

# INTERNATIONAL ENVIRONMENTAL GOVERNANCE ITS IMPACT ON SOCIAL AND HUMAN DEVELOPMENT Confronting the Millennium: The Future UN

Akiko Domoto

## Introduction

The dawning of a new century has throughout history been seen as an appropriate time to reflect on the one hundred years that have gone before and, if necessary, to chart a new course for the future. As we are privileged to be standing on the threshold of both a new century and a new millennium, such reflection seems especially timely.

This is particularly so when one looks at the state of the natural environment. While the environment continues to be seen in some circles as peripheral, a 'side' issue as it were, there is an increasing recognition that it is in fact "the context of everything else" [Capra and Pauli 1995:1], and that humans are inseparable from the ecosystems in which they live. Some positive trends can be pointed out on the environmental front, particularly in relation to reduced water and air pollution in parts of the industrialized world. To a certain extent, these trends are the result of efforts to improve resource efficiency and resource management within the firm and at the local and national levels. The general picture, however, is of a planet under siege. Rapidly declining biological diversity, increased evidence of climatic change, and ongoing encroachment of desert in many parts of the world are some of the bleaker indicators.

Environmental decline often has the greatest impact on the world's poorest people, who depend directly on the environment around them for food, drinking water, and shelter and often experience the severest effects of environmental pollution. And, as the Secretary-General of the United Nations points out in his April 2000 report, *We the Peoples: The Role of the United Nations in the 21<sup>st</sup> Century*, the impact of environmental degradation on future generations is also of great concern. He warns that we are failing to ensure that future generations will have . the freedom ... to sustain their lives on this planet. [Annan 2000:55]

The causes of this very serious state of environmental affairs are complex. One of the most important factors is that the earth's ecosystems and how they function have been, and continue to be, taken for granted in humankind's pursuit of economic growth. As a result, present systems of production and consumption, and the governance structures which preside over them, are both fundamentally out of touch with the interconnected and cyclical patterns of the natural world and unable to adapt to change in these patterns.

But we are at a turning point. There is growing awareness that 20th century patterns cannot be continued indefinitely. This is not least because a globalizing economy is leading to both the globalization of environmental degradation and the globalization of a constituency wishing to address it. New patterns of thought, production and consumption - some already being developed - need to be encouraged and built upon. This will require governance structures that are imaginative, responsive to change, and built on a clear vision of the links between the environment, the economy, and society. Integral to these structures must be strengthened partnerships between states, parliamentarians, civil society and business. The role of the United Nations in the process will be an important one.

The following paper begins with an overview of the state of the environment, focusing on key trends and their links to human development. It then looks at some of the efforts made by the

international community to address these problems, focusing particularly on multilateral environmental agreements and on the environmental impacts of economic globalization. The paper closes with a discussion of the need and possibilities for more holistic and responsive forms of international environmental governance, looking closely at the special role which the United Nations can play.

## **The State of Nature**

The five year review of the United Nations Conference on Environment and Development (UNCED), conducted in 1997, concluded that all unsustainable trends were worsening at a faster rate than they had been at the time of the 1992 Earth Summit [WWF 1999:1]. At the core of this degradation is what the United Nations Development Programme's most recent *Human Development Report* refers to as . the unprecedented growth in world consumption. [UNDP 1999:54]. The impacts of this growth are twofold: deepening scarcity of renewable resources and rising levels of waste.

### *Renewable Resources*

Historically, resource scarcity was thought to be largely applicable to non-renewable resources such as oil and minerals. Increasingly, however, it is unsustainable use of renewable resources that is the primary threat to the planet and its people. One of the most potent examples is that of forestland and resources. It is estimated that twenty percent of the world's tropical forests were cleared between 1960-1990. Rates of forest clearing do not seem to be declining; in the Amazon region, for instance, satellite data show a fifty percent increase in the number of forest fires set to clear land for agricultural purposes [WRI 1998:185-6]. This rapid loss of forest cover is an important contributing factor to the expansion of deserts worldwide. Desertification is said to now affect 110 states; some of the world's poorest countries are most severely affected.

The loss of forest cover is also a key threat to biological diversity. According to the 1997 *IUCN Red List of Threatened Plants*, almost 34,000 plant species, equivalent to 12.5 percent of the world's vascular flora, are threatened. The situation for animals is even more serious. The 1996 *IUCN Red List of Threatened Animals* shows that approximately 25 percent of all known mammal species are under threat of extinction [IUCN 1997]. Other threats to biodiversity, such as invasive species and the potential transfer of genetic material from genetically modified plants and animals to traditional varieties, have received dramatically heightened interest in recent years<sup>1</sup>.

Concern regarding forest and biodiversity loss pales in comparison, however, to that exhibited with regard to water. The *World Water Vision*, a report now being drafted by the World Water Council, outlines in stark terms the water crisis that confronts us. It notes, for instance, that half of the lakes and rivers in North America and Europe are severely polluted, that one in five of the earth's people lack access to safe drinking water, and that many aquifers around the world are severely overexploited.

