

Implementation of UNCED Agreements

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The environment is an area of growing concern. This was most visible in Rio de Janeiro during the Earth Summit last June when policy makers from around the world reached an historic agreement on steps to halt environmental degeneration. During the two weeks of the Summit, the Government of Pakistan, like most other countries of the world, signed three agreements: the Biological Diversity Convention, the Framework Convention on Climate Change, and Agenda 21. In this essay I suggest that the time has come to begin to fulfil our commitments and to take advantage of opportunities created by these agreements. This will require concerted action by a number of agencies in the government.

Pakistan played a prominent role in Rio by representing the concerns of the South as leader of the Group of 77, a loose confederation of lesser developed countries who felt that the industrialised or northern countries, since northern countries accepted the primary responsibility for destroying the environment as well as for saving it. In addition, obligations placed on the South mainly involve collecting information and preparing programmes which are to be fully funded through new and additional financial assistance. While the South is free to undertake independent action, the incremental costs of such action will also be fully funded.

The **Biological Diversity Convention** is designed to provide guidelines for the conservation of biodiversity, promote the sustainable use of its components, and ensure equitable sharing of the benefits arising out of the use of genetic resources. By signing this treaty, Pakistan has agreed to ensure that fragile ecosystems within its national jurisdiction are protected, to identify and monitor biological components, to establish protected areas, to regulate and manage components, to adopt measures (such as by providing incentives) aimed at minimising adverse effects on biodiversity, to establish an efficient public awareness campaign, and finally to cooperate with other (regional) countries in achieving these objectives. These tasks are made easier by provisions that require richer, or northern, countries to assist countries with limited resources in tackling the terms of this treaty. Aid in the form of exchange of information -- scientific or other -- allowing easy access to technological and technical equipment or information, and financing has been agreed to in principle.

The **Framework Convention on Climate Change** aims to provide guidelines for mitigating the effects of global climate change, particularly on countries in a vulnerable position. Each signatory is obliged to promote the sustainable management of sinks and reservoirs that lessen or remove greenhouse gases, as well as to monitor the sources of these gasses. This convention has created opportunities for Pakistan since northern countries are required to develop and transfer technologies, practices and processes that control, reduce or prevent anthropogenic emissions; thus, it would be beneficial for Pakistan to communicate its special needs and specific circumstances to the relevant parties in order to qualify for special assistance in the form of finance and technical and technological aid. In return Pakistan must show that it is committed to implementing the convention by incorporating it into its national agenda. The government must build and strengthen institutions that can implement and prepare relevant projects, identify national ecosystems that are vulnerable to the effects of climate change, identify the need for capacity building (specially with regards to research and scientific information), and finally promote public awareness.

Agenda 21, by far the most comprehensive of the three signed treaties is intended to provide signatories with the necessary guidelines for devising their own national sustainable

development programmes, as well as to form the basis on which new conventions and future agreements will be made. Pakistan already has the National Conservation Strategy (NCS), but it can use information provided in the Agenda as a reference for designing the blueprints for the implementation phase. Furthermore, the government could adopt in a separate plan those measures which the NCS may not have emphasised, but which are important nonetheless.

Agenda 21 is divided into four broad areas: (i) Social and Economic Overview, (ii) Conservation and Management of Resources for Development, (iii) Strengthening the Role of Major Groups, and (iv) Means of Implementation. Each section is further divided into chapters which state objective to be fulfilled and a set of recommendations on the best way to achieve these objectives. This document takes into account the special needs and particular circumstances of developing countries and has taken steps to insure that they are able to receive aid, financial and otherwise, from northern countries.

While specific proposals and programmes to take advantage of the opportunities can only be prepared by individual agencies (within or outside the government), the government must create conditions that encourage these institutions to undertake the necessary actions. It must also establish supervisory and coordinating institutions at the highest levels.

It would be beneficial for Pakistan to incorporate these treaties into the national agenda so that it can take advantage of the opportunities offered by the obligations placed on northern countries. Pakistan already has a number of environmental laws, the best example being the Environmental Protection Ordinance, 1983, of which a revised draft is currently under preparation. The implementation of this law is to be overseen by a high-powered Environmental Protection Council, headed by the Prime Minister. Similarly, we have prepared the NCS, which is being implemented under the supervision of a Cabinet Committee coordinated by the Minister of Environment, and including the Ministers of all departments with an interest in the subject. Both high level committees have supporting secretaries; these are the Pakistan Environmental Protection Agency (PEPA) and the NCS Implementation Cell respectively. The two secretariats are supposed to coordinate the implementation effort on behalf of their supervisory bodies.

For the follow-up of UNCED as well, the Government of Pakistan must establish a similar high-level implementation committee. In principle, this can be the same committee that has the mandate to implement the NCS; however, membership will have to be extended to include, on the one hand from leading NGOs and research institutions. Finally, proper implementation and follow-up to UNCED will require the designation of an independent agency as the secretariat of the high level implementation committee. The secretariat would be responsible for preparing a clear programme of work, including the division of responsibilities between various executive agencies. After approval by the implementation committee, the required action could be communicated to the concerned agencies who could then prepare appropriate programmes for action.

At the global level, the implementation of the two conventions will be in the hands in what are called the Conference of the Parties (one for each convention). COPs will consist of all signatories to the convention, and will come into existence as soon as 50 countries have ratified the relevant treaty. In order to ensure that global as well as national interests are preserved, it is essential that Pakistan positions itself to play a significant role in the Conference of the Parties. We have already earned the goodwill of many countries by our skilful handling of the leadership of G-77 during the Summit; we need to build on it now.

