



Decision-making

Briefing Sheet



Whose Decision it is Anyway? Decision-making processes at the national & international level

"If the economy is to be put on a sustainable footing in the twenty-first century, it is unlikely to be the result of a top-down, centralized plan; the answer is more likely to lie in an eclectic mix of international agreements, sensible government policies, efficient use of private resources, and bold initiatives by grassroots organisations and local governments."

Brown, L. et al. (1997). State of the World 1997 – A WorldWatch Institute report on progress towards a sustainable society. London: Earthscan.

"Government, business, and environmental organisations cannot create a sustainable society. It will only come about through the accumulated effects of daily acts of billions of eager participants."

Hawken, P. (1995). The Ecology of Commerce. Phoenix, London.

Institutions, participation and governance

Many obstacles hamper the path to sustainability. Issues such as unchecked globalisation and poverty require strong action by national governments and the international community rather than relying on lower levels, for example, cities, to deliver the goods. Institutional reform is required for popular participation and participatory democracy. Linked to this, good governance is about accountability, transparency, information, equity and social justice.

Changing priorities at the UN

The 1992 Earth Summit was the first in a cycle of global conferences held during the 1990's which refocused the work of the UN toward development that is people-centred and sustainable. The other events were the International Conference on Population and Development (Cairo 1994), the World Summit for Social Development (Copenhagen 1995), the Fourth World Conference on Women (Beijing 1995) and Habitat II – The City Summit (Istanbul 1996).

Do global conferences make a difference?

Many people believe that UN Conferences have little relevance on their daily lives. Countering the question of what is achieved, the UN believes they make a long-term impact by:

- Mobilizing national and local governments and non-governmental organisations to take action on a major global problem;
- Establishing international standards and guidelines for national policy;
- Serving as a forum where new proposals can be debated and consensus sought;
- Setting in motion a process whereby Governments can make commitments and report back regularly to the UN;

From an NGO perspective, issues raised by recent conferences highlight that:

- There has to be a rebuilding of trust between developed and developing countries;
- New funds need to be made available;
- A Review is required to make conferences more problem solving in their nature;
- Attention is needed as to how all stakeholders can work towards the set targets;
- The role of stakeholders in developing and delivering agreements at the global level.

International conferences and their dialogue processes can be more than just 'talking shops.' The agreed world-wide phase-out of the 12 'POPs' (Persistent Organic Pollutant) toxic chemicals shows that international multi-lateral environmental agreements can and do work (Anped 2001). However, the announcement in March 2001 by US President Bush, stating that the US would not agree to the Kyoto Protocol sent shock-waves around the world and brought condemnation from all quarters. This presents a deep challenge to the international run-up to the 2002 Rio+10 preparatory process.

Making decision-making more open to participation

There is growing awareness that governments acting alone cannot secure progress toward sustainable development. The UN system needs to find consistent ways to enable major groups to participate more effectively in the process. Implementing Agenda 21 is not about negotiations behind closed doors, rather it is about making decision-making more participatory, involving all the actors in the preparatory work, building positions and broadening awareness. Non Governmental Organisations (NGOs) have followed a creative and strong role in seeking to engage others; however, more attention is now required to engage other sectors such as industry and commerce.

The Earth Summit 1992 and Habitat II 1996 were considered a success in bringing all stakeholders – Governments and civil society at large to the discussion table. Since Rio, many decision-making processes have been devolved down to the lower levels, hence the importance of making progress on sustainable development at the local level.

The **United Nations** is an international body with a membership of 188 Member States (November 1999). Member States determine the agenda of events such as the UN Special Sessions. They decide the priority areas, information required, and agree to the final documents. They participate as 'delegations'. These delegations vary widely. They are usually composed of senior Government ministers, other representatives, technical experts and occasionally non-governmental organisations (NGOs). NGOs and civil society are often very active in helping to shape UN agendas but they do not have an official negotiating role nor a right to vote. NGOs often prepare 'alternative reports' so their voice can be heard. Preparatory meetings (PrepComms) develop and discuss issues arising from national reports. The preparatory process is the period during which those involved try to build commitment to the agreements being sought. The majority of recommendations and outcomes of a UN Session are determined during the preparatory process. Member States negotiate most of the content of the major documents here. (www.unifem.undp.org)

UN agencies include:

The **UN Commission on Sustainable Development (UN CSD)** was established in 1992 after the Earth Summit to monitor progress in implementing Agenda 21. It is a body whose decisions are based on consensus; they are not legally binding. However the CSD has gained enough credibility for member states to pay substantial attention to its debates and decisions. National Governments submit regular reports to the CSD review process

The Commission consists of representatives from 53 nations elected by the UN's Economic and Social Council, the body through which it reports to the General Assembly. The CSD is the most respected body on sustainable development, and the one most open to public participation. The CSD relies on multi-stakeholder cooperation between NGOs and other major groups (e.g. industry, local government, women, indigenous peoples, and the scientific community).