### *Waste*

Along with vast increases in resource consumption has come massive production of waste. Perhaps best known are chlorofluorocarbons (CFCs), greenhouse gas emissions, and toxic chemicals, all of which threaten to overwhelm natural sink capacities. Less well known, but of equal importance, is mounting evidence that human contributions to the supply of fixed nitrogen are destabilizing the global nitrogen cycle.

The release of CFCs and other ozone depleting substances into the atmosphere has resulted in serious degradation of the earth's ozone layer. At northern mid-latitudes, the ozone layer has decreased by as much as 6 percent since 1979, resulting in increased incidence of skin cancer and

eye cataracts, and decreased productivity in some ecosystems [Watson et al 1998:15-16].

Increased greenhouse gas, and particularly carbon dioxide, emissions are having a noticeable impact on the earth's climate. Annual storm damage has increased forty-fold since the 1980s, strikingly close to what climate models had predicted [Ayres 1999:4]. As for the future, the Intergovernmental Panel on Climate Change predicts that by 2100, global mean temperature could rise 1-4.5 C from the present mean [IPCC 1995:289]. The warming of the oceans may decrease their capacity to absorb carbon, further exacerbating the warming of the atmosphere [IPCC 1990:xviii]. Climate change is likely to increase the stress on the earth's biological diversity as a result of rising sea levels, enhanced desertification, and other impacts [Peters and Lovejoy 1992].

Toxic chemicals, especially persistent organic pollutants (POPs), are yet another product of human economic activity with serious environmental impacts. An increasing amount of scientific evidence is linking certain POPs to reproductive disorders, damage to the central nervous system and cancers in animals and humans. POPs are now found in all parts of the globe, even those where they have never been used or produced [Colborn 1997; Campbell, Colas et al 1999].

Finally, a word about nitrogen is in order. *Global Environment Outlook 2000*, a report published recently by the United Nations Environment Programme, notes that massive additional quantities of nitrogen are being deposited into aquatic and terrestrial ecosystems as a result of increasingly intensive agriculture, the combustion of fossil fuels, and extensive cultivation of leguminous crops. The report goes on to state that human activities now outstrip natural processes in terms of total contribution to the global supply of fixed nitrogen. The consequences of this massive increase in nitrogen loading in the environment include dangerous levels of nitrogen in drinking water supplies, acid rain, and eutrophication of water ways [UNEP 1999].

The above resource scarcity and waste-induced threats to the environment often interact in complex ways, increasing the stress on ecosystems to levels much higher than the sum of individual stresses, often with unpredictable results.<sup>2</sup> This is an important aspect of what Norman Myers has termed the "surprise phenomena." Myers argues that one of the prominent features of the future will be "environmental discontinuities... many of them arising from synergistic interactions between two or more environmental problems." [Myers 2000:7]. While some synergistic interactions are already known, the future will no doubt bring awareness of many more which cannot even be imagined at the present time.

The ultimate result of overconsumption of resources, overproduction of waste, and the multitude of synergies between them is not only reduced biological diversity and increased pollution, but an overall reduction in the ability of ecosystems to provide the goods and services which human societies, in all their diversity, require.<sup>3</sup> The fact that many of these goods and services cannot be created artificially with existing technology - or, if they can, are utterly inaccessible to the poor - renders efforts to reverse present environmental trends a matter of utmost urgency.

### **Complex Answers to Complex Questions**

During the past decade, major efforts have been made at the international level to develop governance structures to address the stresses on our global environment. The 1992 United Nations Conference on Environment and Development (UNCED), more commonly known as the Earth Summit, epitomizes what we now think of as international environmental governance, though it was by no means the first global forum on the environment<sup>4</sup>. The Earth Summit resulted in the Framework Convention on Climate Change, the Convention on Biological Diversity, the Convention to Combat Desertification, and the Forest Principles. Based on these documents, significant efforts are being made to reverse the tide of environmental decline. While the importance of these agreements - and many others like them<sup>5</sup> - should not be minimized, what is missing is an holistic

perspective and approach not only to environmental issues per se, but to how they are connected to the fundamental trends which characterize economic globalization. For the most part, environmental problems continue to be addressed as largely static phenomena, isolated both from one another and from the economic trends that lie at their roots. In short, there is a discrepancy between fragmented environmental governance systems and the holistic character of the environment itself.

### *The environment as a whole*

There are many practical advantages to breaking down environmental problems into manageable chunks, and addressing them with separate pieces of legislation. Climate change in itself, for instance, is a complex phenomenon and the negotiations surrounding the Framework Convention on Climate Change and its Kyoto Protocol are difficult even for experts to follow. However, a failure to keep sight of the linkages between 'distinct' phenomena like climate change, ozone depletion and biodiversity loss can cause, at best, waste of effort and funds and, at worst, exacerbation of the problem that was meant to be solved in the first place. The importance of linkages can be illustrated by looking at the interaction between the Climate Change Convention and two other international environmental agreements, the Montreal Protocol and the Convention on Biological Diversity.

