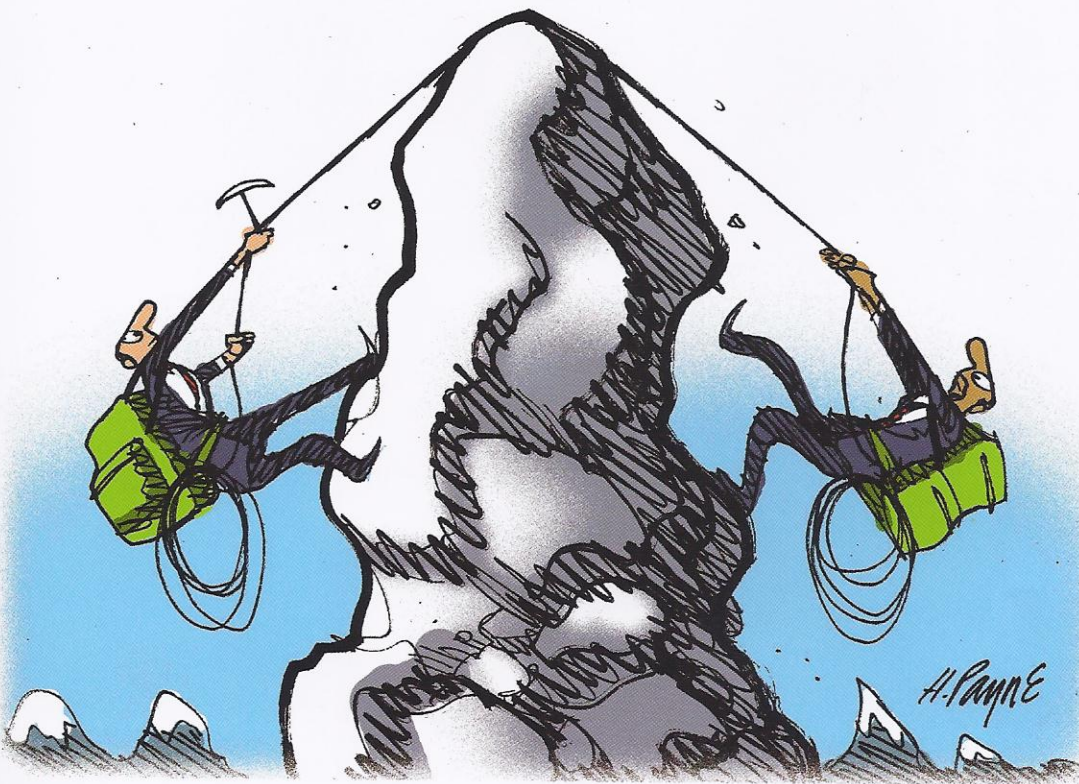


The Environmental FORUM[®]

Advancing Environmental Protection Through Analysis • Opinion • Debate



Meeting in the Middle: The Rio+20 Conference

The Office

*Slowly Seeking
Sustainability*

The Oceans

*A Debate About U.S.
Maritime Policy*

The Courts

*Did a District Judge
Make a Mistake?*

In Two Decades, Little Progress So Far

Twenty years ago more than 100 heads of state and government met in Rio de Janeiro to sign five main instruments of international law, a bold attempt to solve the most critical environmental problems facing the world. Of those, three are soft law, the Rio Declaration on Environment and Development, the Forest Principles, and Agenda 21. The other two, the United Nations Framework Convention on Climate Change and the Biodiversity Convention, have binding commitments.

In those five agreements the parties, among other things, promote citizens' right to environmental information in the hands of the authorities, plus access to judicial and administrative procedures, thus granting an opportunity for people to be involved in decisionmaking that will affect their lives and livelihoods. The parties also agreed to implement at the national level measures such as the polluters pays principle, the precautionary principle, and preventive approaches. In the difficult area of climate change, the commitment was to stabilize the concentration of greenhouse gas emissions in the atmosphere.

Looking to particular agreements, in the Biodiversity Convention, the objectives were the conservation of diversity, the rational use of natural resources, and an equitable share in the benefits derived from the use of genetic resources, respecting at all times the rights of indigenous communities. Agenda 21 gives options on how to fight soil degradation and air and water pollution, and promote the conservation of forests and species diversity. It addresses poverty reduction, excessive consumption, health problems, and education. The Forest Principles have as their objec-

tive woodland protection and the greening of the earth through conservation and reforestation programs.

How would all these accords be realized? In principle it was agreed that the industrialized countries would assume a higher responsibility with respect to the developing world. In securing the latter group's participation, the developed countries promised more funding, advice to those who needed it in subjects like planning and training, and sharing of information. But by 2002, at the World Summit on Sustainable Development in Johannesburg, it was clear that those commitments were not being met.

And now, another 10 years have passed, and even though progress has been made in some countries with the creation of ministries of environmental protection, with the implementation of climate change strategies, with the publication of new environmental laws, regulations, and multilateral agreements, not much progress has been made in one critical area. We still lack an effective enforcement and compliance regime at the national and international levels.

As we struggle to put in place instruments and instrumentalities, it is clear that we are not winning the race to reverse deforestation. We have not been successful in providing clean water to those populations that lack it. Cities around the world, regardless of what their governments claim, are still polluted and do not always treat their waste properly. Proper hazardous waste management is still a dream for many regions. Growing populations are overwhelming the ability of aquifers and waterbodies to provide drinking water; meanwhile streams, lakes, and seas are highly polluted. Genetic resources are being exploited without proper compensa-

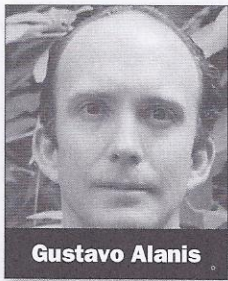
tion, jeopardizing many species' existence. Patterns of production and consumption are still unacceptable and, because concrete agreements have not been reached within the context of the Conference of the Parties to the climate convention, there is uncertainty on how are we going to be able to reduce the emission of greenhouse gases.

Taking into account the lack of progress since the summits in 1992 and 2002, I do not have much hope for the Rio+20 conference. It is not only a matter of funding, budgets, new institutions, actions, and strategies, or better use of the many already in place, but what we need is governments with the political will, corporations with the expertise, citizens pushing their leaders, better education, and international organizations that are fully committed to environmental improvement for the generations to come. Unfortunately, that has not happened so far.

Nonetheless, I hope that at Rio+20 the international community agrees to follow a path towards a low-carbon economy in which human activity will have less impact on the environment and where we have been able to fully implement the concept of sustainable development. We need a global economy that respects the environment and natural resources, an objective that will not be possible if poverty and degradation continue. We need to balance all the interests of the social agenda, the environment, and the economy.

I hope, as has happened before, that the good intentions of the parties prevail to make real and serious commitments. A vague declaration of principles alone will not solve our problems.

Gustavo Alanis-Ortega is the Founder and Executive Director of the Centro Mexicano de Derecho Ambiental (Mexican Environmental Law Center) in Mexico City.



Gustavo Alanis