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**DEVELOPING
COUNTRIES AND
MULTILATERAL
ENVIRONMENTAL
AGREEMENTS (MEAs)**

Pooled-Research from RING Partners

Report Prepared for
**SUSTAINABLE DEVELOPMENT
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GLOSSARY

BAP	Biodiversity Action Plan
BCAS	Bangladesh Center for Advanced Studies
CBD	Convention on Biological Diversity
CBO	Community Based Organization
CCD	Convention to Combat Desertification
CITES	Convention on Trade in Endangered Species
COP	Conference of the Parties
CSD	[UN] Commission on Sustainable Development
EEZ	Exclusive economic zone
EU	European Union
FDI	Foreign Direct Investment
G77	Group of 77
GATT	General Agreement on Tariffs and Trade
GEF	Global Environmental Facility
GHG	Greenhouse Gas
ICZM	Integrated Coastal Zone Management
IIED	International Institute for Environment and Development
IPCC	Intergovernmental Panel on Climate Change
IPF	Intergovernmental Panel on Forests
MEAs	Multilateral Environmental Agreements
NAPs	National Action Programs
NEST	Nigerian Environmental Study/Action Team
NFM	Non-Ferrous Metal-Bearing (Waste)
NFPs	National Forest Plans
NGOs	Nongovernmental Organization
OAU	Organization for African Unity
OECD	Organization for Economic Co-operation and Development
SDPI	Sustainable Development Policy Institute
UNCED	United Nations Conference on Environment and Development
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention for Climate Change
WCFSD	World Commission on Forests and Sustainable Development
WTO	World Trade Organization

#1 ● INTRODUCTION

The RING for Sustainable Development consists of a group of policy research institutes that share a commitment to sustainable development. Although not exclusively situated in the developing countries of the South, RING members all have a common focus on issues of environment and development in the South. The RING came together in 1990 before the Rio Summit to put together national reports for the United National Conference on Environment and Development (UNCED).

This report seeks to pool together the research on Multilateral Environmental Agreements (MEAs) undertaken by RING partners. Although most of the research that is reported here was undertaken separately by individual institutions, there are many commonalities in the areas and approaches reflected in the research. Moreover, there is a shared direction and thrust to the research that makes it amenable to 'pooling together'.

The purpose of this report is more than merely summarizing the research on MEAs conducted by RING partners. The hope is that the process of pooling it together will help identify areas of alternative thinking on sustainable development emerging from institutions with a Southern perspective. This report is also a first step towards formal collaborative research amongst RING partners and will set the context for such research.

Given the breadth of the 'MEA' issue this review has chosen to focus on the 'Southern' view on the subject as it emerges from this collection of papers. In looking at the six issues covered in the reviewed papers the two most important themes that emerged repeatedly were those of 'equity' and 'poverty'--at all levels, from the local to the global. These emerge as the cornerstones of the 'RING position' on MEAs and should certainly be the cornerstone of any ultimate North-South compact on international environment and development. The message that emerges strongly is that for any MEA to be ultimately relevant at the ground, it has to derive from a perspective of equity and social justice and it has to address the felt needs of the most vulnerable and marginalized communities.

Having said that, it is important to stress that this current paper is **not** a position statement on behalf of the RING membership. Since it derives directly from their research it is hoped that it reflects their priorities and concerns. However, this is an independent review of RING publications and needs to be read as that and no more. The report was produced by reviewing published material submitted by RING partners. Two important points need to be highlighted. First, the material reviewed is current up to early-to-mid 1998. Second, what is being reported here is not an exhaustive listing of *all* that the RING partners have undertaken in the area of multilateral environmental agreements, but a more selective--and *representative*--sampling. The purpose, after all, is not to account for 'achievements' as one might do in a corporate annual report. It would be unfortunate, as well as misleading, if the report were read in that spirit. The goal of pooling research is to highlight the general trends and directions that emerge from this overall set of efforts; to eke out the common concerns, approaches and priorities that underlie the research of these independent organizations which--even though they are geographically apart--all have a shared commitment to sustainable development.

In the very same vein, and even more importantly, the report is limited to the review of published and written reports supplied by RING partners. Because of this, the report has a certain bias towards published, quasi-academic research. This bias is born out of necessity rather than preference. The author understands (as does the RING fraternity) that policy influence comes in many forms, of which formally published work is just one. Because policy advocacy happens in real time, much of policy influence--particularly in developing countries--comes from ideas disseminated through other means. These include oral presentations including those related directly to MEA negotiation, shorter briefs and memos written for (or to) policy-makers, interaction with mass media, and so forth. In fact, it

would be safe to suggest that much--if not most--of the policy influence of RING partners, particularly Southern partners, comes from such initiatives.

Consider, for example, the case of the Intergovernmental Panel on Climate Change (IPCC). Individuals from a number of RING organizations--particularly BCAS and SDPI--have been not just instrumental, but pivotal, in shifting the deliberations of the IPCC towards more Southern concerns by consistently and persistently championing these issues at IPCC forums. RING partners, such as Development Alternatives, have similarly been at the vanguard of placing the importance of sustainable livelihoods on the global environmental agenda. ZERO and NEST have not only managed to influence the environmental agenda of Africa as a region, but have been the champions of African concerns in global environmental debates. IIED has consistently championed the need for meaningful North-South dialogue. These are just a few examples of the many ways in which these organizations have left lasting and important imprints on the global environmental discourse. While the influence is tangible, it is not possible to trace it merely through a review of published documentation. While it is obviously difficult to systematically capture this nuance in a documentation review such as this, it is critical to acknowledge its importance and alert the reader to it.

More than that, it raises particularly important questions about the nature of policy advocacy and differences between think-tanks in the North and the South. A striking, though incidental, finding of the review of activities of these organizations is that, given the urgency of the problems and the paucity of resources (financial as well as human), think-tanks in the South have to not only come up with innovative ideas but also put them to practice themselves. Unlike so many of their counterpart in the North, they simply do not have the luxury of passing on the fruits of their research to other more 'action' oriented organizations which can then translate them into action projects and programs. They often have to do that themselves. To put it most bluntly, they simply cannot compartmentalize action separately from research. Moreover, as governments all over the developing countries fall apart, think-tanks in the South can no longer look towards the public sector for an uptake of their ideas and research. Add to this the fact that the academic institutions in many of these countries are chronically under-resourced for meaningful research, and you have a situation where nongovernmental think-tanks are being called upon to fulfil a number of diverse roles. Putting analytical rigor to social discourse, providing political space for building broad constituencies for change, filling in for government's lack of commitment to environmental goals as well as academia's lack of research resources, and engagement in expensive and time-consuming international policy debates for a more representative and

meaningful global environmental agenda, are but a few of the many burdens that these organizations have to bear.