In a recent paper, Sebastian Oberthur points out that as a result of the banning of CFC production under the Montreal Protocol, the Multilateral Fund for the Implementation of the Montreal Protocol and the GEF have been supporting conversion to HFC technology in developing countries and economies in transition. However, Oberthur notes that HFCs have a high global warming potential and are subject, therefore, to limitations under the Kyoto Protocol [Oberthur 1999]. The Secretariats of the two conventions are now working to address this point of friction, but the example illustrates the difficulties and conflicts that can arise when account is not taken of links between environmental challenges and the policies and programs put in place to address them.

While climate change and biodiversity loss are also closely inter-linked, the two conventions which address these issues - the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity - were drafted in relative isolation from one another. As a result, the national action plans, legislation, public education and other requirements included in the two conventions do not specify an integrated approach to climate change and biodiversity loss [Domoto 1999:36]. This has led to some concerns - particularly among academics and NGOs - about the negative impacts on biodiversity, particularly in tropical forests, of implementing the Climate Change Convention. A joint study produced by the United Nations University, Global Environment Information Centre, and UNU/ Institute of Advanced Studies notes, for instance, that countries with tropical forests do not receive financial compensation for keeping forests standing, yet could receive financial benefits under the Clean Development Mechanism if they plant fast growing, carbon fixing plantations. This is possible even though existing tropical forests harbour greater levels of biological diversity and may, in fact, sequester higher yields of carbon than do plantations [1999:42].

Recognizing the serious implications of gaps, overlaps and contradictions between many of the international environmental agreements, the United Nations University organized a conference in July 1999 entitled *Inter-linkages: International Conference on Synergies and Coordination Between Multilateral Environmental Agreements*. On the negative side, the conference failed to draw participants from some of the key Convention secretariats, suggesting perhaps a lack of concern about the impact of gaps and overlaps between the conventions, or a fear of losing turf as a result of increased cooperation between UN bodies. At the same time, however, the conference illustrated in a concrete manner the renewed willingness of the UN to undertake its environmental activities in a

more coherent fashion and to play a leadership role in environmental governance in the coming century.

The Inter-linkages Conference came out with thought-provoking results which, if implemented, could contribute to greater collaboration and synergy, with positive environmental and development impacts. For instance, the Conference's Working Group on Scientific Mechanisms suggested that existing thematic assessments (such as that of the IPCC on climate change) investigate relevant linkages, and that assessment bodies communicate with each other in order to avoid duplication of work. To deepen awareness among policy makers of synergies between environmental issues, the Working Group further recommended that Summaries for Policy Makers emphasize key inter-linkages, and that channels be developed for two-way communication between scientists and policy-makers. Taking a broader view, the Working Group on Scientific Mechanisms also suggested that an open-ended ad hoc panel comprised of scientific, technical, policy and economic experts be convened by UNEP to look at inter-linkages both from a conventions point of view and from a regional and development perspective. This latter point underscores the importance of not only looking at linkages between environmental issues, but also at the relationship between environmental and socio-economic factors. The environment-economy nexus is the focus of the following section.

### *The Economy-Environment Equation*

Ensuring that environmental agreements do not come into conflict with one another is a thorny problem. However, it pales in comparison to the difficulties encountered in addressing the interrelationship and friction between an increasingly borderless world economy and the environment, and between the rules and institutions which govern them.

During the past several decades, overall growth and structural change in the world economy, and particularly in trade and investment, have been astounding. The World Trade Organization (WTO) estimates that total trade in 1997 was fourteen times that in 1950. In recent years, investment has grown even more rapidly than trade. Daniel Griswold reports that multinational companies worldwide invested \$350 billion in productive assets outside their home countries in 1996, double 1992 levels. He also notes that in the past 20 years, annual global flows of foreign direct investment have grown five times faster than trade and ten times faster than production [Griswold 1998].

While overall growth has unquestionably occurred, broadening gaps in income distribution both within and between countries are giving rise to increased concern in many quarters. James Davis and Cheryl Bishop write, for instance, that while the top one percent of the US population experienced a 28.1 percent increase in wealth between 1983-1993, the bottom 40 percent saw a 49.7 percent drop during the same period [1998/99:159]. At the international level, the UNDP reports that the income gap between the top twenty percent and bottom twenty percent rose from 30 to 1 in 1960 to 78 to 1 in 1994 [Stilwell 1999(a)]. It is estimated that about 1.4 billion people now live on a dollar or less a day. This stands in sharp contrast to the 12 percent increase in wealth enjoyed by the world's 6 million millionaires in 1998 [Commission on Global Governance 1999]. Ironically, 1998 was the year of Asia's financial crisis, which plunged millions into poverty.

