



United Nations Environment Programme

PERSPECTIVES

ISSUE No 8

Rio+20¹: A new beginning

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1. A beginning in the shadow of political realities

All the sustainable development conferences, Stockholm, Rio, Johannesburg and now Rio+20 have happened during difficult political times. The follow-up to Stockholm took place in the shadow of the 1973 oil crisis caused by the Yom Kippur war and the OPEC oil embargo; Rio 1992 occurred took place in the aftermath of the first Gulf War and the costs of democratization of the former Soviet bloc; Johannesburg happened took place shortly after 9/11; and most recently, Rio+20 was confronted with the aftermath of the 2008 financial crisis.

Many developed countries engaged in the Rio+20 process were doing so with more than one eye on the crisis within the Eurozone rather than focusing on the way we might tackle current overconsumption and production patterns and structurally transform our economies to live within the limits of nature. The right wing in a number of countries has been portraying environment, climate change and sustainable development as a 'left wing' global plot. The meeting of the G20 (18-19th June 2012), focused almost entirely on short-term measures to prop up a broken economic system, appeared to be more important than Rio+20. Important political leaders such as Barack Obama, John Cameron and Angela Merkel did not even show up at Rio+20.

Many of the developed countries had to be dragged to the table to even participate. While the developing countries Group of 77 had originally tabled the resolution for a Rio+20 in November 2008, it took ten months before the European Union agreed to the Summit in late September 2009. The original mandate of the CSD in the third cycle had the chance to break the 15 year cycle. Brazil recognised this and led the process to stop the CSD with a new Summit in 2012.

A UNEP publication series that presents views from Major Groups and Stakeholders of Civil Society or about issues that are relevant for them. PERSPECTIVES is coordinated by UNEP's Major Groups and Stakeholders Branch/ Division of Regional Cooperation. The presented views are entirely those of the authors and do not necessarily reflect the views of UNEP.

1 Rio+20 is the short hand for the United Nations Conference on Sustainable Development

Views on the outcome of the Rio+20 Conference and its relative success or failure vary depending on what people had thought was possible in these difficult times. It marked however a definite turning point in the balance of power and initiative in the world of sustainable development. What was clear from the beginning is that the leadership for Rio+20 was coming from the BASIC countries [Brazil, South Africa, India and China]. From 2008 Brazil ensured they were working with other BASIC countries to support their call for a new Summit. The strongest support came from South Africa as the host of the 2002 Summit. Rio started to show what that new world might look like. At times it seemed as if the European Union in particular did not know how to deal with the new authority that Brazil and other BASIC countries showed. The immediate impact seemed that the European negotiators retreated into even more private conversations and co-ordination between themselves, which removed them from productive contact with other delegations and often seemed to leave them behind the state of affairs by the time they came back into the negotiations.

However, for much of the negotiations the overall tone was antagonistic making progress elusive particularly on aspects of finance, trade, technology transfer and aid. There were heated deliberations for example on principles of 'common but differentiated responsibility' (CBDR) proposed by the G77 and references to 'voluntary and mutually agreed' aspects of technology transfer by various JUSCANZ members².

After a two-year process that seemed to lack any coherence, Brazil showed considerable leadership by completing the negotiations over the weekend one day before the Heads of State arrived, a record for a UN Summit that rescued the UNCSD from failure. This paper will review the key outcomes from Rio+20 both the positive and the negative ones. It will also look to the future and the process that has come out of Rio+20 and its possible impact on the Beyond 2015 process.

2. The Bad News

Some battles were lost. The campaign undertaken by Greenpeace, Pew Environment Group and others including Brazil, South Africa, India and Monaco for an agreement to immediately set up a process to deal with a **high seas biodiversity agreement** to protect our oceans was opposed by the US, Russia, Canada and Venezuela. The US had once again tabled the ratification of the Convention on the Law of the Sea in the US Senate so they were resistant to start negotiations on a new international oceans treaty until the US had ratified the Law of the Sea Treaty.

Instead Rio+20 will allow the UN General Assembly in 2014 to take "a decision on the development of an international instrument under the United Nations Convention on the Law of the Sea". This puts off the decision to set up negotiations for a new treaty on the high seas, for another two years, without a firm commitment.

On another issue Rio+20 still could not agree to any plan for eliminating **environmental harmful subsidies** (such as fossil fuels) after 20 years of talking about it. If governments had agreed to act on these subsidies then there could have been a shift to help finance the transition to a sustainable world.