Unfortunately, the fruits of such burden do not always translate directly to published documentation. Although the mandate of this report is restricted to the review of written material, it is important nonetheless to stress that the sum of policy activity, impact and influence of these organizations is considerably greater than what is presented here. It comes in many shapes, only one of which (published research) is the focus of this report.

Having said the above, the research that is pooled here is remarkable not just for its expanse and depth but for unison of ideas and approaches that it incorporates. Underlying it all is the theme of sustainable development. This is the thread that holds the RING partners together and this is the key ingredient around which a truly representative global environmental discourse can be constructed. Sustainable development emerges as the single most common theme in all the issues reviewed here, and as the one idea that holds the potential of becoming the basis of a meaningful North-South dialogue.

1.1 · STRUCTURE OF REPORT

Two chapters that contain the bulk of the report follow this first introductory chapter, which includes a summary of the report and ideas about emerging issues and key questions for RING. The second chapter essentially pools together the research on specific issues by RING institutions. A full list of the documents reviewed is attached at the end of the report. In pooling that research together and organizing it around six substantive areas (desertification, forests, trade in hazardous wastes, trade and environment, climate change, and biodiversity) we begin getting a more holistic picture of the current state of thinking in these institutions in particular—and in Southern policy and research NGOs in general—on this set of Multilateral Environmental Agreements (MEAs).

The third and final chapter focuses not on specific MEAs but on the crosscutting themes related to MEAs in general that emerge from pooling the research under review. For conceptual clarity, this discussion is organized around, what may be called, the three phases of the MEA life-cycle: the agenda setting phase, the negotiation phase, and the implementation phase. The research pooled here adequately covers all three phases and provides a rich set of insights to use this template for highlighting key challenges to research

and policy. A summary of these findings is presented in the fourth and final chapter and is also provided in tabular form in Table 3.1. The last chapter also has some preliminary thought for the RING membership on possible future directions that RING might take for collaborative research on MEAs.

A FINAL WORD: Finally one must add that this is an independent review of the RING research the responsibility for which lies with the author. The author thanks the RING for this unique opportunity to review such exciting and important research and the ability to do so independently. The ideas contained here derive from the work of RING researchers; the mistakes that are entirely the responsibility of the author.

#2 ● A SURVEY OF POOLED RESEARCH ON MEAs

This chapter reports on the pooled-research on Multilateral Environmental Agreements (MEAs) carried out by various RING partners. The research presented here is representative rather than exhaustive. The reader will note that particular institutions have tended to focus on particular MEAs that are most relevant to their missions and areas of interest. In reviewing the papers submitted by various RING partners, some interesting commonalities begin emerging in cases where more than one RING partner has been independently working on issues related to the same MEA. While such commonalities are mentioned here, they are explored in detail in Chapter #3. The purpose of this chapter is to give the reader a good flavor of the research of various RING partners on key MEAs. Instead of simply compiling the summaries, this chapter makes an effort to weave the research findings into a coherent discussion on the MEA in question. The chapter seeks to go beyond simply

reporting on the findings and aims to provide the reader with a useful description of the substantive issues, key debates, and important advances in each of the six areas covered.

2.1 · TRADE AND ENVIRONMENT

The conclusion of the Uruguay Round of the General Agreement on Tariffs and Trade (GATT) in 1994 and the subsequent formation of the World Trade Organization (WTO) marked a milestone in the evolution of a global trade regime. At the same time, the rapid processes of economic globalization are bringing about fast and fundamental changes in the international trading system. These developments have deep implications for the economic future of the developing countries and have the potential to cast equally deep shadows on the environmental future of the planet. Trade and Environment is an area in which all RING partners have been heavily involved. This section will, however, report only on a selection of this involvement.

In order to better understand the full significance of these development, ZERO (a Regional Environmental Organization) used RING funds to organize a workshop on 'Trade, Environment and Sustainable Development' in Harare, Zimbabwe in May 1996.¹ This section is largely based on the report of the workshop (Maboyi, 1996) and a working paper that emerged from the workshop (Kitikiti, 1996).

Above all else, the workshop made clear that the debates on trade and environment—as with sustainable development—are being led from the North. For the developing countries, and regions within the South, to understand, respond and negotiate from a position of strength would require the emergence of locally, nationally, and regionally informed debates. Regional expertise needs to be developed and needs to take lead the debates and push for an agenda more relevant and meaningful to local realities in the South and in regions within the South.

The paper contributed by SDPI to the workshop argued that the North had a restrictive vision which envisages conservation as an end and tends to focus only on resource management, pollution mitigation, and conservation of species. In contrast, the South favors a more holistic concept of sustainable development and gives due weight to the centrality of people to the notion of conservation. It criticized the Marrakesh Agreement

because it will, in fact, create barriers to Southern goods in international markets as Northern importers impose stricter environmental and production process standards regulations. It suggested that the question of environmental standards and production and process measures has to be linked to the wider concern for preserving livelihood support systems of the large populations which have traditionally depended on access to and use of natural resources. Any standards that adversely affect the use of and access to such support systems would be inimical to the goals of conservation.

Box 2.1: The Trade and Environment Challenge for Africa

Trade and monetary policies, global markets, transnational corporations and regional economic blocs are among the forces which have created a global economy. But this economy is both unequal and undemocratic. Most developing countries are weak and marginalized actors in international decision-making. Economic decisions made by the developed countries as a bloc, or bilaterally, can make or break the development of poorer economies. Decisions made in the global economy can also wreak havoc on the environment. The developed countries dominate the international economy. These countries' trade and macro-economic policies are decided with little regard to the impact on the global economic system. Economic and environmental policies put in place by major industrialized countries have shifted the burden of economic adjustment to developing countries.

Developing countries in general, and sub-Saharan Africa in particular, have experienced a downward spiral in their terms of trade. For sub-Saharan Africa, a unit of exports which bought one US dollar's worth of imports in 1980 was able to purchase only 63 cents worth of imports for the same unit in 1994. Africa's Achilles heel is that the continent continues to export mainly primary commodities or raw materials. Ninety-three percent of Africa's exports in 1970 were raw materials. In 1991, the figure was 89 percent and the pattern remains the same today. Some 30 countries in Africa depend on primary commodities exports for more than half of their export earnings.

Moreover, Africa is not seen as a good destination for foreign direct investment (FDI). Africa's share of global FDI fell from 3 percent in 1981-85 to 1.7 percent in 1991-95. Meanwhile Africa's debt continues to stifle the mobilization of funds for development. The continent's debt doubled from US\$ 84.3 billion in 1980 to over US\$200 billion in 1993 and interest rate arrears on long-term debt rose from US\$ 0.2 billion in 1980 to US\$ 18.1 in 1993.

In short, Africa's economic landscape is characterized by low economic growth, rising population, declining export incomes, increased dependence on food imports, high debt servicing and generally reduced capital flows. The scenario perpetuates weaknesses in governmental policies and human resource capacities. It also creates a conducive climate for policies that are incompatible with sustainable development and sensible environmental resource management.