Rapid, though uneven, growth in the world economy is occurring in step with a precipitous decline in environmental quality, as indicated above. Most disconcerting is the growing body of evidence suggesting that those who benefit least from economic growth suffer most from the environmental degradation in which it results. The example of hazardous waste, an important by-product of many of the world's most profitable industries, is a particularly telling one. Michael Dorsey reports that Organisation for Economic Co-operation and Development (OECD) countries exported an estimated 2,611,677 metric tons of hazardous waste to countries outside the OECD

between 1989-1994 [Dorsey 1998:101]. Often recipient countries are developing nations with inadequate legal frameworks and infrastructure for safely handling this waste. In such situations, negative human and environmental consequences are almost unavoidable. Within OECD countries, hazardous waste storage and treatment facilities are often located in poor, minority communities. As Dorsey reports, a US General Accounting Office study in the early 1980s concluded that . blacks make up the majority of the population in three out of four communities where landfills are located. [Dorsey 1998:99]. Land degradation due to unsustainable forestry and agricultural practices, the decline of fisheries worldwide, and increasing scarcity of safe water also disproportionately affect the poor.

While present modes of economic production, trade and investment may have negative environmental and human consequences, the argument here is not that economic growth per se is the problem. The issue, rather, is that structures which govern how production, trade and investment occur are inadequate to the task of protecting the environment and human life. Current economic governance structures continue to make rules that actively undermine existing environmental and social safeguards and limit the ability of national governments to respond adequately to new environmental concerns. These claims are made most frequently in regard to the WTO<sup>6</sup>. Regarding the environment, concerns have been raised that the WTO.s opposition to process-related trade restrictions is incompatible with the increased focus of environmental laws and policies on life-cycle assessment. Furthermore, it is argued that WTO rulings . [fail] to acknowledge the right of countries to take action to protect the atmosphere, the oceans, and other parts of the global commons. [French 1999:24]. Part of the problem seems to be that, while the WTO has a Committee on Trade and Environment which looks at the positive impacts of trade liberalization on the environment and at the potential negative effects of environmental protection on trade, the Committee is not mandated to examine any potentially negative impacts of trade on the environment [Stilwell 1999(a)].

A recent paper commissioned by the World Trade Organization agrees that some of these problems exist and need to be addressed. It argues that . economic integration has important environmental repercussions,... [and] that the ongoing dismantling of economic borders reinforces the need to cooperate on environmental matters, especially on transboundary and global environmental problems that are beyond the control of any individual nation. [Nordstrom and Vaughan 1999:1]. This admission, however, does not go far enough.

Cooperation on environmental matters alone cannot address the environmental challenges we face. Rapidly rising resource consumption, and the social and environmental impacts that go with it, cannot be addressed in environmental agreements alone. Furthermore, poverty, itself in part a result of certain trade and investment patterns, can and often does result in severe environmental damage. A more far-reaching approach is required based on a rigorous inquiry into the environmental and social impact of trade liberalization. Based on the results of this inquiry, governance structures must be built and strengthened . not only at the global, but also at the regional, national and local, levels . . to preserve the advantages of global markets and competition, but also to provide enough space for human, community and environmental resources to ensure that globalization works for people- not just for profits. [UNDP 1999:2].

### **Towards a More Holistic Form of Environmental Governance**

While the UNDP Report quoted above emphasizes the importance of governance at all levels, from local to global, thinking about environmental governance has tended to focus on the international level and to pay insufficient attention to the need for sustainable development. The urgent need to rectify both of these problems is addressed in the following section. Special attention is then paid to the role that the United Nations may be able to play in this process.

### *Integrating the international, regional, national, and local*

Many of the environmental threats we face are global in scope or have the potential to become so. As such, international conventions and other such mechanisms are of vital importance. However, international environmental governance can only be effective if it is integrated into local, national and regional governance structures which encompass governments as well as civil society and the business sector.

This integration implies two-way influence. On the one hand, international governance structures, and the rules that flow from them, must have the capacity to shape national policy. While international trade policy is rather effective in this regard, the impact of international environmental agreements is often less evident. This is particularly because the WTO, unlike the average environmental agreement, has a powerful dispute resolution mechanism under which WTO members are able to challenge each other's domestic legislation as it relates to trade [Stilwell 1999(a)]. If international environmental agreements are to be effective in the face of ongoing economic liberalization, it is important that they, too, have mechanisms which encourage compliance at the national level, and that economic imperatives not be given automatic precedence over environmental and social exigencies. We will return to this latter point in our discussion of the role of the UN below.

The inverse of ensuring the impact of the international on the national must also be true. If international rule making is to change local and national policy, then the citizens of affected countries have the right and duty<sup>7</sup> to participate, either directly or indirectly, in this international decision making. Parliamentary representatives and civil society organizations are important avenues for participation.

Key global networks of parliamentarians, such as the Inter-Parliamentary Union (IPU) and the Global Legislators Organization for a Balanced Environment (GLOBE), have expressed a growing interest in enhancing parliamentary participation in international fora. The IPU set out in very eloquent terms why parliamentary involvement is so vital in its *Final Declaration of the Parliamentary Meeting on the Occasion of UNCTAD X* in Bangkok this past February:

As members of parliament, we speak for constituencies that cut across the divide of rich and poor, capital and labour, the public and private sector, and corporate and small-scale enterprise... [G]reater parliamentary involvement can only be beneficial to development. Indeed, democracy, respect for the rule of law, and a government that is transparent and accountable to parliament are indispensable building blocks for good governance and sustainable development.

