

Evaluating the 1992 Earth Summit – an Institutional Perspective

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1. INTRODUCTION

BY THE time 183 government delegations assembled in Rio de Janeiro on 3 June, it was already clear the conference would be a success. After two years of preparatory work the bulk of the work that would be approved in Rio was finished. Agenda 21 – an action plan of 40 chapters – was largely completed, with all remaining issues identified for final resolution in Rio; the Rio Declaration of Principles had been agreed, at least in principle, two months earlier at the last session of the Preparatory Committee in New York; a statement of principles about forests was unresolved and contentious, but not critical for the ‘success’ of this conference; and two international agreements – on climate change and biological diversity – had been drawn up and were ready for signature.

With over 100 heads of state or government expected in Rio for the grandest summit ever, only the worst malcontent or grievous mistake could derail this conference from a successful outcome.

Success at Rio was easiest to see in terms of aroused public opinion and high-level awareness of the ultimate security problem of the planet: whether the human species would overrun the capacity of its life-support systems. Almost all speakers stressed the environment-and-development theme first elaborated 21 years earlier at a meeting in Founex, on the road to Stockholm, in contrast to the few outbursts based on old-fashioned environment-vs-development antagonisms. Little wonder that the ‘Earth Summit’ in Rio captured worldwide media attention. In addition to the formal ceremonies, the spotlight also shone on the largest-ever assembly of nongovernmental organizations, highlighting the growing role that NGOs play, even at a UN conference, where decisions can be made only by governments.

And with few reservations, an orderly program of work produced agreements by consensus among the largest gathering of states in history, on mountains of paper: 491 pages devoted to the draft Agenda 21 document alone.

But – will it ‘make a difference’? Will global security be strengthened, will deterioration in life-support systems be curbed and risks reduced to more manageable portions; will areas of poverty contract, or continue to expand?

Despite the heady feeling of accomplishment as participants left Rio, no one could be sure; key decisions will be taken when the UN General Assembly takes up the Rio Report recommendations in New York this Fall. This paper identifies some of the issues that must be resolved to ensure that Rio ‘makes a difference’.

2. WHAT ARE THE ELEMENTS OF SUCCESS?

In his opening remarks to the PrepCom for Rio in March 1990, Conference Secretary-General Maurice Strong cautioned that ‘success’ at Rio would not be determined so much by the contents of the actions agreed, or even by treaties – if any were ready for signature in Rio; success would be determined by ‘crosscutting’ issues such as technology transfer, and the ‘means of implementation’ – institutional and financial – by which agreed actions can be given effect. And since these two sets of issues were not matters that could be settled in Rio – because government representatives there did not have the power to decide them, only to recommend – any evaluation of UNCED must be tentative, at least until remaining institutional modalities are decided by governments in New York, at the UN General Assembly in late 1992.

Nonetheless, the outlines of institutional arrangements agreed in Rio, together with financial aspects, provide a basis on which to evaluate the results of the Earth Summit. These institutional aspects are still open to reshaping and will be especially critical in ensuring effective follow-up to Rio – because, despite Maurice Strong’s best efforts, governments resisted being pinned down to specific targets and timetables for most of the substantive chapters of Agenda 21. In the absence of agreed benchmarks, it will be difficult to measure performance, and the question of whether or not a ‘difference’ is being made will rest on political decisions by country representatives.

3. THE RIO INSTITUTIONAL RECOMMENDATIONS

The principle institutional recommendation from Rio calls for a high-level Commission on Sustainable Development to be established under the UN’s Economic and Social Council (ECOSOC). The aim is to ensure effective follow-up of the Conference, to enhance international cooperation and rationalize the intergovernmental decision-making capacity for the integration of environment and development issues, and to examine progress in the implementation of Agenda 21 at the national, regional, and international levels.¹ Consistent with the UN General Assembly’s mandate for the Conference, it was readily agreed in Rio that ‘the intergovernmental follow-up to the conference process shall be within the framework of the UN system, with the General Assembly being the supreme policy-making forum that would provide overall guidance to Governments, United Nations system and relevant treaty bodies’, and that institutional arrangements should be ‘in conformity with, and providing input into, the restructuring and

revitalization of the UN in the economic, social and related fields, and the overall reform of the United Nations, including ongoing changes in the Secretariat.'