(Source: Kitikiti, 1996)

In the working paper that resulted from the workshop, Prof. Kitikiti (1996) lays out the contours of the environment and development challenge for developing countries. As Box 2.1 highlights, this challenge is particularly severe for African countries. The paper points out that trade expansion through the deregulation of the markets is the mission of the WTO, which is the body tasked with managing the global trade system. Deregulation of the markets is the new gospel among governments, but it is clear that unregulated markets will not safeguard the environment. The paper goes on to say:

¹ - A representative from SDPI, Pakistan (another RING partner) also attended the workshop.

The push for international and national environmental laws through the global trade regime is a double-edged sword. While the move can be seen as the right step towards sustainable development in an unregulated trade market, it may also be a new form of imperialism. This eco-imperialism is spearheaded by the rich countries which have appointed themselves custodians of the very environment which they have destroyed. In their new roles they offer incentives (not always objective) for countries to comply with environmental standards and mete out penalties for those who step out of line. International environmental policy, therefore, runs the danger of being as undemocratic and unequal as international cooperation between North and South... Globally, treaties are negotiated which require that the poorer and powerless nations do not exploit their natural resources. Instead, these resources are preserved for the developed countries... Also, it is sometimes difficult in the global market to tell the difference between an environmental measure and protectionism. (Kitikiti, 1996: 8-9)

The development of clean technologies promises one likely way out. However, guarding against the dumping of dirty old technology on the South is a key problem. Moreover, access to technology, especially the international patent system, is one of the obstacles for developing countries. Also, the creation of new technology or adaptations occurs within growing and competitive enterprises. Investment in new technology, however, does not always require large sums of money and the payback period can be short. In Zambia, for example, a cement manufacturer installed technology to filter dust from the stove. This provided a financial saving of US\$ 40,000, reduced pollution inside the factory, increased productivity and reduced capital stock investments. But despite small individual efforts, the lack of large international-funded technology transfer programs remains a major constraint to changing the production process in developing countries. Transforming the production process is also hampered by outdated managerial strategies, and the lack of information, financial resources and skilled labor. Consumer and government pressure on industry for making such changes is also missing.

As environmental policies take hold in the global economy, it is inevitable that in the short term these policies will come into conflict with free trade. Environmentalists argue that there is a need to use some trade-restrictive tools to ensure the goals of sustainable economic development. Free trade enthusiasts, however, see environmental policies as a shackle on new trade reforms which have emerged after a long battle. This conflict, which could lead to environmental trade disputes, has no simple solution. One movement in international trade with the potential to create environmental trade barriers is eco-labeling. Kitikiti (1996) suggests that an avalanche of such environmental standards could, however, have grave consequences for developing countries, which do not have the capacity to participate in international standards bodies or to influence trends in standard accreditation bodies in their major markets.

Also, it would be naive to believe that since eco-labels are voluntary, their impact on trade is minimal. Standards can be set at artificially high levels to benefit local producers of like products, and depending on the importance of the market, developing countries will be forced to re-arrange their domestic environmental priorities to conform to the environmental requirements of their major importers. (Kitikiti, 1996: 16)

The major conclusions of the paper include the following:

- ❖ The weaker position of the South in global trade and the effect of economic and environmental policies put in place by major industrialized countries has resulted in the shifting of the burden of economic adjustment to the already weathered shoulders of the developing countries.
- ❖ The effect of international and national environmental laws through the global trade regime has restricted the ability of the poorer nations to utilize their natural resource endowments.
- ❖ Higher environmental standards in developed countries have promoted new technologies and efficiency in industries. However, many structural impediments exist for developing countries in acquiring such cleaner and more efficient technologies.
- ❖ Environmental policies in the global economy have conflicted with free trade and may actually threaten developing country products more than products from industrialized countries.
- ❖ The multiplicity of domestic environmental standards which bear no relationship with international norms are a cause for concern which calls for harmonization.

Similar themes were raised in a paper prepared by SDPI for Pakistan's Ninth Five Year Plan (Samee, 1996). The Five Year Plan is a key planning exercise in the country and contributing background papers to it has the potential of significant policy impact. The paper begins by reviewing the linkages between trade, environment and development. It goes on to look at trade policy as an instrument for environmental compliance, pointing out:

While anti-liberalization groups favor the use of trade barriers to protect domestic environment, a growing body of main-stream literature opposes the linkage between trade measures and environmental compliance. The argument is that the optimal policy instrument to correct the environmental externalities is one whose base is most closely related to the source of market failure. Since environmental externalities are a result of production or consumption externalities, the use of trade policy as a remedial measure is not the optimal solution. (Samee, 1996: 13)

The paper finally argues that the two principal concerns for Pakistan should be to move towards the internalization of environmental costs while simultaneously protecting the competitiveness of domestic industry. The paper suggests some policy options to meet these goals.

Another paper from SDPI, written by Dr. Shahrukh Rafi Khan (1997), presents the Southern argument on the subject of trade liberalization and the environment. The paper looks "at the trade-environment link from the export and import side and within these categories look[s] at manufacturing and agriculture separately" (Khan, 1997: 1). Although the paper uses rough numbers for its cost-benefit analysis (due to lack of reliable data), its conclusions and prescriptions are quite startling and worth quoting in full (page 264:

Pakistan's trade policy is very much geared to the promotion of intensive agriculture even though it may have serious environmentally detrimental effects. Using back of the envelope calculations, we quantify the potential low-end benefits from the use of pesticides and fertilizers. Even these are not negligible by any means (about Rs. 100 billion). Furthermore, the list of the social costs to humans and the environment from the use of these chemicals and synthetic minerals seem endless. Given that the costs in Pakistan have not been quantified as yet, we recommend that as the first order of business. Without awaiting results from these cost quantification exercises, we, however, also recommend that the government extension service should start exploring and promoting strategies such as integrated pest management (IPM) and integrated plant nutrient systems (IPNS) to radically cut down use of these agricultural inputs. These alternatives are being demonstrated as not only environmentally friendly but also more productive.

In view of the above, Pakistan needs to reconsider its trade policy with regard to agricultural inputs. Succumbing to pressure from the Bretton Woods institutions, it fully discontinued subsidies to domestically produced fertilizers in 1994. It is still subsidizing fertilizer imports which are duty free. There is similarly an unusual recent history of a very liberal trade regime with regards to pesticides. In 1992, Pakistan allowed the import of generic pesticides to make them available at lower prices. While allegations of adulteration and long-term damage via development of pest resistance had resulted in the discontinuation of this policy in March 1995, a more dangerous form of liberalization has been adopted. In June 1995, as part of its new trade policy, Pakistan has repealed the *1971 Agricultural Pesticide Ordinance*, and is now allowing the import of pesticides that are not registered and in use in the exporting country.