All NGO activities are co-ordinated by the UN CSD NGO Steering Committee, which is elected every year and whose membership respects gender and regional balance. The working structure is based upon so called caucuses, which are working groups, either regional or on specific issues, open to all interested persons and organisations. Each caucus elects 2 co-convenors, one from the North, and one from the South – who become members of the NGO Steering Group. The Steering Committee has two co-chairs, elected annually. They co-ordinate all NGO activities, as well as Steering and Management groups. In recent years a new structure has been created, the Northern and Southern ClearingHouses, which provides support to northern and southern groups (based in New York). More information on the structure is available at NGO

web site on the UN-CSD at www.igc.org/csdnqo (Anped 1999/2000).

The United Nations Development Programme (UNDP), set up in 1965, is the world's largest multilateral source of grant funding for development co-operation. All UNDP supported activities emphasize the permanent enhancement of self-reliant, sustainable development. UNDP and UNEP are working together to fulfil the commitments of Agenda 21.

The United Nations Environment Programme (UNEP) was established after the first UN Conference on the Human Environment, held in Stockholm in 1972. UNEP is dedicated to bridging the gap between awareness and action. It seeks a balance between national interests and the global good, aiming to unite nations through the protection of the environment. UNEP's activities cover a wide range of environmental issues and sustainable development.

Principles underpinning decisions on sustainable development

Co-operation: There is a strong emphasis throughout Agenda 21 on co-operation between countries and different levels of government. Institutions are asked to consult and collaborate as appropriate with other countries and other bodies at other levels and of different kinds.

Equal Rights and Empowerment: Agenda 21 stresses the rights, importance and potential contributions of the poor, indigenous peoples, the young and old, women, rural dwellers, people with disabilities, and any other groups of people who might be at risk of relative disadvantage. Agenda 21 sees these potentially disadvantaged groups as having the same rights to health, shelter, clean food and water as the rest of humanity. And the same rights to a voice in decisions about the path that development should take.

Capacity building: A central concept of Agenda 21. In literal terms it means developing the abilities and resourcing of institutions to manage the various changes and activities required of them. This is a crucial part of the Agenda 21 philosophy. It is as much concerned with enabling people and organisations to make the necessary changes as with the changes themselves.

Legal frameworks - Legally binding instruments

Multi-Lateral Environmental Agreements (MEA)

Growing environmental concern over the effects of pollution and escalating use of natural resources has led to the development of a different kind of environmental agreement or legislation. The emphasis has shifted away from looking at single issues and how resources can be allocated for use, toward looking at the bigger picture and taking a more systems-orientated, cross-sector approach toward protection. Examples of this new kind of multi-lateral environmental agreement include two of the Conventions adopted at the Rio Earth Summit 1992 – the Convention on Biological Diversity and the UN Framework Convention on Climate Change. The Earth Summit has been hailed as a landmark in the history of environmental law, marking the start of integrating environmental protection with development. The path of both Conventions demonstrates the difficulty of pursuing agreements that affect multiple sectors. Because these holistic, multi-sector agreements involve so many different and cross-cutting areas of law, policy, and politics, they can create more conflict and problems than the older type of MEAs (GEO2000).

6 Conventions came out of the 1992 Earth Summit (Rio):

UN Convention on Biological Diversity (1992): www.biodiv.org

Adopted at Rio 1992, the Convention on Biological Diversity sets out international measures aimed at preserving the vital ecosystems and biological resources on which we all depend. In summary, its main provisions (Article 1) are:

- Conservation of Biodiversity
- Sustainable use of biodiversity
- Fair sharing the benefits arising from exploiting such use

These deal with developing national plans and strategies, monitoring, research, access to genetic resources, transfer of technology, handling biotechnology. During negotiations many countries, especially from the

South, refuted arguments that biodiversity was the common heritage of humankind; there was hostility in some quarters to specifying the Global Environment Facility (GEF) as the main funding mechanism. It contains lots of compromise language.

Implementation: By Rio +5, 150 Countries has become party to the CBD. US has signed but not ratified. Good progress has been made in many countries in drawing up national plans. It is too early to assess whether it has contributed to slowing down loss of habitats.