GLOBE International very much shares this perspective. As a member of that organization, I will be submitting an Action Agenda on International Environmental Governance to the GLOBE International General Assembly in April 2000 which, among other things, . call[s] on parliaments and their members to increase their involvement in international negotiations on trade, finance, development and environmental issues. .

Numerous suggestions have been made over the past several years with regard to how enhanced parliamentary participation might be accomplished in practice. For instance, Inge Kaul has suggested the creation of . a venue in which representatives of national parliaments could meet.... to discuss international cooperation perspectives and needs. [Kaul 2000:18]. Slightly more controversially, Kaul argues that the chief delegates of UN delegations not be drawn from the executive, but the legislative, branch of government [Kaul 2000:18]. Regardless of the final structure chosen to ensure representation, the basic rule of thumb should be that where decision making authority moves from national legislatures to international organizations with no direct

accountability to citizens, it is imperative that such organizations are transparent and facilitate participation by the people who will be affected by their decisions. The parliamentary initiatives described above are just some of the responses to this imperative.

Civil society organizations have also made many proposals on mechanisms for improving and broadening their participation in international governance. They have been rather successful in some areas, particularly in relation to the UN General Assembly and its specialized agencies. Since 1996, for instance, consultative status with the UN's Economic and Social Council (ECOSOC) has been broadened to include not only international, but also regional, sub-regional and national NGOs. In addition, many of the UN's specialized agencies now have NGO focal points, NGO Advisory Committees and other formalized mechanisms which allow for the sharing of experience between the agencies and their NGO partners [Foster 1999:285-307].

NGOs have been less satisfied with their access to bodies such as the World Trade Organization (WTO), which falls outside the UN system. Some improvement, such as greater access to documentation and the establishment of dialogue symposia, has taken place since the formation of the WTO. However, it was evident in Seattle late last year that most civil society organizations believe that much more can be accomplished through activities and protest outside the WTO than by any action inside it. Many academics and NGO leaders have argued that it is time for NGOs to be granted consultative status with the WTO, since NGOs are likely to play as constructive a role there as they do in so many other intergovernmental organizations [Foster 1999: 170-175].

#### *Towards Sustainable Development*

Economic and environmental governance structures at the international level have also tended at times to pay not much more than lip service to the need for sustainable development. This is not least because international rule making is a complex mixture of compromises between all parties and undue influence by parties with the most resources available to promote their national or corporate agenda. While there is no simple solution to this problem, governance structures and rule making need to be designed so as to better ensure that the overriding objective of international governance is achieved: a kind of development that meets the needs of the present without compromising the ability of future generations to meet their own needs. [WCED 1987].

#### *The Role of the United Nations*

It is therefore encouraging to see the leadership role that the United Nations is taking to promote a more holistic approach to international environmental governance, both within the UN itself and in cooperation with its many partners worldwide. With respect to the UN's in-house efforts, the Secretary-General's 1997 *Programme for Reform* notes in a section on environment, habitat and sustainable development that there is a need for a more integrated systemic approach to policies and programmes throughout the whole range of United Nations activities in the economic, social and development fields by mainstreaming the Organization's commitment to sustainable development. The *Programme for Reform* goes on to identify the United Nations Environment Programme (UNEP) as the focal point for harmonization and coordination of environment-related activities of the UN and emphasizes the Secretary General's support for this process. Given the United Nations' central role in many of the world's key environmental conventions, its influence on and support for environment and development programs in many developing countries, and its power to convene most of the world's governments, this shift towards a holistic approach within the UN is welcome indeed<sup>8</sup>.

In a variety of different fora, the United Nations is also encouraging national governments to take a similar, systematic approach to governance and policy formation at the national level. For

instance, in the area of natural resource management, the Secretariat of the Convention on Biological Diversity encourages governments to increase intersectoral communication and cooperation, possibly through the formation of inter-ministerial bodies within the government or the creation of networks for sharing information and experience. [CBD 1999]. This is one vital part of ensuring that international agreements are translated into real policy changes at the national level. It is, after all, national policies or the lack thereof that bear much of the responsibility for current environmental trends.

The UN has also made progress in building partnerships with business, civil society and parliamentarians, as alluded to earlier in this paper. Existing ties between the business community and the United Nations are being enhanced in order to strengthen the stake which business has in sustainable development programs and policies at the local, national and international levels. It is encouraging that the International Chamber of Commerce and World Economic Forum have already established consultation mechanisms with the UN [Annan 1998:134]. At the World Economic Forum in Davos in January 1999, UN Secretary-General Kofi Annan urged business leaders to support appropriate public policies and embrace the Global Compact, which includes support for a precautionary approach to the environment, and encouragement of the development and diffusion of environmentally friendly technology<sup>9</sup>.