Until results of cost quantification exercises become available, Pakistan should at a minimum re-introduce the repealed clause of the *1971 Agricultural Pesticide Ordinance*. Further, it should stop subsidizing fertilizer imports. This would be entirely consistent with neo-liberal economic philosophy underlying structural adjustment.

One of the important points that is highlighted by this paper is the importance of linking international policy to domestic and then to local policy. It provides a good example of how the policy research being conducted by RING partners seeks to provide the much needed bridges between international and national relevance.

2.2 · CLIMATE CHANGE

Of all the various global environmental issues in their various stages of negotiation or implementation, Climate Change is possibly the most confounding issue of all. While Biodiversity certainly matches the enormity of the climate change issue as far as its potential impacts and scientific uncertainties are concerned—albeit in significantly different ways—the immediate economic stakes and sheer personal immediacy of actions that will be required to address the climate issue are such that it has become a defining environmental challenge of our times.

The North-South dimension of the problem further complicates things. On the one hand it is quite clear that the historical as well as current responsibility for the problem lies squarely with the industrialized countries of the North (including both the OECD and the economies of the former Soviet bloc). On the other, it is argued that the greatest growth in greenhouse emissions is in the developing countries of the South. Moreover, the countries which tend to be most vulnerable to the threat of climate change and least able to adapt to it tend to also be in the South. Since greenhouse emissions are considered to be correlated to economic growth, the will to make drastic reductions in these emissions lacks in both North and South. The one is not ready to change its lifestyle of affluence and the other is not willing to forestall its developmental aspirations. While there are some who believe that neither will be necessary and substantial 'win-win' reductions are possible, the governments negotiating the Framework Convention on Climate Change have largely been unwilling to commit to any significant shifts in their greenhouse emissions.

The industrialized countries listed in Annex I of the United Nations Framework Convention on Climate Change (UNFCCC) have now agreed to mandatory targets and limits during the most recent round of climate negotiations held in Kyoto, Japan in late 1997. However, there is a general view that the agreed numbers are "too little, too late". Moreover, it remains uncertain whether key countries will actually ratify the Kyoto Protocol, especially if the US refuses to do (which is very likely). There is also much talk of seeking commitments from developing countries in the next round of discussions to be held in Argentina in late 1998. One can safely predict that climate change will remain a major issue of North-South environmental friction for the next several years.

All RING partners are directly and deeply involved in the issue of climate change--at all its relevant levels; from adaptation at the very local level to advocacy and negotiation at the global level. A number of individuals from various RING partners are active and influential players in the global forums of the subject, particularly the Intergovernmental Panel on Climate Change (IPCC). Dr. Tariq Banuri (earlier on behalf of SDPI and now for CEESP), Dr. Atiq Rahman (BCAS) and Dr. Saleemul Huq have all been key members of IPCC writing teams and have helped steer this international blue-ribbon scientific body towards giving due importance to more Southern concerns, especially those related to sustainable development.

The Bangladesh Centre for Advanced Studies (BCAS) as the secretariat for the Climate Action Network-South Asia (CANSA) has played a particularly pivotal role in this arena.

While other individuals and institutions in the RING fraternity are playing critical roles in shaping the global debate on climate change through their research and advocacy, let us focus here on the activities of BCAS as representative of what other RING partners are doing.

Apart from lending a Southern voice to the international debate along with others in RING, two specific activities of the BCAS stand out for their significant policy impact. The first is the regular publication of a the newsletter of CANSA--Clime Asia. The newsletter is not only the single best source of authentic South Asian (and, in fact, Southern) views on the subject but is a powerful vehicle for educating Southern and well as Northern negotiations of the key issues. It has become an awaited publication for all involved in the climate debate and has become a forum not only of good reporting but of innovative thinking where new ideas are shared and discussed.

A second activity that needs to be highlighted is the BCAS leadership in developing a new initiative for North-South Dialog on Climate Change (BCAS, 1997). Along with others in both North and South, BCAS was a leader in this initiative which focussed on "good practices, technology innovation and new partnership for sustainable development." The final report of the project which highlighted challenges and opportunities in implementing the climate convention was presented at the Third Conference of the Parties (COP 3) to the UNFCCC at Kyoto, Japan in December 1997.

The report of these multi-continent deliberations presents many important findings to UNFCCC negotiators, including the following recommendations:

- ❖ The negotiation process should recognize and encourage multiple benefit initiatives undertaken by developing countries to advance national development priorities which reducing net emissions of greenhouse gases.
- ❖ The Global Environment Facility (GEF) should be replenished adequately and directed to provide significantly enhanced support for developing country efforts to replicate and multiply these initiatives within and beyond their country of origin. Such support should be made available both for mitigation and adaptation options.
- ❖ Support for capacity building and dissemination of state-of-the-art information technology should be a major component of all bilateral, multilateral, and especially GEF projects.
- ❖ The efforts of the Climate Technology Initiative to promote the expanded diffusion of information technology and the strengthening of existing networks of regional and national institutions should be significantly increased in scale.
- ❖ The GEF and other bilateral and multilateral financial mechanisms should provide expanded consistent, enduring, long-term financial and technical support for networking between developing country institutions. Such support should be built on a robust model that parallels the successful financing of Centers of Excellence by the Consultative Group of International Agricultural Research (CGIAR). Thus, support for networking among and between regional and national institutions should reinforce current technology cooperation efforts and strengthen the foundations of market-based institutions needed to ensure the success of future efforts at technology cooperation.

Active as they are at the level of global negotiations of the climate change regime, RING partners are equally (if not even more) involved in research related to policies for climate change adaptation and mitigation. A number of them have been working closely with national governments to better understand and respond to climate issues at the domestic level. In particular, the Bangladesh Center for Advanced Studies (BCAS) and Pakistan's Sustainable Development Policy Institute (SDPI) have been studying the likely impacts of and possible adaptation strategies to potential climate change (GOB, 1994; SDPI, 1997).² The reports were produced for the Governments of Bangladesh and Pakistan respectively and feed into the process of the Intergovernmental Panel on Climate Change (IPCC). The detailed level of technical research and analysis contained in both reports highlight a key element of the climate change issue in particular and of all MEAs in general. This relates to the importance of technical expertise and resources. Such resources are typically scarce in developing countries and NGOs—including RING partners—have been fulfilling a niche purpose in providing such expertise to governments.

The study on the *Vulnerability of Bangladesh to Climate Change and Sea Level Rise* (GOB, 1994) was prepared on behalf of the Government of Bangladesh by a multidisciplinary team of Bangladeshi and Dutch experts organized by the Bangladesh Center for Advanced Studies and Resource Analysis from The Netherlands. The context of the study is Integrated Coastal Zone Management (ICZM), considering—in different levels of detail—all possible impacts and adaptive response measures. A total of four development situations were analyzed:

- ❖ The 1990 situation inside and outside Bangladesh (present).
- ❖ Business-as-usual development in Bangladesh in the year 2010 assuming a water sharing condition with India.
- ❖ Business-as-usual development in Bangladesh in the year 2010 assuming a non-sharing condition with India.
- ❖ High development in Bangladesh in the year 2010 in combination with a non-sharing condition with India.