The lack of recognition of **reproductive rights** as essential to sustainable development was especially disappointing. While the outcome document reaffirmed the ICPD and

2 JUSCANZ is Australia, Canada, Iceland, Japan, Liechtenstein, New Zealand, Norway, Switzerland, and the United States



the Beijing Platform for Action as well as their subsequent review outcomes, women worldwide were outraged that governments failed to recognize women's reproductive rights as a central aspect of gender equality and sustainable development in the Rio+20 Outcome Document.

As the third world feminist network, DAWN – Development Alternatives with Women for a New Era – stated:

“In sharp contrast to twenty years ago at the historic Earth Summit when linkages between gender and all three pillars of sustainable development were substantively acknowledged, the Rio+20 outcome document has relegated women's rights and gender equality to the periphery without recognition of a wider structural analysis. For example, there is a reference to women's “unpaid work” but without recognizing the unequal and unfair burden that women carry in sustaining care and wellbeing (para 153). This is further exacerbated in times of economic and ecological crisis when women's unpaid labour acts as a stabilizer and their burden increases. Development is not sustainable if care and social reproduction are not recognized as intrinsically linked with the productive economy and reflected in macroeconomic policy-making.”

As a result of the Women's Major Group engagement with other Major Groups and sustained work with the media, a number of organizations stated positions on women's rights, reproductive rights, youth and adolescent health and rights that traditionally had not been as vocal on these issues. For example Mr. Kumi Naidoo of Greenpeace noted in his speech that:

“[the deletion of reproductive rights is] scandalous, that again a male dominated gathering wants to dictate to the women of the world how they should control their bodies” and that “we need to “understand that it cannot be activism as usual. We will be investing more in strengthening, crossing silos and will ensure that we take the struggle to every capital and boardroom and mobilize³”.

During the Summit's closing plenary, a number of governments also strongly voiced their concern about these grave omissions, including Bolivia, Peru, Switzerland, USA, Norway and Iceland.

3. Mixed Reviews

There was a firm commitment to establish a new set of universal Sustainable Development Goals for the world. New methods of measuring progress in the world (Beyond GDP, natural capital accounting, sustainability indicators) are also to be trialled and pushed forward more vigorously. Divergent views on the concept of 'green economy' were extensively deliberated and eventually reflected in the outcome document. Reporting on the sustainability impacts of large companies and businesses is also to be pushed forward.

a) Sustainable Development Goals

The concept of Sustainable Development Goals [SDGs] originally put forward by the governments of Colombia and Guatemala in July 2011 has led to the creation of a thirty

3 www.dawnnet.org/advocacy-cso.php?id=254



country open working group intended to conclude initial thoughts in time for the 2013 UN General Assembly as part of a two year process that should enable the process on SDGs and MDGs [Millennium Development Goals] to merge into one process thereafter.

Alison Doig, Senior Advisor on Sustainable Development, Christian Aid, stated:

“There is some hope that Rio will yet have a positive legacy, because leaders have committed to create a new set of sustainable development goals (SDGs) which will set the direction of global development work from 2015. The SDGs could help make global food production more sustainable and ensure that many millions more people can enjoy clean water and sustainable, modern energy. But this will only happen if citizens keep up the pressure, as work to shape the goals continues.”

b) The Green Economy

While a contested term for many, the term “green economy” was accepted for the first time into a UN Summit agreement. The European Union had promoted a roadmap with targets and indicators yet it lacked any clear definition of what is the green economy. Many particularly those from the developing countries recognized that there isn’t one ‘green economy’ as affirmed in the text of the outcome document:

“Different approaches, visions, models and tools available to each country, in accordance with its national circumstances and priorities, to achieve sustainable development in its three dimensions” (paragraph 56).

While this recognition of policy space is important, many NGOs called for a deeper questioning of the current development model that is based on extractivism and that fails to take into account social and ecological costs.

Friends of the Earth UK concluded in their analysis:

“This is critically important given attempts by some to define a “one size fits all” model of the so called “green economy” which promoted unsustainable business as usual. There is also welcome recognition that policies should be “guided by and in accordance with all Rio principles, Agenda 21, and Johannesburg Plan of Implementation” (paragraph 57).

This is a significant victory for civil society, because it allows communities and countries to define their own vision of what a truly fair and sustainable economy might look like.”

The Summit also formally agreed to trial out alternatives to Gross Domestic Product [GDP] to assess the progress of national and global economies in a more sustainable way, and to press forward with natural capital accounting and sustainability indicators.

c) Global Framework for Corporate Sustainability Reporting

A coalition of industry groups from the finance and banking sector (AVIVA, HSBC) and some NGOs promoted an agreement on a global framework for corporate sustainability reporting (para 47 of the outcome document). This was opposed by the International Chamber of Commerce and a few key countries including India and the US.