'In the spirit of reform and revitalization,... implementation of Agenda 21 and other conclusions of the Conference shall be based on an action- and result-oriented approach and consistent with the principles of universality, democracy, transparency, cost-effectiveness and accountability.'

Within the overall objective of integrating environment and development issues at national, subregional, regional, and international levels, including in the UN system, specific institutional objectives were set forth in Rio, including:

to ensure (as well as review) the implementation of Agenda 21, enhance the role and functioning of the UN system and strengthen cooperation and its coordination; encourage interaction and cooperation between the UN system and other intergovernmental and non-governmental subregional, regional and global organizations; strengthen institutional capabilities including at national, subregional and regional levels; establish effective cooperation and exchange of information between UN bodies and multilateral financial bodies, and respond to continuing and emerging issues – all within existing resources.

4. THE INSTITUTIONAL COMPONENTS

Chapter 38 of Agenda 21, 'International Institutional Arrangements', lays out the institutional components under 13 headings, ranging from the UN General Assembly and ECOSOC, to the national level and NGOs. The General Assembly of the UN is to organize a regular review of implementation of Agenda 21, possibly holding a special high-level session by 1997. ECOSOC is to assist the Assembly through overseeing system-wide coordination, and making recommendations on the implementation of Agenda 21. Additionally, it is to direct system-wide coordination and integration of environmental and developmental aspects in UN policies and programs, addressing recommendations to specialized agencies and states as well as the Assembly, with reports from agencies on relevant plans and programs.

A high-level Commission on Sustainable Development should be established, open to all governments – whether as members or observers – which, because of its broad and ambitious mandate, should engage the 'active involvement of organs, programs and organizations of the UN system, international financial institutions and other relevant intergovernmental organizations, and encourage the participation of non-governmental organizations, including industry and the business and scientific communities.' After providing interim secretariat support, the UN SG, with Maurice Strong's help, is to present recommendations on specific organizational modalities, including membership, relationships with other organizations, and the frequency, duration, and venue of meetings, all within the ongoing process of revitalization and restructuring.

As the focal point within the UN system for follow-up, the Secretary-General of the UN is asked to take direct charge of high-level inter-agency coordination, and to exert strong and effective leadership. The demanding task of coordination is vested in the existing Administrative Committee on Coordination (ACC), which

is to become the vital link with multilateral financial institutions and other bodies of the UN system, who are invited to be present with the SG at the head of organization level. Since these are new and novel arrangements, the ACC is encouraged to use a special task-force that can take into account the earlier work of two bodies set up in the aftermath of the Stockholm Conference: the Designated Officials for Environmental Matters (DOEM), and the Committee of International Development Institutions on Environment (CIDIE), as well as UNEP and UNDP. This will be further discussed below.

The SG is to submit recommendations on a possible a highlevel advisory board consisting of 'eminent persons knowledgeable about environment and development, including relevant sciences'.

Recognizing that a highly qualified secretariat would be needed to support both intergovernmental and inter-agency coordination mechanisms, Rio requested the SG to report as soon as possible on how best to set this up within existing structures and resources.

The UN system obviously has an important role in supporting national efforts. After acknowledging that the many parts of the UN system can best be coordinated in complementary efforts if country representatives maintain consistent positions in the various governing bodies on which they are represented, governments in Rio addressed the roles of several international organizations:

a strengthened UNEP and its Governing Council, in addition to its normal priorities consistent with its catalytic role, should promote such techniques as natural resource accounting and environmental economics; strengthen international environmental law and work with treaty secretariats; promote environmental impact assessments for all significant projects and activities; and provide advice on national legal and institutional frameworks, in particular in cooperation with UNDP capacity-building efforts. To take on these additional tasks, UNEP will need greater expertise and financial resources as well as closer ties with development organs and its regional capabilities as well as its links to UNDP and the World Bank might also be strengthened.

UNDP, relying on a strengthened network of field offices, should be the lead agency within the UN system for capacity-building at all levels, mobilizing resources for this and helping set up national coordination mechanisms to follow-up Rio, engaging the role of women, youth and other major groups for this purpose.

UNCTAD has a particular role to play in relation to international trade, and the UN Sudano-Sahelian Office (UNSO) needs strengthening so as to play a major advisory role on combating drought and desertification as well as land resource management for all countries so affected, especially Africa.