The following are some of the key conclusions that emerge from the study:

- ❖ Climate change and sea level rise will affect the whole of Bangladesh and not only the coastal areas. Main impact categories are inundations, droughts, salt water intrusion, and low flow conditions. (See Box 2.2 for potential impact of climate change on a key natural ecosystem).
- ❖ Bangladesh in 1990 conditions of development is highly to critically vulnerable for climate change and sea level rise. Bangladesh remains highly vulnerable to climate change and sea level rise, irrespective of future developments in and outside the country.
- ❖ The combination of high development, non-sharing of water with India and Climate Change is expected to bring the country to a critical situation with respect to the damage of river floods and storm surges and the availability of freshwater in the dry period. In particular, water availability has major consequences on the country's potential for food-grain production.

² - IIED-AL (1998) reports that vulnerability studies have also been undertaken in Argentina, Bolivia, Cuba, Ecuador, El Salvador and Paraguay.

- ❖ IPCC considers three categories of adaptive response strategies: retreat, accommodation, and protection. For Bangladesh, the retreat option is only considered in the southeast-zone. Accommodation seems the most feasible one, in particular, in the southeast and central zones where development is highest.

Box 2.2: The Sundarban Ecosystem

The Sundarbans constitute the largest mangrove forest in the world covering an area of about 1,000,000 hectares of which about 60% lies within Bangladesh and the remaining in the state of West Bengal in India. It represents an area with an extremely rich diversity of plant and animal species. About one-third of the total area consists of what in the form of rivers, channels and tidal creeks.

The two dominant mangrove species of trees are the Sundri (*Heritiera fomes*) from which the forest gets its name and Gewa (*Excoecaria agallocha*). There are also a large number of fish and shrimp species occurring in the waters. There are a number of turtles, crocodiles and frog species of importance. The freshwater dolphin (*Platanista gangetica*) is also found in the rivers. Sundarbans is also known as the home for the Royal Bengal Tigers (*Panthera tigris*).

Presently the main threat to the Sundarbans comes from both man-made interference in the form of tree cutting and over-fishing as well as some encroachment. However, the bigger threat comes from reduced flows of freshwater through the Ganges during the dry season which has led to a definite inward migration of the salinity front affecting its flora and fauna. The phenomenon of top dying of Sundri trees is also ascribed in part to the increased salt water intrusion.

The impact of climate change will be to make the salt water front move further upstream and together with lower stream flows the freshwater vegetation will be depleted rapidly. The rate of salt water intrusion will also affect the ability of the ecosystem to adapt. The higher climate change scenario will not allow enough time to adapt.

(Source: GOB, 1994)

The SDPI study (1997) on *Baseline Socio-Economic Scenarios: Projections up to the Year 2020 and 2050* was prepared for the United Nations Environment Programme (UNEP) as an input into the report on *Climate Change Impact Assessment and Adaptation Strategies for Pakistan*, which is now being finalized. The study begins by observing that Pakistan's present contribution to global greenhouse gas (GHG) emissions, and the resulting impact on climate change is relatively limited. In 1995, combined CO₂ and methane (CO₂ equivalent) emissions were estimated at 237,541 Ggs. These emissions are projected to increase by more than two-fold by the year 2020, to 499,277 Ggs. On the other hand, however, the impacts of potential climate change on society are expected to be wide ranging as Pakistan has a diversity of ecosystems, a large agricultural sector and a varied climate.

Pakistan, like many third world countries, is in transition from an agricultural to an industrial economy. This process entails high population growth, a rapid rate of urbanization, urban infrastructure degradation, environmentally damaging agricultural and industrial practices, inefficient energy use, high biomass consumption/deforestation, etc. These factors are likely to exacerbate vulnerability to climate change. Also, many of these processes create conditions very similar to those resulting from climate change. Thus, it is important to

distinguish between the impacts generated by such socio-economic processes from those attributed exclusively to climate change. In particular, there is a need to develop a sense of the relative importance of climatic and non-climatic factors. This is especially important when considering adaptation strategies. The presumption is that such vulnerability will establish the pattern of adaptive responses, and that climate change will either reinforce or mitigate the intensity of such adaptation, without radically altering its character.

Table 2.1: Impacts of Climate Change, Pakistan (SDPI, 1997)

	WATER	AGRICULTURE	FORESTRY
Constraints	<ul style="list-style-type: none"> · Water availability. · Water-logging and salinity. · Water use efficiency. 	<ul style="list-style-type: none"> · Land use limits. · Unavailability of water. · Land degradation. · Land Fragmentation and reduction in holdings. 	<ul style="list-style-type: none"> · High timber logging. · High fuel-wood demand. · Land use changes. · Over-grazing. · Poor quality planting stock and low regeneration.
Climate Change Impacts	<ul style="list-style-type: none"> · Releases, both with and without Kalabagh Dam , are affected by the change in inflows, by changes in precipitation and by warming via evaporation. · A deficit in irrigation water emerges across all scenarios. Only in the case of rising temperature and declining precipitation do outflows to the sump remain below the critical minimum level. · With Kalabagh Dam coming on-stream, the supply-demand gaps are substantially eliminated up to 2020 but then begin to resurface thereafter, reaching substantial levels again in 2050. · However, outflows to the sump remain below critical levels—except in the case of both increased warming and precipitation. In other scenarios, adverse coastal zone impacts are likely to be aggravated. 	<ul style="list-style-type: none"> · A reduction in growing season length, especially in the arid zones where crops are already on the margins of stress. · Reduction in soil moisture. · Alterations in the stages of plant growth with accelerated growth early in the season. · Changes in the partitioning and quality of bio-mass. · Increased crop pests and diseases. · Spatial shifts of agricultural production, primarily in cropping zones dominated by wheat, rice, cotton and maize. 	<ul style="list-style-type: none"> · Nine forest types were identified for climate change impact assessment. · Of these, 3 (alpine tundra, grassland/arid woodlands, and deserts) showed reduction in area. · 5 biomes (cold conifer/mixed woodlands, cold conifer/mixed forests, temperate conifer/mixed forests, warm conifer/mixed forests, and steppe/arid shrublands) showed increase in their area as a result of climate change. · There was no change in the area of xerophytic wood/scrubs in the simulations.
Socio-Economic Impacts	<ul style="list-style-type: none"> · Floods. · Coastal zone impacts with sea-level rise and Kalabagh. · Ground water quantity and quality. · Inter-sectoral and inter-provincial competition with adverse impacts on energy, industrial and agricultural production. 	<ul style="list-style-type: none"> · Food security: Existing deficit in wheat will become larger and fall in the case of cotton. A shortfall in sugar production and the conversion of rice surpluses into deficits are likely. · Efficiency losses. · Unemployment and equipment redundancy. · Declining profitability of crops. 	<ul style="list-style-type: none"> · Unsustainable fuel-wood supply. · Displacement of communities. · Disruption of communications. · Energy loss. · Loss of agricultural land. · Damage to coastal infrastructure and marine habitat. · Desertification. · Endangered species.