In the end with strong push from the EU, Norway and Switzerland and supported by Mexico a version was agreed on which was based on developing best practice which could develop into a global framework in the coming years.

Friends of para 47 was launched under the leadership of Brazil, South Africa, Denmark and France and is expected to bring this issue back to the table in 2013 and 2015.

A complementary initiative can be seen in the Green Industry Platform, launched on the margins of the Rio +20 Conference by the United Nations Industrial Development Organisation (UNIDO) and UNEP. This multi-stakeholder platform is a voluntary initiative that can have the same leverage - amongst other reasons because its creation preceded the final phase of the negotiations and was not dependent on any decisions coming out of the Conference.

d) Energy

The UN Secretary-General's Sustainable Energy for All initiative focuses on driving actions and mobilizing commitments towards three objectives, all to be achieved by 2030 – ensuring energy access, doubling energy efficiency, and doubling the share of renewable energy. However the Rio+20 outcome document does not give governments the urgently needed framework to shift financial resources away from unsustainable and inequitable energy systems to necessary investments in decentralized renewable energy systems. In the Global South, investments should be prioritized for access to safe and clean energy in rural areas with a focus on women and household energy consumption.

4. Hopeful Signs

On the governance side there was agreement to establish a new high-level body on sustainable development to replace the CSD, and to strengthen UNEP by giving it universal membership and other support.

The wealth and richness of the parallel side events organised by civil society representatives, subnational and local authorities and stakeholders at large demonstrate that action keeps transitioning from top-down to bottom-up and that the only realistic way forward to improve sustainable development multilateralism must be one embedded both in multi-level governance and in the full engagement with civil society and stakeholders.

a) Strengthened Sustainable Development Governance

There was universal agreement that the UN Commission on Sustainable Development had run its course and a new higher level body was needed to take its place drawing in Heads of Government, Economics and Finance Ministers and other leaders with the powers and capacity to take the decisions needed to guide the world's economies in a more sustainable direction that will be needed in the future. The new body will need to build on the best practice and achievements of the CSD, which included for example a number of important decisions and deliverables made during its first seven years (1994-2000):

- 1994 CSD: called for the development of "effective legally binding instruments concerning the Prior Informed Consent (PIC) procedure on the importation of chemicals"



- 1995 CSD: established the United Nations Inter-government Panel on Forests (later renamed the Intergovernmental Forum on Forests, see below)
- 1996 CSD: set out the requirements for the establishment of the institutional arrangements for the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities
- 1997 UNGASS: called for by the year 2002, the formulation and elaboration of national strategies for sustainable development, the establishment of the UN Intergovernmental Forum on Forests (IFF) for three years (1997-2000), and the establishment of multi-stakeholder dialogues with governments within the UN CSD.
- 1998 CSD: called on UNCTAD, UNEP and UN DESA to help develop a vulnerability index for the quantitative and analytical work on the vulnerability of Small Island Developing States and the establishment of a review of voluntary initiatives within industry.
- 1999 CSD: established an expansion of the United Nations guidelines on consumer protection to include sustainable consumption. It also established an open-ended informal consultation processes on oceans and seas under the UN General Assembly.
- 2000 CSD: set out the terms of reference for a new permanent body – the United Nations Forum on Forests.

By 2011 the CSD had run its course and the Solo meeting (July 2011) of governments hosted by Indonesia had suggested the upgrading of the UNCSD into a Council of the United Nations General Assembly. At Rio+20 countries first focused on what functions needed to be addressed for sustainable development to be strengthened and came forward with an extensive list which will be discussed by the UNGA during its coming sessions. A final decision on the shape of the new body and how it should relate to the GA and ECOSOC is still to be agreed but it is clear that the intent is to strengthen sustainable development throughout the UN system, and to bring progress on sustainable development more directly onto the regular agenda of heads of government, economics and finance ministers and other key decision makers, rather than letting it languish in an environmentalists ghetto.

b) UNEP - strengthened and upgraded

The European Union and the African Union had been the main driver to upgrade UNEP into a United Nations Environment Organization (UNEO) or a World Environment Organisation which did not bear fruits at RIO+20 as such.