All specialized agencies and other intergovernmental organizations should consider how best to carry out relevant Agenda 21 activities, considering also special arrangements to secure additional funds when needed.

The regional and subregional dimension of Agenda 21 calls for UN regional commissions to play a leading role, particularly in capacity-building, along with regional development banks and regional NGOs, with help from UNDP and UNEP.

National-level efforts should be supported by the UN system, and states are encouraged to produce national reports and national action plans, with outside help if needed. For improved integration of environmental considerations into

development assistance strategies, better use should be made of existing assistance consortia, consultative groups, and round tables.

Since 'the success of the follow-up to the Conference is dependent upon an effective link between substantive action and financial support', close ties between UN bodies and the multilateral financial organizations are called for – not only through the ACC, as above, but also at regional and national levels.

Finally, NGOs are identified as important partners, and the UN system and international finance and development agencies are asked to ensure their participation in the review process, including taking NGO evaluations into account. An expanded role for NGOs, with new accreditation procedures to ease their access, should be quickly put into effect.

In its last paragraph, the institutional chapter 'takes note' of other institutional initiatives, 'such as the proposal to establish a non-governmental Earth Council and the proposal to appoint a guardian for future generations as well as other initiatives by local governments and business sectors.'

5. WILL THESE INSTITUTIONAL RECOMMENDATIONS 'MAKE A DIFFERENCE'?

According to its Preamble, approval of Agenda 21 and the Rio Declaration 'marks the beginning of a new global partnership for sustainable development.'

Humanity stands at a defining moment in history. We are confronted with a perpetuation of disparities between and within nations, a worsening of poverty, hunger, ill health and illiteracy, and the continuing deterioration of the ecosystems on which we depend for our well-being. However, integration of environment and development concerns and greater attention to them will lead to the fulfillment of basic needs, improved living standards for all, better protected and managed ecosystems and a safer, more prosperous future. No nation can achieve this on its own; but together we can – in a global partnership for sustainable development.

Successful implementation of Agenda 21 is 'first and foremost the responsibility of governments'. Thus, national strategies are crucial and deserve support by international cooperation, in which the UN system has a key role.

Along with the focus on integration of environment and development concerns, a primary theme running through all Agenda 21 chapters is the need to strengthen human and institutional capacity. The new Commission is to take up an expeditious review by the SG of 'all recommendations of the Conference for capacitybuilding programs, information networks, task forces and other mechanisms to support the integration of environment and development at regional and subregional levels.'

This relates to specific reports requested in the Agenda 21 chapter on capacity-building, one calling on each country to report by 1994 on its requirements, the other, a report by the SG by 1997 on what has been achieved and what additional measures are required to strengthen cooperation in capacity-building. UNDP leadership in capacity-building rests largely on its worldwide system of resident representatives and its Sustainable Development Network which, with additional funding, is to play the leading role.

Any evaluation of whether Rio will 'make a difference' must therefore examine whether the institutional mechanisms which were broadly outlined in Rio, and which must now be sharpened by the SG in a form governments will approve, are likely to bring international efforts to integrate environment and development issues to bear in ways that strengthen human and institutional capacity at the national and local level.

6. INSTITUTIONAL ISSUES TO BE RESOLVED

Most UN observers will recognize the enormity of the challenge to the UN and so-called 'UN system' in the institutional recommendations outlined above, on which the Assembly is to act. *Six* difficult issues must be successfully resolved this Fall for the follow-up to Rio to be effective.

6.1 Linking Policy and Financial Institutions.

While the bulk of additional funding to support Agenda 21 actions must always be mobilized at the national level, there is an immediate need for external assistance from international sources to be provided under grant or concessional terms, on a predictable basis. Agenda 21 calls for a strong link between the UN system with its operational programs and agencies, and what are termed 'international financial institutions'. There is at present no mechanism in which decisions are made by majority vote that can be relied on to raise significant international finances of the magnitude suggested for Agenda 21. If the 'democratic' decisionmaking procedures of the UN, where each country has one vote, were applied without modification in an institution like the World Bank, or the IMF, it would simply not be able to raise funds on the international capital markets, and the flow of financial resources into 'developing' countries would be even further reduced below levels already low and inadequate.