Some of the important findings of the research in three key sectors—water, agriculture, and forestry—are presented in Table 2.1.

2.3 · DESERTIFICATION

Desertification is the degradation of land in arid, semi-arid, and dry sub-humid areas. It is caused primarily by human activities and climatic variations. Desertification occurs because dryland ecosystems, which cover over one third of the world's land area, are extremely vulnerable to over-exploitation and inappropriate land use.

In a sense, desertification is a misleading term. To some, it suggests that the world's deserts are spreading, extending their sands over more and more fertile land. It is true that the borders of the deserts expand and shrink cyclically with fluctuations in the climate and rainfall, but this is a different matter. Desertification—an ugly word for an ugly process—is more like skin disease. Patches of degraded land erupt separately, sometimes as far as thousands of kilometers away from the nearest desert. Gradually the patches spread and join together, creating desert like conditions.³

Poverty, political instability, deforestation, overgrazing, and bad irrigation practices can all undermine the land's productivity. These are often exacerbated by inappropriate patterns of land tenure that mediate against the adoption of desirable land-use practices. Over 250 million people are directly affected by desertification. In addition, some one thousand million (or one billion) people in over one hundred countries are at risk. These people include many of the world's poorest, most marginalized, and politically weak citizens.

RING partners have been heavily engaged in all stages of the negotiation process of the Convention to Combat Desertification (CCD).⁴ The negotiation process began in 1992 immediately after the Earth Summit on the particular insistence of governments and NGOs from Africa. The negotiation of the MEA was concluded in 1994 and the Convention came into force in 1997. The CCD is widely regarded as a success in international environmental negotiation because: a) it is the only major Convention which has been developed because of developing country pressures, b) it was negotiated in a relatively short period of time but had an unusually high level of involvement from the NGO sector, and c) despite being an

³ - *Down to Earth* (Geneva: Center for Our Common Future, 1995), p. 6.

⁴ - This section is based on the inputs from NEST and IIED. Prof. Enoch E. Okpara (1996a, 1996b, 1997a, 1997b, 1997c) of NEST has written extensively on the negotiation process of the CCD. Camilla Toulmin (1993, 1995) of IIED has also conducted research on various aspects of the Convention.

international agreement it is focussed on local realities and concerns (See Box 2.3). The CCD is also considered to be one of the most 'NGO-friendly' MEAs.⁵

Box 2.3: So, What's so good about the Convention to Combat Desertification? Ten key principles to guide dryland activities

1. **LEARN FROM THE PAST:** The convention text is based clearly on lessons from past experience. The two-year process of negotiation has involved a sharing of ideas and information amongst government officials, NGOs, researchers, and multilateral agencies. There is now much clearer understanding of what has worked well and why. This sharing needs to continue and broaden to ensure that good ideas are shared amongst farmers and herders, and amongst agencies responsible for supporting this work.
2. **FOCUS ON DRYLAND AREAS:** The dry areas of the world tend only to received the world's attention when there is drought and famine. Negotiating the Convention has turned the spotlight on dryland regions of the world, stimulated an exchange of views about the problems they face, and possible solutions.
3. **MORE MONEY IS NOT THE ANSWER:** The Convention text recognizes that the amount of money devoted to drylands development is much less important than how it is used. Existing sources of funding could be used more effectively, and a greater share allocated and used at grassroots level. National Desertification Funds have been proposed to provide access to credit for local initiatives.
4. **DECENTRALIZE DECISION-MAKING:** It is now recognized that governments have tried to do too much, and intervene in many fields where it is not appropriate. Instead, they need to devolve much power and responsibility to lower levels, to build on the initiatives of farmers and herders, and strengthen local organizations. There is a strong commitment towards shifting power from central government to local users. But are governments ready for such a shift?
5. **WORK IN PARTNERSHIP:** All interested parties—NGOs, community based organizations, governments, donor agencies, and researchers—are urged to work together, to avoid competition, and help build longer term programs. Governments of affected countries are committed to setting up a coordinating unit and donors are encouraged to appoint a '*chef de file*' who acts as a catalyst and helps harmonize donor support for drylands work.
6. **DRYLANDS ARE PART OF THE BROADER ECONOMY:** While the main focus of the Convention is on management of resources in rural areas, this cannot be separated from opportunities to develop and diversify economic activities in other sectors. The text acknowledged the links between pressures on land and soils, and growth of employment and incomes elsewhere in the economy.
7. **DON'T MAKE NEW PLANS:** Parties to the Convention are committed to developing a National Action Program to combat desertification. However, rather than necessarily instituting a new plan, with a new organization, new staff, etc., countries must build on existing initiatives, wherever feasible.
8. **PARTICIPATION MATTERS:** The Convention strongly urged popular participation at all levels: as a means to build on local knowledge and priorities, ensuring that programs and interventions are well-designed for local circumstances, and providing some chance of longer-term interest and sustainability. For policy design, greater levels of participation by ordinary people in discussion of new strategies should ensure that they are best tailored to the varying needs.
9. **BUILD ON LOCAL SKILLS AND KNOWLEDGE:** The text recognizes that local people have much relevant knowledge about their environment, on which interventions and technical improvements can be developed. Indigenous technologies are often well-suited to local conditions, although they may need adaptation as circumstances change. Researchers need to work more closely with local people to identify ways of improving the performance of existing technologies.
10. **LEGAL BINDING COMMITMENTS:** Affected country governments and donors accept the need for a legally binding text. The Convention provides a means to check whether the parties are taking their commitments seriously. The governments of affected countries and donor nations must report on a regular basis on progress made on the promises made. While no formal legal sanctions exist, it is hoped that strong moral pressure will encourage governments to abide by the rules.

(Source: IIED, undated)

⁵ - Okpara (1996a) points out that NGOs are mentioned as many as 30 times in the Convention.

Although, the failure to establish a stable source of financing is seen by some as a major shortcoming of the Convention, its salutary attributes lie in its relatively innovative approach to implementation design. These include:

- ❖ The encouragement of a mechanism for establishing a national data base on desertification and drought which ideally should be continuously revised with new insights and knowledge from research on the ground.
- ❖ A participatory or people-oriented strategy which enables local people to contribute their indigenous knowledge. CBO/NGO participation in decisions that are likely to have effect on the lives of drylands inhabitants. The involvement of these groups in the design and implementation of National Action Programs (NAPs). (See Box 2.4 for more on NAPs)
- ❖ Highlighting the socio-economic dimensions of desertification which make it imperative to incorporate poverty-alleviation and sustainable livelihood schemes into programs and projects designed for combating desertification.
- ❖ The designation of Regional Implementation Annexes as a guide in the implementation process.