The first requirement is that Pakistan ratify the treaty as soon as possible, so that we are among the first fifty countries to do so; the magic number is expected to be reached later this year, perhaps as early as this summer. Besides ratification, the most important act for Pakistan would be to take the

Conference as seriously as it did the Summit, and to send high level representatives to the meeting, preferably from the Ministry of Environment.

One of the issues being dealt with would be the financing of the implementation of the conventions. At the moment, the interim financial mechanism is the Global Environment Facility (GEF), coordinated by UNDP, UNEP and the World Bank, although the latter has the most influence on its functioning. Southern countries, including Pakistan have had a number of misgivings about the GEF, in particular because they feel that they do not carry enough influence with the main host agency, the World Bank. They would prefer a more representative, transparent and equitable financing mechanism, in place of one that is dominated by key donor countries (particularly the US) and management by technocrats based in Washington.

The issue of the GEF is important not only because of the implicit conflict between technocratic or democratic control of resources, but also because of financing institutions has the capacity to hegemonies the global agenda. Already there are indications that the GEF secretariat sees the implementation of the treaties in terms very similar to the way the World Bank advances funding for development activities. If this is accepted, it would shift the entire focus away from institutional development and capacity building as envisaged in the treaties, and toward project funding. It would also unwittingly pit southern countries against each other by suggesting that limited funds will have to be allocated for unlimited demands, instead of the envisaged objective of funding *all* genuine demands generated by the convention. Finally, while the UNCED conventions contain an important element of compensation from north to south, the World Bank style of management will change this into charity -- with appropriate strings. Pakistan must take a clear and firm stand on this issue in partnership with other southern countries.

Another new agency of deep interest to us is the UN Commission on Sustainable Development (CSD), to which Pakistan has been elected to a three year term. This commission, as in the case with the Conference of Parties, will have a Secretariat to support its work. The Commission's specific functions include: monitoring the implementation of Agenda 21 and all other UNCED documents, reviewing the financial as well as other commitments mentioned in Agenda 21, enhancing the dialogue between the UN and other external organisations such as the UN, and finally considering the information communicated by governments in the form of national reports and the like. The exact proceedings have yet to be finalised for the first meeting sometime this year, but it has been decided that the Commission will function on three levels. These levels include:(i) the transfer of all forms of aid and assistance, (ii) the implementation of Agenda 21 by international organisations, and (iii) a high-level Ministerial Meeting on ways in which to best implement Agenda 21. The role of NGOs in these proceedings has not been finalised at this moment.

Pakistan's contribution of CSD deliberations will be enhanced if NGOs are allowed to play an active role in the institution. After all, the presence of NGOs during the Earth Summit was a boost to southern countries since they were generally responsive to the needs of the south. The NGOs were able to effectively analyse emerging issues and assist southern delegates; they were also better for lobbying the governmental delegations and NGOs from northern countries. An added advantage was the NGOs' good media relations. The participation of NGOs, however, has not been accepted by the UN, partly because of the objections of northern countries and partly because countries like India are opposed to this. Pakistan needs to take a firm stand on this issue as well.

In short, Pakistan will have to undertake the following actions to obtain the maximum benefit from the opportunities thus created:

1. Ratify the treaties.
2. Establish a high level implementation Committee for UNCED.
3. Designate one or more agencies as secretariats of the UNCED implementation committee.

4. Instruct individual agencies and institutions to prepare projects and programmes related to the implementation of the three treaties, especially those that may require aid in the form of finance, information, and transfer of technology.
5. Send high level representation to CSD, preferably from EUAD.
6. Support the inclusion of NGOs into the CSD and in environmental negotiations.
7. Send high level representatives to the Conference of the Parties as and when they are constituted.
8. Initiate background work on position to be taken in the COPs and the CSD.

Above all it is important for Pakistan to use the international forums created to voice any obstacles the country may encounter in achieving the goal of sustainable development.

7. Adopting national policies aimed at mitigating the effects of climate change, while considering differences in starting points, particularly for developing countries.
8. Providing detailed information on policies and measures followed.
9. Practices and policies which lead to a greater level of greenhouse gasses emissions to be identified and reviewed periodically.

Article 5

10. Re: **Research and Systematic Observation**, to support and further develop, as far as possible for Pakistan as a developing country international and intergovernmental programmes and networks or organizations working in this area. A further aim is to support international and intergovernmental efforts to strengthen systematic observation and national scientific and technical research capacities, particularly in developing countries. Area beyond national jurisdiction should also be taken into account.

Article 6

11. Re: **Education, Training and Public Awareness**, to promote and facilitate at the national, subregional and regional levels, taking into account national capacity, mass awareness programmes, public access to information, as well as their participation, and the training of scientific, technical, and managerial personnel.

Opportunities for South

1. To give full consideration to meet the specific needs and concerns of developing countries arising from the adverse effects of climate change and/or the impact of the implementation of response measures especially on (among others) countries with arid and semi-arid areas, forested areas and areas liable to forest decay, countries liable to drought and desertification and countries with areas with fragile ecosystems, including mountainous ecosystems.
2. Developing and transferring technologies, practices and processes that control, reduce or prevent anthropogenic emissions.
3. Promoting sustainable management and the conservation of sinks and reservoirs which lessen or remove greenhouse gasses.
4. Providing the full, open and prompt exchange of relevant scientific, technological, technical, socio-economic and legal information.