

1992 RIO CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

United Nations General Assembly Resolution No. 44/228 adopted in December 1989 set out the guidelines for Rio de Janeiro, Brazil - 1992 UN Conference on Environment and Development (UNCED). It also defines the principal issues to be addressed by the Conference as being those “of major concerns in maintaining the quality of the earth’s environment and especially in achieving environmentally sound and sustainable development in all countries”. The UNCED, popularly known as the Earth Summit, was held in Rio de Janeiro, Brazil from June 3 to 14, 1992. More than 30,000 delegates from all over the world and over 100 Heads of State and Government participated in this Conference. It was a historic moment in the annals of human civilization.

4.1 Major Issues in UNCED

The major issues discussed in the UNCED were^(3~7):

- The Rio Declaration (Box B) - a nonbinding statement of 27 broad principles emphasizing the integration of environment and development and the need to give priority to the economic and environmental problems of developing nations. It was adopted by consensus and will be presented at the 50th anniversary of the UN in 1995.
- The Framework Convention on Climate Change - a legally-binding treaty that encourages but does not require industrialized nations to reduce emission of greenhouse gases (principally carbon dioxide) to 1990 levels by the year 2000. Developing countries are encouraged to adopt policies to curb their own emissions. The treaty was signed by 154 state representatives at Rio and requires ratification by at least 50 states. The Convention, however, lacks a compliance timetable and targets.
- The Convention on Bio-diversity - a legally-binding treaty requiring nations to make an inventory of their plant and animal species and to share research, profits and technologies with other nations whose genetic resources they use. This treaty was signed by 154 state representatives at Rio and requires ratification by at least 50 states. This treaty also lacks a definite

timetable and there is no obligation to publicize findings and no explicit plan for sharing the wealth produced by products derived from forests.

- A Declaration on Forest Principles - a nonbinding statement of principles calling for a global consensus on the management, conservation and sustainable development of all types of forests recognizing their role in protecting the climate and bio-diversity. This was adopted by consensus, but only after marathon negotiations resulted in the elimination of all compliance requirements.
- Desertification - a request to the UN General Assembly to prepare a convention to combat desertification, to be finalized by June 1994.
- UN Commission on Sustainable Development - a recommendation to establish a Commission to monitor and review the implementation of Agenda 21.

4.2 Agenda 21 - The Major Plan of Action

Agenda 21 is a comprehensive program aimed at reshaping human activities to minimize environmental damage and ensure sustainability in the development process. It is an 800-page blueprint for a more sustainable future dealing with a full range of issues such as ocean pollution, hazardous waste disposal, public health, poverty and advancement for women. It was adopted by consensus but only after developing countries dropped a demand for specific aid commitments from industrialized countries. Agenda 21 had been grouped around a series of themes, each of which represents an important dimension in the overall strategy for a global transition:

- Social and economic dimensions, which focus on combating poverty, changing consumption patterns, demographic dynamics and sustainability, protecting and promoting human health conditions, promoting sustainable human settlement development, and integrating environment and development in the decision-making.
- Conservation and management of resources for development, which focuses on the protection of the atmosphere, sound management of land resources and fragile ecosystems, conservation of biological diversity, environmentally-sound management of biotechnology, protection of the oceans and all kinds of seas, protection of the quality and supply of fresh water resources, and environmentally-sound management of toxic chemicals, hazardous, radioactive and solid wastes.
- Strengthening the role of major groups, which emphasizes the role of women, children and youth, indigenous people, non-governmental organizations, local authorities, business and industry, and farmers in sustainable development.

Box B

**PROPOSAL* OF THE CHAIRMAN
OF THE PREPARATORY COMMITTEE FOR UNCED ON
THE
RIO DECLARATION ON ENVIRONMENT AND
DEVELOPMENT**

The United Nations Conference on Environment and Development.

Having met at Rio de Janeiro from 3 to 14 June 1992,

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of cooperation among States, key sectors of societies and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1: Human beings are at the center of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2: States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3: The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4: In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5: All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

Principle 6: The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7: States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8: To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9: States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10: Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11: States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12: States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of

environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

Principle 13: States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14: States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15: In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16: National authorities should endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17: Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18: States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

Principle 19: States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

Principle 20: Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21: The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22: Indigenous people and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23: The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24: Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25: Peace, development and environmental protection are interdependent and indivisible.

Principle 26: States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27: States and people shall cooperate in good faith and in a spirit of partnership in the fulfillment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

*The Preparatory Committee decided at its fourth session in New York in April 1992 to transmit this document to UNCED for further consideration and finalization.

SOURCE: UN Publications - 1992, The Global Partnership for Environment and Development — A Guide to Agenda 21 UNCED, Geneva, April 1992, p 116.