The IIED has been involved in the CCD process from the beginning and Camilla Toulmin, who directs its drylands program, was a member of the International Panel of Experts on Desertification. In an early research paper, *Combating Desertification: Setting the Agenda for a Global Convention* (Toulmin, 1993), IIED raised a number of key challenges that the Convention needed to address. In reading through the paper, one notes that a number of those issues have, in fact, been incorporated into the CCD and the issues raised by the paper remain pertinent today in relation to the ultimate implementation of the Convention.

A more recent paper, *The Convention to Combat Desertification: Guidelines for NGO Activity* (Toulmin, 1995), focuses directly on the implementation challenge and particularly on the role of NGOs in implementing the CCD. This study highlights the three main areas of activity in the CCD where NGOs have a strong contribution to make:⁶

- ❖ **Information and awareness raising:** Including awareness about what the Convention is and how it will work, about what is desertification and how it can be tackled, and about the consultation process.
- ❖ **Preparation of National Action Programs:** Including training and joint analysis and reflection on policy issues.
- ❖ **Implementation:** Including field level projects, encouraging collaboration, setting NGO contribution within a wider context, and monitoring and evaluation of NAPs.

The role of NGOs in the CCD process has also been one of the major areas of research for NEST. Prof. Okpara (1996b), for example, studied the role of African NGOs in the negotiation of the Desertification Convention. He finds that African NGOs were a dominant

⁶ - A similar list is proposed by Okpara (1997a) who suggests that NGO contributions are to be made in the NAP, in capacity building, education and awareness raising, in information dissemination and in financial mechanisms. Areas for Government-NGO collaboration during implementation are also defined: NAPs, public awareness, research and training, National Coordinating Agency, and provision of expertise.

force in the negotiation process from the outset while NGOs from the Asia, Latin American and from the industrialized world only joined the process later in the game.

Box 2.4: National Action Programs on Desertification

· NAP Requirements ·

- ❖ Incorporate long-term strategies..., emphasize implementation and be integrated with national policies for sustainable development.
- ❖ Allow for modifications to be made in response to changing circumstances and be sufficiently flexible at the local level to cope with different socio-economic, biological and geo-physical conditions.
- ❖ Give particular attention to the implementation of preventative measures for lands that are not yet degraded or which are only slightly degraded.
- ❖ Enhance national climatological, meteorological and hydrological capabilities and the means to provide for drought early warning.
- ❖ Promote policies and strengthen institutional frameworks which develop cooperation and coordination, and facilitate access by local populations to appropriate information and technology.
- ❖ Provide for effective participation at the local, national and regional levels.
- ❖ Require regular review of, and progress reports on, their implementation

· Voluntary Elements ·

- ❖ Establishment and/or strengthening of early warning systems and of mechanisms for helping environmental refugees.
- ❖ Strengthening of preparedness for drought, and of the management of its impacts, at local, national, sub-regional, and regional levels.
- ❖ Establishment and/or strengthening of food security systems, including storage and marketing facilities, particularly in rural areas.
- ❖ Establishment of projects to develop livelihoods that could provide incomes in drought prone areas.
- ❖ Development of sustainable irrigation schemes for both crops and livestock.

· Priority Fields of Action ·

- ❖ Promotion of alternative livelihoods and improvement of national economic environments with a view to strengthening programs aimed at the eradication of poverty and at ensuring food security.
- ❖ Demographic dynamics.
- ❖ Sustainable management of natural resources.
- ❖ Sustainable agricultural practices.
- ❖ Development and efficient use of various energy sources.
- ❖ Institutional and legal frameworks.
- ❖ Strengthening of capabilities for assessment and systematic observation, including hydrological and meteorological services.
- ❖ Capacity-building, education and public awareness.

In particular, he finds that an area of particular success was global networking by African NGOs. In fact, the level of success in advocacy seems directly correlated to the level of global linkages that the group has been able to establish. He points out that the Nigerian Environmental Study/Action Team (NEST) and the Zimbabwe Regional Environment Organization (ZERO)—both of which are members of RING—were the most influential NGOs from their respective countries. The study also suggests a number of factors that influence

the advocacy ability on NGOs from developing countries in MEA negotiations. These include access to information, domestic political environment, and financial resources. In a different paper (Okpara, 1996c) the author provides a list of factors which can enhance NGO influence: a) knowledge of issue, b) previous experience in MEA processes, c) rapport with official delegations, d) solidarity with larger NGO constituency, and e) financial resources.

NEST (Okpara, 1996a and 1996c) has also analyzed the critical issues and faultlines that characterized the CCD negotiation process. Although some differences within developing countries also existed, but by and large the major differences were along North-South lines. The key areas of differences include:

- ❖ Is desertification a global or local environmental problem? For most part, the South conceptualizes desertification as a global problem while the North—particularly USA and Australia—argued that it should be treated as a local problem of land management.
- ❖ What is the 'objective' of the CCD? The South favored defining the objective in broad terms, with the ultimate objective being poverty eradication. Donor nations, for most part, wanted to limit this to only mitigating the effects of drought and desertification.
- ❖ How and from what sources will the implementation process be funded? The developing countries insisted on a defined funding mechanism and the ability to seek funds from the Global Environmental Facility (GEF). Ultimately, no specific and defined funding system was created nor was a direct window to the GEF funds accepted. However, a provision exists for the use of GEF funds as long as their use also relates to the four pre-defined priority areas for GEF.

These three areas remain the issue of serious North-South contention and much will depend on what impacts that might have on the actual implementation of the Convention.

Finally, NEST (Okpara, 1997b) has developed a research note outlining a proposed agenda for collaboration on desertification issues between RING partners. The proposal highlights three areas of concern:

- ❖ **Research priorities on the CCD:** Including research on processes leading to desertification; establishment of alternative livelihood projects; and traditional knowledge systems.
- ❖ **Policy Issues:** Including policy development on involvement of local groups, CBOs, NGOs, etc.; poverty eradication; alternative livelihoods; traditional knowledge; and financial resources for combating desertification.
- ❖ **Advocacy Issues:** Advocacy related to the research and policy issues raised above; and evaluation of advocacy impact.

Both NEST and ZERO have been, and remain, extremely active in issues of land-use and land-tenure at the local level. These have direct bearing on the implementation of CCD. They are champions of sustainable development (and sustainable livelihoods) as the preferred tools implementing the Convention on Desertification. Both NEST and ZERO are continuing with aggressive research programs in this area which focus on local issues but with direct relevance to this MEA.