UN Framework Climate Change Convention (1992) www.unfccc.de

The 1997 Kyoto Protocol commits signatories to legal binding 5.2% cuts in greenhouse gas emissions from 1990 levels by 2010 (- individual countries have set higher targets). Scientists now argue that cuts of 60-80% are now needed to make a difference. The Kyoto agreement, aimed at industrialised countries, has been fiercely debated and the US's recent stance not to support it (March 2001) has led to outrage. If the Kyoto deal is not ratified, developing countries such as China and India, may abandon environmental controls, worsening global warming and its global implications. Further talks to be held in July 2001.

Convention to Combat Desertification (1994) at www.unccd.ch

This Convention aims to promote effective action through innovative local programmes and supportive international partnerships. Dryland ecosystems cover one third of the world's land area and are extremely vulnerable to over-exploitation and inappropriate land use. Drought and desertification seriously threaten the livelihoods of over 1.2 billion people. These people include many of the world's poorest, most marginalised and politically weak citizens.

Persistent Organic Pollutants (POPs): A legally binding instrument to reduce and eventually eliminate POPs (e.g. synthetic toxic compounds such as dioxin, PCBs). Negotiations are still underway before it can be opened for signature.

Agreement on Prior Informed Consents (PICS) on Hazardous Chemicals (1998): The Rotterdam Convention opened for signature in 1998 and is intended to enable the world to monitor and control the trade in dangerous pesticides and chemicals.

Agreement on Straddling and Migratory Fish Stocks (1995): This agreement seeks to develop a long-term comprehensive plan for the conservation and sustainable use of straddling and highly migratory fish.

Other Conventions likely to have a future impact include the UN/ECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, adopted in 1998. This is a new kind of agreement, linking environmental rights and human rights. It is also about Government accountability, transparency and responsiveness. It is forging a new process for public participation in the negotiation and implementation of international agreements.

Non-binding instruments

These are often forerunners of binding policy instruments and have at times had a more profound effect on environmental policy than binding ones. Non-binding instruments have also helped to bring about changes in attitudes and perceptions at all levels of society (GEO2000). Their main aim is to set out issues and priorities, foster discussion, and stimulate new thinking and awareness. Two examples adopted during the 1992 Earth Summit were the **Rio Declaration** and **Agenda 21**.

The **Rio Declaration** has 27 principles focused around the theme of sustainable development. Many of the environmental agreements made since Rio include principles within this Declaration which are now becoming part of international law. Examples include: the right to an appropriate environment; right to information; and the right to participate in environmental management.

Agenda 21, the international action plan agreed at Rio, is becoming the most influential non-binding agreement in the environmental arena, linking up a multitude of issues under the framework of sustainable development. Countries are developing national plans or strategies in response to it. Agenda 21 has also had an impact on environmental governance and led to the creation or strengthening of multi-stakeholder organisations in many countries (GEO2000).

Helpful links and information resources:

UN Website: www.un.org/news/facts/confrncs.htm

UNED Forum Central information resource with document downloads (UN etc), newsletters, briefing material, national reports plus links to the Road Map of how all the processes fit together: www.earthsummit2002.org

References

Anped (2001). Northern Lights Newsletter of Anped, Northern Alliance for Sustainability.

UNED Forum www.earthsummit2002.org – drawing upon UN documentation

UNEP (1999) Global Environment Outlook 2000. Earthscan. London.

Glossary

Sustainable Development: *"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs"* (Brundtland Report, 1987) also *"development which improves people's quality of life, within the carrying capacity of the earth's life support system."* 2nd World Conservation Strategy (UNEP)

Sustainability: Working towards sustainability involves:

- Social development: increasing social equity
- Environmental protection: protecting and improving the environment
- Economic development: developing economic security for everyone

Stakeholders: Groups or organisations who have influence in a particular area of policy or are affected by policies. Agenda 21 identified 9 Major Groups: women, children and youth; indigenous peoples; NGOs; local authorities; trade unions; business and industry; science and technology, and farmers. This is not an exhaustive list; at any stage in a process there can be other specific stakeholder groups.

Also see

This short Briefing Sheet is one in a series specially prepared by UNED Forum for Life II. It aims to outline key issues covered within the topic and to act as a sign-posting service to further information sources and official documentation. Many issues are cross-cutting so we encourage you to investigate the other material available. Other sheets include:

- **Cities as Symbols of Hope: The Habitat and Istanbul+5 Process**
- **A World of Difference? The Earth Summit 2002 process**
- **Investing in the Future: Financing for Development Process**
- **Making Women Count: The Beijing Process**
- **Promoting Development with a Human Face: The Social Summit Process**
- **Promoting Involvement in the Search for Sustainability - We are all Stakeholders Now**
- **Resource Sheet - more Background Information and Inspiration**
- **Frequently Asked Questions**

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