6.2 New and Additional Finances.

This is why the financial chapter of Agenda 21 stresses the importance of Official Development Assistance and welcomes the commitments of a number of countries to reach the UN target of 0.7 % of GNP for ODA. The problem is that countries providing ODA need to be able to assure their parliamentary bodies and citizens that they have not lost control over its use. Now that the end of the Cold War has weakened the political motivation for 'foreign aid', a new basis is needed if ODA levels are to be maintained or increased.

It is still too early to tell whether the common goals of sustainable development and reducing global risks under Agenda 21 will provide this basis. In the meantime foreign aid is harder to defend, and most donor countries find it expedient to rely on bilateral programs – in which they have complete control – and those multilateral institutions where voting is weighed according to contributions, chiefly the Bretton Woods organizations, and Trust Funds where special arrangements can be made. At the same time that Agenda 21 calls for increased funding to strengthen the ability of the UN system to support agreed activities, a declining portion of ODA is available to be disbursed through the UN system.

6.3 UN System Coordination.

Technically speaking, the World Bank and the IMF are members of the ACC, but traditionally they hold back from full participation in its work and keep their distance from the only interagency coordination mechanism in the UN system. For their own reasons – chiefly because each elects its own chief executive, and has its own program and budget – specialized agencies also avoid being drawn into centralized coordination. Decisions in agency governing bodies are, of course, made by representatives of the same governments who sit in the UN and ECOSOC, but the representatives are different, since they come from the different sectoral ministries that assemble at the World Health Organization, the Food and Agriculture Organization, and the others. This is why consistency in the various governing bodies in which governments are represented is needed; otherwise it is difficult to imagine effective coordination of these independent agencies by any central mechanism, be it governments meeting in ECOSOC, or the UN Secretary-General forcefully leading the ACC.

6.4 Coordination Outside the UN system.

Coordination is a task governments in Rio stressed. It is made more difficult by the fact that none of the regional development banks, despite their close relationship to the World Bank, have ties to the ACC, nor do the more distant intergovernmental financial institutions – like the Organization of American States and the Arab Bank for Economic Development in Africa, and the European Investment Bank.

This was why it was suggested in Rio that the ACC draw on the experience of CIDIE, the Committee of International Development Institutions on the Environment set up in 1980 by UNEP, the World Bank and UNDP to help these institutions work together to ensure ‘integration of appropriate environmental measures in the design and implementation of economic development activities’ – the key principle in a 1980 declaration of principles by UNEP and multilateral development funding agencies. Today CIDIE has grown to a membership of 12 along with observers from bilateral agencies; it is the only mechanism that brings these key financial agencies together, but only a clearing house, with no power over its members.

The other experience which governments in Rio called to the attention of the ACC in considering how best to respond to Agenda 21, was the DOEM – Designated Officials on Environmental Matters – a group under ACC composed of substantive officers working on cooperative environmental activities. This group came into being after the demise of the Environment Coordination Board set up after Stockholm, which had withered away when contributions to the UN Environment Fund failed to keep pace with the amounts needed for a ‘catalytic’ program with heavy coordination responsibilities; without the incentive of significant additional funds, coordination is likely to remain sterile.

Again, the task set at Rio is even more demanding since it credits ECOSOC with having the power to ‘direct’ as well as ‘oversee’ UN system-wide coordination

and integration of environmental and developmental aspects. This is a power which may stretch ECOSOC's role under the UN Charter.

Without new financial incentives and a new level of consistency on the part of government representatives in the various agencies and programs of the UN system, coordination of the sort needed to make Agenda 21 effective is unlikely to be accepted by those international organizations whose help is most needed.

These difficulties are accentuated by competition between the UN and the UN system it seeks to coordinate: all are competing for the shrinking portion of ODA that is available to the UN system.

6.5 Broadened NGO Participation.

DOEM meetings concentrate on a thematic approach which requires substantive participants – rather than the 'turf-defenders' normally involved in routine 'liaison' or 'coordination' meetings. Indeed, DOEM has been able to tap expertise from outside the UN system, such as by the International Union for the Conservation of Nature (IUCN). The UNCED preparatory process carried this a step further when it succeeded in bringing NGO and national experts into the room with UN system experts to draft Agenda 21 recommendations for Rio.

