conserve and sustain the earth's species and ecosystems and to ensure a sharing of benefits from the use of genetic resources. Even the United States, which was reluctant to sign it initially, finally did so for the 'spirit of Rio' had enveloped it.

The UNCED's significance lay in the adoption of a set of forward-looking declaratory principles which were to constitute the basis of policy guidance and action. The reference here applies to the following : Rio Declaration which had outlined the rights and responsibilities of states for environment and development looked to a new and equitable global partnership as its goal, and to this end, 'human beings have been made the centre of concerns' for sustainable development; Agenda 21 which aimed to reshape human activities by integrating environmental considerations into economic growth whereby a viable balance can be achieved in the process; and the Statement of Forest

Principles which had reconciled the sound management, conservation, and development of forests with their multiple functions and uses. True, there were insufficient agreements among the member-countries to elevate the declarations into binding legal instruments. However, this does not discount the moral political weight of the principles of guidelines incorporated in the above agreements.

Realising that the 'cost of inaction could outweigh the financial costs of implementing Agenda 21' and other related activities, a few countries had made commitments to promote additional funds. Some progress, thus, had been made in the field of financial resources even though it was not satisfactory, considering the immense task that has to be undertaken. The modifications that had been called for in the GEF's structure hopefully would ensure a more democratic and transparent governance.

The agreement to establish a high-level Commission on Sustainable Development to monitor the progress on the implementation of the adopted policies and make follow-up arrangements, is certainly a concrete achievement. Moreover, by identifying areas for immediate action and outlining the modalities for implementing the agreements already reached, it can be said that Rio has taken an important and positive step. Furthermore, the UNCED had reserved the issues on

which progress could not be made for future endeavours, for instance, the agreement for the establishment of an intergovernmental committee to negotiate an international convention to combat desertification, particularly in Africa.

This particular UN Conference is noteworthy for it had given more prominence to the NGOs than most other intergovernmental conferences on issues such as population, human settlements and the like. This is evident from the number of participants who were present at the Rio conferences. About 650 NGOs had been accredited in the official Conference and approximately 7,000 NGOs came together in the '92 Global Forum which had been held parallel to the UNCED. The NGOs had not been isolated from the process, rather their contributions were welcomed and the closer interaction with the governmental agencies had sparked off a series of activities which had mobilized public participation to a large extent.

In the light of the immense groundwork that had been done to resolve the potential conflicts, it cannot be denied that the UN had achieved moderate success. Never before has any such event generated mixed feelings of concern about the future, disappointments at some junctures, consensus in most areas and above all, gave signs of hope to the ailing world. As UNCED's Secretary-General rightly stated, the Conference

was 'a profoundly important human experience' from which no one can emerge unchanged. He further opined that the world would not be the same, neither would diplomacy nor the UN would remain the same. And hence, prospects for the earth 'cannot - must not - be the same'.

As observed earlier, Rio had provided impetus to an ongoing process under the UN auspices. This process would hopefully take forward the determination so powerfully expressed at the Rio Summit in achieving a sustainable balance between the environment and development. Keeping in mind the future of the present and successive generations, there is an urgent need to concretise these determinations into the realm of constructive action.

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