These cooperative efforts should work to enhance and encourage the exciting and successful efforts to promote effective environmental governance that are being made by many governments and corporations in both industrialized and developing countries, often with the support of local residents, environmental NGOs and investors [Mazurek 1998, Porter and van der Linde 1995, Afsah et. al 1995, Campanale 1994]. They should also act as an impetus for ensuring that economic activities which are not adequately regulated for their social and environmental impacts under national law are brought within the frame of global governance. [UNDP 1999:100]. This does not mean that business or the UN must encourage the World Trade Organization and other such economic governance bodies to become environmental watchdogs. Rather, it suggests that bodies like the WTO must be urged to ensure that the rules which they put in place support the maintenance and development of environmental and social safeguards and rulemaking. This would entail, for instance, that UNEP and the Secretariats of environmental conventions be actively consulted on economic rule making and that the results of these consultations feed into the economic decision making process.

The UN has also made great strides in involving civil society in its work in recent years. Recognition on the part of the UN of the importance of tapping into civil society, in all its diversity, truly began in the early 1990s with the drafting of Agenda 21. Originally a largely scientific document, Agenda 21 soon came to include a whole new section entitled 'Strengthening the Role of Major Groups'. Due to energetic and effective lobbying on the part of many of these groups, women, children and youth, indigenous people, NGOs, local authorities, workers and trade unions, business and industry, the science and technology community and farmers were all recognized as stakeholders in governance<sup>10</sup>. This was not an act of charity on the part of the UN. Rather, the United Nations recognized, in the words of the Commission on Global Governance, that an adequate system of governance must encompass actors who have the power to achieve results.<sup>11</sup> Effective cooperation with all of these groups would make the UN a dynamic and powerful organization indeed.

The rising number of NGOs with ECOSOC consultative status is one indication of the growing participation of civil society in the work of the UN. The Secretary General's *Programme for Reform* notes that NGOs with ECOSOC consultative status have climbed from 41 in 1948 to approximately 1200 at present. Much of this growth has taken place since the Earth Summit [Foster 1999: 254]. Unfortunately, however, only 15 percent of the NGOs with ECOSOC status are from developing countries, a figure reflecting how far the UN still has to go in its quest for full and

balanced consultations with civil society.

It is, therefore, encouraging, to see the initiative taken by the United Nations University in 1996 to convene a World NGO Conference, to follow-up on the recommendations of the Commission on Global Governance. The World Civil Society Conference (WOCSOC), as this meeting came to be known, was held in December 1999 in Montreal. Its objectives included the drawing of lessons from cooperation between civil society and the UN, and the enhancement of cooperation among civil society actors in order to meet the needs of the 21<sup>st</sup> century<sup>12</sup>. The support of the UN itself for this meeting was clear, as the Secretary-General himself gave the keynote speech and the outcomes of the conference were welcomed as input to the preparations for the United Nations Millennium Assembly scheduled for September 2000.

Important efforts have been made by the UN to involve parliamentarians in its work as well. For example, an agreement was reached between the UN and the Inter-Parliamentary Union in 1996 that forms the foundation for an enhanced consultative relationship between the two organizations. Much more, however, could and ought to be done. As Stilwell notes, parliaments continue to be . the mainstay of democracy. and . the most representative political institution. [1999(b)]. The UN, which continues to operate largely as if there are only two categories of representation - governments and NGOs - would do well to make more space for parliamentary involvement. This recommendation applies equally to other multilateral institutions such as the WTO.

Finally, as a convener the UN is also in a powerful position to take leadership in building a dialogue between the many actors who are already concerned about and active in the area of international environmental governance. In such a process, the UN would need to pay serious attention to the links between international economic governance and existing structures of environmental governance at the global, regional, national and local levels. The UNDP has recently suggested that a task force . be established on global economic governance- with ... 10 industrial and 10 developing countries, but also with representatives of civil society and private financial and corporate actors. [UNDP 1999:12]. This idea could quite easily be modified to take a broader sustainable development perspective, so that the task force would consider the complex linkages between the economy, the environment, and development concerns. In order to ensure such a broad approach, the task force would also need to include scientists and elected representatives of the people, as a damaging communication gap continues to lie between those who understand environmental problems (scientists) and those who have the political wherewithal to do something about them (policy makers). A task force of this nature could potentially make great strides in building awareness within states, parliaments, corporations, international financial institutions, and civil society of the importance of taking an holistic approach to economic and environmental governance issues.

## **Conclusion**

In a world affected increasingly by the international flow of goods, services and people on the one hand, and the sometimes negative social and environmental impacts of these flows on the other, governance at the global level is becoming the key locus for innovative thinking and solutions. While many of the global environmental challenges we face can best be addressed at the international level, solutions arrived at by those who govern at this level will only be sustainable on two conditions.