However a decision was taken to upgrade and strengthen UNEP through the following:

- (a) Establish universal membership in the Governing Council of UNEP, as well as other measures to strengthen its governance as well its responsiveness and accountability to Member States;
- (b) Have secure, stable, adequate and increased financial resources from the regular budget of the UN and voluntary contributions to fulfill its mandate;
- (c) Enhance UNEP's voice and ability to fulfill its coordination mandate within the UN system by strengthening UNEP engagement in key UN coordination bodies and empowering UNEP to lead efforts to formulate UN system-wide strategies on the environment;



- (d) Promote a strong science-policy interface, building on existing international instruments, assessments, panels and information networks, including the Global Environmental Outlook, as one of the processes aimed at bringing together information and assessment to support informed decision-making;
- (e) Disseminate and share evidence-based environmental information and raise public awareness on critical as well as emerging environmental issues;
- (f) Provide capacity building to countries as well as support and facilitate access to technology;
- (g) Progressively consolidate headquarters functions in Nairobi, as well as strengthen its regional presence, in order to assist countries, upon request, in the implementation of their national environmental policies, collaborating closely with other relevant entities of the UN system;
- (h) Ensure the active participation of all relevant stakeholders drawing on best practices and models from relevant multilateral institutions and exploring new mechanisms to promote transparency and the effective engagement of civil society.

UNEP will have universal membership which builds on the approach taken in the 2000 Malmö Declaration which provided for a GA decision to set up the Global Ministerial Environment Forum (GMEF), which cannot / could not take legally binding decisions. This will now make UNEP a truly global authority on the environment giving it more weight similar to other intergovernmental bodies. It will provide capacity building as well as facilitate access to technology. Rio+20 gave UNEP the chance to provide this directly to countries. How this will impact on UNDP's role is unclear.

In addition the support at Rio+20 for «secure, stable and increased financial resources from the regular budget and voluntary contributions» will enable it to better fulfil its mandate.

The support for one of a strong science-policy interface has been part of UNEP's mandate from the beginning. Rio+20 strengthened this and this can build on the excellent products UNEP produces such as the Global Environment Outlook reports.

The move to accelerate the clustering of the Multilateral Environmental Agreements, which enable synergies through cooperation and strengthen the clustered area considerably will be an important development over the next five years. The work on chemicals has shown that it can be done and now the expectation is for a much closer clustering of the biodiversity conventions.

The call at Rio+20 for enhanced stakeholder engagement in UNEP is bringing to the table a need for a new partnership between stakeholders, governments and UNEP. This should not only mean new mechanism for participation in the decision making but more clear guidelines on partnerships between UNEP and stakeholders in helping to deliver the UNEP work programme.

c) Principle 10 — Goes Regional

There was a campaign supported by the NGO thematic cluster on Principle 10 of the Rio Declaration organized by WRI calling for a global convention on access to information, public participation and environmental justice. As Lalanath de Silva of WRI reminded us:



"Since 1992, Principle 10 has spawned laws providing access to environmental information in more than 100 countries, public participation provisions in more than 120 countries, and environmental courts and tribunals in more than 44 countries."

Although Rio+20 did not agree to a global convention on Principle 10, paragraph 99 expressly "encourages action at the regional level," which has opened the possibility to negotiate regional conventions on Principle 10. Again from Lalanath de Silva:

"Soon after the outcome text was revealed, Ambassador Jose Luis Balmaceda of Chile made a public announcement at the "Choosing our Future" event in Rio calling for a Latin American and Caribbean Convention on P10."

A number of countries in Latin America have joined the government of Chile and announced their intent to go forward with the second regional convention on Principle 10 following the lead Europe has taken with the UN ECE Aarhus Convention. Paragraphs 85(h) and 88(h) also expressly opens the door to enhancing the consultative status of Major Group participation in the new high level forum and mandates UNEP to "ensure" that Principle 10 is implemented, including through the exploration of 'new mechanisms'. As Achim Steiner, Executive Director of UNEP commented at the "Choosing our Future" event, "this includes exploring regional and global mechanisms for the implementation of Principle 10."

d) Sustainable Consumption and Production

There was at last an agreement to formally adopt the 10 Year Framework of Programmes on Sustainable Consumption and Production first agreed to in the 2002 Johannesburg Plan of Implementation and negotiated, but not finalized, at the United Nations' 19th Commission on Sustainable Development in 2011. It will be the United Nations General Assembly at its 67th session to decide which UN body or bodies take this forward and coordinate the development of programmes in support of regional and national initiatives to shift towards sustainable consumption and production patterns.

In the meantime, the Global Research Forum on Sustainable Production and Consumption successfully launched at Rio +20 as an independent [non-governmental] initiative which brings together research institutions, networks and others from all regions of the world engaged in sustainable production and consumption research and in exploring the use of research-based knowledge in policy and practice. An early challenge will be to define appropriate goals for sustainable production and

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