The ACC, however, has no comparable experience in tapping NGO resources, such as the private sector and other 'major groups' identified in Agenda 21 as having particular supporting roles to play – women, youth, professional societies, local authorities, labor, farmers, indigenous people, etc.

While there are longstanding procedures for accreditation of NGOs to enable their participation in intergovernmental discussions at the UN, there are none for their participation in ACC meetings, from which even government representatives are excluded. A whole new generation of NGOs arrived in Rio ready to contribute, and were welcomed in Agenda 21: but they do not yet have 'consultative status', and are likely to find it difficult to get into the meeting rooms where key decisions are made and resources allocated.

6.6 Modalities for the Commission and its Secretariat.

The 54 member states of ECOSOC are eligible for membership in the new Commission, and others will be accepted as observers. However, a change in the rules of procedure might well be required if, for example, it were agreed that the European Community should be a member, when it was not a member of ECOSOC. The broader question is how to handle those many intergovernmental and nongovernmental organizations with loose or no ties to the UN system, yet whose 'active involvement' is sought to make Agenda 21 effective.

Additionally, the meaning of 'high-level' is not clear – especially since the parent body, ECOSOC, has had only limited success in attracting high-level participation. Location of commission meetings is relatively easy since these can be held at any of the normal UN sites, including New York, Geneva, Nairobi and Vienna, but their frequency and the need for subsidiaries may be costly given the need for continuous analysis of performance.

This makes the staffing and location of the supporting secretariat especially important. In sum, the advantages of a Geneva location, within easy reach of the majority of the agencies and programs whose resources dwarf those of the UN are clear, if substance rather than turf is to be advanced. But this calls for first-class staffing and good communications with the ECOSOC and other support echelons of the UN located in New York, as well as with those assisting the SG to show leadership in the ACC context.

7. CONFLICTING PRIORITIES IN THE UN

When the UN General Assembly takes up the Rio Report this Fall, the Earth Summit may seem distant by comparison to the immediate focus of attention on peacekeeping needs in Eastern Europe, the Middle East, Cambodia, and refugees in Africa and other issues that capture headlines and demand attention by national political leaders and their international counterpart, the UN Secretary-General. Left to their own devices, the representatives of governments at the UN may not be as willing in New York as they were in Rio to devote attention to future security issues at the expense of focusing on the more traditional dimensions that require immediate responses.

Indeed, the first purpose of the United Nations is to maintain international peace and security, an overriding priority reflecting the reality of the world when the Charter was signed in 1945. Similarly, the second purpose under Article 1 of the Charter is the development of friendly relations among nations, and, the third, 'to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character' while promoting human rights and fundamental freedoms. The UN itself is 'to be a center for harmonizing the actions of nations in the attainment of these common ends', but under present conditions there is a risk that widespread disorder in a post-Cold War world may preoccupy attention, at the expense of preventive peace-building activities, now including Agenda 21.

If this is to be avoided, and if new-and-additional funds are to be mobilized that will effectively integrate environment-and-development aspects, while strengthening human and institutional capacity at the local and national level to draw up sustainable development strategies, then an essential factor will be the continued attention and participation of NGOs who were active on the road to Rio and at the Conference.

In the long run, outside nongovernmental bodies, such as an Earth Council, and a possible guardian for future generations, will be very important in determining whether or not the Rio conference 'makes a difference'. But in the meantime the same NGO pressures that were so effective in the preparations for UNCED will be needed to ensure that governments come up with constructive answers to the institutional questions that Rio left open.

NOTES AND REFERENCES

- * Thacher joined the UN in 1971 as Program Director on the staff preparing the 1972 UN Environment Conference in Stockholm. He has served as Director of UNEP's European

Office in Geneva and as Deputy Executive Director at the UNEP Headquarters in Nairobi. Since retiring in 1983 he has been associated with the World Resources Institute in Washington DC. He has been a consultant or advisor to a number of organizations including NASA, WHO, IUCN and, currently, senior advisor to Maurice Strong, Secretary-General of UNCED.

- 1 This and all following material is taken from Chapter 38 of Agenda 21, 'International Institutional Arrangements', UN document A/CONF.151/4 (Part IV) as amended by A/CONF.151/L.3/Add.38 of 11 June 1992 and approved by the conference. Final text will be found in the Report of the Conference.