First, they must be found and implemented in partnership with the broad range of people they are designed to benefit. Whereas governance was seen as largely the job of governments throughout much of the 20<sup>th</sup> century, there is an increasingly realization that good governance necessitates the participation of all sectors of society. Greatly enhanced transparency and

participation by elected representatives and NGOs in the rule making process are of central importance in this process. The business community must also be included in order to strengthen its commitment to sustainable development. Important advances have been made in this regard within the United Nations and in many international environmental conventions, but economic governance mechanisms - whose activities have major environmental and social impacts - remain largely closed to civil society and parliamentarians.

Second, and even more importantly, solutions need to be based on the understanding that human society and the environment are interconnected and that, without a sound environment, society cannot function. This means both that environmental agreements need to take into greater consideration the development needs of the poor, and that more economically-oriented governance mechanisms need to operate with a fuller understanding of the linkages between the economy and the environment. The economic governance structures which presently exist do little to protect the environment, and arguably do much to destroy it. An unfettered market, without mechanisms to value goods, services and investment at their true ecological and social costs, is something we can no longer afford. Without the building and rebuilding of governance structures to correct the horrifying environmental mistakes human society has made and to lift the world's impoverished people to a decent standard of living, all of our governance efforts to date can be termed little more than unmitigated failures. It is only an interlinked, holistic approach to governance which puts the environment and people's needs first that will suffice for the coming century.

## References

- Afsah, Shakeb, Benoit Laplante and Nabil Makarim. .Program-Based Pollution Control Management: The Indonesian PROKASIH Program. . 1995. <http://www.worldbank.org>.
- Annan, Kofi. . The Quiet Revolution. . *Global Governance*, vol.4, 1998, 123-128.
- Annan, Kofi. *We the Peoples: The Role of the United Nations in the 21st Century*. United Nations, 1999. [www.un.org/millennium/sg/report](http://www.un.org/millennium/sg/report).
- Ayres, Ed. . Gravity and Levity. , *WorldWatch*, November/ December 1999, 3-4.
- Campanale, Mark A. . Green Investment: Incentives for Disclosure., *Review of European Comparative and International Environmental Law*, vol.3 no.1, 1994, 43-48.
- Campbell, Richard, Valerie Colas et. al. . Summary of the Third Session of the INC for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants: 6-11 September 1999. . *Earth Negotiations Bulletin*, vol.15, no.27.
- Capra, Fritjof and Gunter Pauli. *Steering Business Toward Sustainability*. Tokyo: UNU Press. 1999.
- Colborn, Theo, Dianne Dumanoski, and John Peterson Myers. *Our Stolen Future*. New York: Plume Books. 1997.
- Commission on Global Governance. . The Millennium Year and the Reform Process. . November 1999. [www.cgg.ch](http://www.cgg.ch).
- Convention on Biological Diversity. Subsidiary Body on Scientific, Technical and Technological Advice. . Ecosystem Approach: Further Conceptual Elaboration. . 1999. UNEP/CBD/SBSTTA/5/11.
- Davis, James and Cheryl Bishop. . The MAI: multilateralism from above. . *Race & Class*, vol. 40, no. 2/3, 1998/9, 159-170.
- Domoto, Akiko. . Creating Synergy in Environmental Policy: Bridging the Gaps Between the Framework Convention on Climate Change and the Convention on Biological Diversity. . *Environmental Awareness*, vol.22, no.1, 1999, 34-38.
- Dorsey, Michael K. . Toward an Idea of International Environmental Justice. in WRI et al. *World*

*Resources 1998-99: A Guide to the Global Environment*. New York: Oxford University Press, 1998, 99-101.

French, Hilary. . Challenging the WTO. , *WorldWatch*, November/December, 23-27.

Griswold, Daniel T. 1998. . Exporting fair play with a multilateral investment treaty. , *World Trade*, vol.11, no.7, 1999.

Foster, James W. with Anita Anand, eds. *Whose World is it Anyway? Civil Society, the United Nations and the multilateral future*. Ottawa: The United Nations Association in Canada, 1999.

IPCC. *Climate Change: the IPCC Scientific Assessment*. 1990.

IPCC. *Climate Change: The Science of Climate Change. Contribution of Working Group I to the Second Assessment Report of the Intergovernmental Panel on Climate Change*. 1995

IUCN. "A Reviewer's Aid to the 1997 IUCN Red List of Threatened Plants". <http://www.iucn.org>

Kaul, Inge. . Governing Global Public Goods in a Multi-Actor World: the Role of the United Nations. prepared for *Confronting the Millennium: The Future UN*, United Nations University, Tokyo, 19-21 January 2000.

Mazurek, Janice. . The Use of Unilateral Agreements in the United States: The Responsible Care Initiative. presented at the Workshop on the Use of Voluntary Approaches in Environmental Policy (OECD), 1-2 July 1998.

Myers, Norman. . The Century Ahead: Ever-Greater Problems or Ever-Wider Opportunities?. prepared for *Confronting the Millennium: The Future UN*, United Nations University, Tokyo, 19-21 January 2000.