-Means of implementation, which focus on financial resources and mechanisms, technology transfer, institutional arrangements, legal instruments and mechanisms, science for sustainable development, education, public awareness and training, capacity-building and information for decision-making.

4.3 Impacts of UNCED on Developing Countries

UNCED 1992 has definitely made some positive contribution to the creation of global consciousness, public awareness and action-plan approach in the overall problems of environment and development. There is a growing consensus that the UNCED/Earth Summit was a success in at least one key respect. The Summit underscored that economic development and environmental protection are two inseparable sides of the same coin. The implementation of the initiatives and the action-plans of the Agenda 21 is a very difficult task. An all-out and concerted effort of all nations is needed to better understand the complexities and implications of the various activities and to act to attain ESSD and to try to improve the quality of life of the people worldwide.



The 92 Global Forum: Focal point of NGO activities

It should be recognized that majority of the people are still living and struggling in extreme poverty, unemployment, malnutrition, health hazards, etc., while a smaller part finds itself in an advanced level of economic development and scientific and technological achievement. It is critical that developing countries, representing four fifths of all humanity, have a major role and say in charting new directions. It is necessary that developing countries should unite and pool their resources, and negotiate as a group so as to safeguard and advance their common interests. These points were discussed and negotiated before and during the UNCED Conference through conventions of climate change, bio-diversity, Agenda-21 and other related agreements. The viewpoints of developing countries were projected strongly by the South and patiently heard by the North. Though it was agreed in principle to provide possible assistance through international cooperation, the quantum and modalities are yet to be finalized. These negotiations will continue as follow-up actions to UNCED.

Emphasis was given to the building of national capacities of the developing countries in preparing sustainable development particularly in these areas⁽⁸⁾: formulating policies and legislation, human resource training, building up institutions which support sustainable development and shaping mechanisms for public participation, information flows and technology exchange.

It is strongly felt by the developing countries that global environmental degradation and ecological imbalance have been created primarily by the activities of developed and industrialized countries because of their rapid industrialization and indiscriminate use of natural resources without taking adequate measures for environmental pollution control and waste product disposal. It is also felt that luxurious lifestyles and consumption patterns in the North and intensive poverty in the South are mainly responsible for environmental degradation. These have been culminated over the years and worldwide realization of the problems resulted from two epoch-making international conferences (Stockholm 1972 and Rio 1992). The issues and problems related to environment degradation can only be resolved through effective cooperation between the countries in the North and the South.

The strategy of cooperation may differ between North-South and South-South but the ultimate objective for attaining ESSD for all nations should be the goal of any future action-plan.

The North-South cooperation should be based on the provision of additional fund on concessional term, transfer of pollution-free and recyclable-environmentally-sound technology from North to the South. The South-South cooperation should have the following strategy⁽⁹⁾:

- The South should have adequate "environmental space" for future development.
- Global economic relations should be restructured in such a way that the

South obtains the required resources, technology, and access to markets enabling it to pursue a development process that is not only environmentally sound but also rapid enough to meet the needs and aspirations of its growing population.

- Understanding among the countries of the South on the strategic objectives of various negotiations is needed and they should not enter into any agreements unless they are linked to corresponding international action and firm commitment on the North-South development issues and global economic relations.
- An agreement among the countries of the South should be reached to pool their resources and to establish mechanisms giving them adequate scientific and technical support in various negotiating forums.
- A public information strategy should be established to place the South's position directly before public opinion in the North and to gain understanding and support for the South's position among the public in the North.

The non-governmental organizations (NGO) played a vital role in the UNCED Conference in Rio. Their activities were initiated long before the Conference and they have a strategy of comprehensive follow-up actions after the Rio Conference. The Flamengo Park in Rio was the focal point of NGO activities. The major theme of discussions in the NGO Forum was the poverty, environment and development focusing on the developing countries of the South. The interactions of poverty of the South and affluence of the North were highlighted by various speakers in a different NGO Forum - which also organized invited lectures, demonstration of various activities of case studies, in-depth discussions on various issues, film/video shows, exhibitions, exposures of books and publications, etc. These created an enthusiastic and cooperative spirit among the participants. The 92 Global Forum organized a signature campaign - "I pledge to make the earth a secure and hospitable home for present and future generations". It was a great success. The 92 Global Forum also gave much weight to the problems and issues related to poverty, environment, development, women, children of the planet Earth particularly of the South. There were interactions of the NGO Forum activities and the governmental initiatives.

It is felt that UNCED is an unfinished job but a good starting point for the road ahead in attaining environmentally sound and sustainable development for all nations, both developed and developing, located in the North and South alike by concerted and united efforts of the public and private sectors in the global perspectives.