. Nations set rules for GM foods. , *Japan Times*, 30 January 2000.

Nordstrom, Hakan and Scott Vaughan. . Special Studies 4: Trade and Environment. . World Trade Organization. <http://www.wto.org>

Oberthur, Sebastian. . Linkages between the Montreal and Kyoto Protocols. . Paper prepared for the International Conference on Synergies and Coordination between Multilateral Environmental Agreements, United Nations University, Tokyo, 14-16 July 1999.

Peters Robert L. and Thomas E. Lovejoy (eds). *Global Warming and Biological Diversity*. New Haven: Yale University Press. 1992.

Porter, Michael E. and Claas van der Linde. . Green and Competitive: Ending the Stalemate. , *Harvard Business Review*, September-October 1995, 120-134.

Stilwell, Matthew (a). . Governance, Globalization and the Need for WTO Reform. (draft), Center for International Environmental Law, Geneva, 1999.

Stilwell, Matthew (b). . Why Legislators Should Care About the WTO. . GLOBE USA and Center for International Environmental Law. 1999

United Nations General Assembly, Fifty-first session, Agenda item 168. *Renewing the United Nations: Programme for Reform. Report of the Secretary General*. A/51/950, 1997.

UNDP. *Human Development Report 1998*. New York: Oxford University Press. 1998.

UNDP. *Human Development Report 1999*. New York: Oxford University Press. 1999.

UNEP. *Global Environment Outlook 2000*. [www-cger.nies.go.jp/geo2000](http://www-cger.nies.go.jp/geo2000).

UNU. *Inter-Linkages: Synergies and Coordination between Multilateral Environmental Agreements*. 1999.

UNU, GEIC, UNU/IAS. *Global Climate Governance: A Report on the Inter-linkages between the Kyoto Protocol and other Multilateral Regimes*. 1999.

Watson, Robert et. al. *Protecting Our Planet, Securing Our Future*. United Nations Environment Program, U.S. National Aeronautics and Space Administration, The World Bank. 1998.

World Commission on Environment and Development (WCED). *Our Common Future*. Oxford: Oxford University Press. 1987.

World Trade Organization (WTO). . The multilateral trading system- past, present and future. . <http://www.wto.org/wtp/inbrief/inbr01.htm>  
World Resources Institute et. al. *World Resources 1998-99: A Guide to the Global Environment*. New York: Oxford University Press. 1998.  
World Water Council. *World Water Vision: Report* (Draft of 17 December 1999). [www.worldwatercouncil.org](http://www.worldwatercouncil.org)  
WWF. "From Liberalisation to Sustainable Development. A Critique of the OECD Paper "Open Markets Matter: The Benefits of Trade and Investment Liberalisation". <http://www.panda.org/resources/publications/sustainability/wto-papers/liberal.html>

## Notes

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<sup>1</sup> Heightened public and political concern about the impact of genetically modified organisms on biological diversity were key factors leading to the adoption of the Biosafety Protocol to the U.N. Convention on Biological Diversity in Montreal, Canada on 29 January 2000.

<sup>2</sup> For an interesting discussion of the impact of .overlapping stresses. on the environment, see Chris Bright, . The Nemesis Effect. , *WorldWatch* vol.12 no.3 (May/June 1999), 12-23.

<sup>3</sup> I am indebted for this line of reasoning to the .ecosystem approach. elaborated in many fora in recent years. A clear conceptualization of this approach can be found in .Ecosystem Approach: Further Conceptual Elaboration. [CBD 1999].

<sup>4</sup> The first really global forum on the environment was the United Nations Conference on the Human Environment, convened in Stockholm in 1972.

<sup>5</sup> Nordstrom and Vaughan put the total number of international environmental agreements at 216 [1999:5]. The implementation of these is overseen by a wide array of secretariats located in various parts of the world.

<sup>6</sup> The protests which surrounded the WTO Ministerial in Seattle in November 1999 brought these tensions into sharper relief than ever before.

<sup>7</sup> The Preamble of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters states that the notion of duty is one that is individual and shared, and is exercised to . protect and improve the environment for the benefit of present and future generations. .

<sup>8</sup> I am indebted to Mr. Taka Hiraishi for his helpful comments on this point.

<sup>9</sup> Please see the following websites for more information on the UN.s partnerships with business and on the UN Global Compact: [www.un.org/partners/business](http://www.un.org/partners/business) and [www.unglobalcompact.org](http://www.unglobalcompact.org).

<sup>10</sup> Please see the following website for the full text of Agenda 21: [www.unu.org/esa/sustdev/agenda21text.htm](http://www.unu.org/esa/sustdev/agenda21text.htm)

<sup>11</sup> Quoted in address by UN Deputy Secretary General Louise Frechette to the Overseas Development Institute in London, 8 December 1998.

<sup>12</sup> Please see the following website for a full description of the objectives of the World Civil Society Conference: [www.wocsoc.org/english/history/htm](http://www.wocsoc.org/english/history/htm)