2.4 · BIODIVERSITY

Biodiversity is a biological and physical concept, defined as the variety and variability of living organisms and the ecological complexes in which they occur, i.e. the variety of ecological processes, ecosystems, landscapes, species, and genetic material which exist in the universe. Diversity within species (or genetic diversity) refers to variability in the functional units of heredity present in any material of plant, animal, microbial or other origin. Species diversity is used to describe the variety of species—whether wild or domesticated—within a geographic area. Estimates of the total number of species (defined as a population of organisms which are able to interbreed freely under natural conditions) range from 2 to 100 million, though less than 1.5 million have actually been described. Ecosystem diversity refers to the enormous variety of plant, animal and micro-organism communities and ecological processes that make them function. In short, biodiversity refers to the variety of life on earth. This variety provides the building blocks to adapt to changing environmental conditions in the future.

The Convention on Biological Diversity (CBD) was opened for signature at the Rio Earth Summit of 1992. Various RING partners have been variously involved in research related to Biodiversity. Examples of such contributions—from SDPI and IIED—will be described in this section.

The first of these is a research note prepared by SDPI (1998) on Pakistan's Biodiversity Action Plan (BAP) which was prepared for the Government of Pakistan by IUCN-Pakistan and WWF-Pakistan (Box 2.5 provides an overview of biodiversity in Pakistan).⁷

Prepared as a direct result of consequence of Pakistan's having signed the CBD, Pakistan's Biodiversity Action Plan is premised on the principles of respect for life, recognition of the aesthetic and economic benefits of biodiversity, broad-based stewardship, and sustainable and equitable use. Its aims are to create a policy framework for biodiversity conservation use which involves local communities, taps existing knowledge and expertise, promotes dissemination and communication and fosters international, regional and national cooperation and networking.

⁷ - *Biodiversity Action Plan, Pakistan* (GOP/IUCN-P/WWF-P, 1998).

Box 2.5: Biological Diversity in Pakistan

Pakistan covers a land area of 796,095 square kilometers, almost all of which might be considered part of the watershed of the River Indus. From the Arabian Sea coast and the mounts of the Indus near the Tropic of Cancer, Pakistan extends some 1,700 km northwards to the origins of the Indus among the mountains of the Himalayas, Hindu Kush and Karakorum, whose peaks exceed 8,000 meters (K-2, at 8,611 meters is the second highest mountain in the world). Pakistan has a coastline of about 1,046 kilometers with 22,820 square kilometers of territorial waters and an exclusive economic zone (EEZ) of about 196,600 square kilometers.

Pakistan supports a wide array of ecosystems. However, any description of the natural ecological zones of Pakistan must be qualified by the statement that these zones have been so widely affected by human activity that very few truly natural habitats remain. The 12 major vegetative zones identified in an initial classification of Pakistan's terrestrial ecosystem range from the permanent snowfields and cold deserts of the mountainous north to the aid sub-tropical zones of Sindh and Balochistan; from the dry temperate coniferous forests of the inner Himalayas to the tropical deciduous forests of the Himalayan foothills, the steppe forests of the Suleiman Range and the thorn forests of the Indus plains; and from the swamps and riverine communities of the Indus and its tributaries to the mangrove forests of the Indus delta and Arabian Sea coast.

Up to 167 mammal species, 662 bird species and 172 reptile and amphibian species, 177 native freshwater and 886 species of saltwater fish, 2000 invertebrates, 5600 species of vascular plants, and 3383 species of fungi have been identified in Pakistan. Because Pakistan does not comprise an isolated entity in ecological terms, it has relatively low rates of endemism but a high diversity amongst plants.

The last few decades have seen a rapid acceleration in loss, fragmentation and degradation of natural habitats. According to the 1992 Forest Sector Master Plan of the Government of Pakistan, forests (coniferous, riverain and mangrove), scrub, and planted trees on farmlands covered 4.2 million hectare or 4.8 percent of the country. Excluding plantations (which are of limited biodiversity value) forest cover is reduced to 3.5 million hectares or 4.0 percent of the country. If scrub forest is excluded, 'tall-tree' cover reduces further to 2.4 million hectares or 2.7 percent, of which more than two-thirds has sparse cover. Good quality 'tall-tree' forest in Pakistan covers less than 400,000 hectares. Two recent studies should Pakistan's woody bio-mass (used mostly for household energy use) declining at the rate of 4- percent per year. Ninety percent of Pakistan's non-alpine rangelands have been degraded. Freshwater diversion has fragmented and degraded habitat, caused salinity and inhibited fish migrations.

The adverse effects upon species and genetic diversity has been the loss of 7 mammal species over the past 400 years (tiger, lion, swamp deer, one -horned rhinoceros, Asiatic cheetah, Indian wild ass and Hangul). Threatened species and sub-species number, respectively, 37 and 14; among them being the Balochistan black bear, the Chiltan goat, the snow leopard, the Indus River dolphin, and the wooly flying squirrel. Major threats to agro-ecosystems are soil loss, water-logging, salinity, intensification of production and heavy pesticide use. Also, the spread of uniform cultivars is leading to the erosion of crop genetic variety. Given the widespread conversion of natural ecosystems to agriculture, depletion of habitats and the continuing depletion of species, almost all remaining or modified ecosystems in Pakistan are now critically threatened:

The direct causes of biodiversity loss in Pakistan include: habitat loss from deforestation, grazing, fodder collection, soil erosion, water diversion and drainage, etc.; species loss through hunting and trapping, fishing, over-collection of plants, etc.; agricultural intensification including irrigation, the introduction of high yielding varieties, cross-breeding, etc.; pollution from industrial, agricultural and sewage discharges; introduced species; and global climate change. The indirect, or root, causes of biodiversity loss include an increasing demand for natural resources due to population growth, increasing consumption and low primary productivity; and economic pressures including market failures, under-pricing of natural resources, weak ownership structures, highly discounted future consumption and the disempowerment of communities.

(Source: SDPI, 1998 and GOP/IUCN/WWF, 1998)

According to the SDPI (1998), the key issues to be addressed in the Pakistan BAP are:

- ❖ **Planning and Policies:** The BAP to be integrated with national and provincial conservation strategies, sectoral policies and plans, and national development plans.
- ❖ **Legislation:** Traditionally, basic legal instruments for conservation have concentrated on the protection of areas and species. The CBD reflects the emergence of the precautionary principle, which should be operationalized along with the minimization of punitive measures.

- ❖ **Identification and Monitoring:** Establish a central biodiversity information and monitoring system.
- ❖ **In-situ Conservation:** Establish protected areas. Ensure that conservation activities within them do not impinge on the interests of the surrounding local population. Institute collaborative management regimes. Support ex-situ conservation measures including gene banks, captive breeding, etc.
- ❖ **Sustainable Use:** A new approach where people are no longer considered to be the problem but part of the solution, recognizing that communities have developed specialized, area-specific systems of use and conservation.
- ❖ **Incentives:** To replace perverse incentives with biodiversity friendly incentives and disincentives. This could also rectify the disproportionate distribution of costs and benefits, where local communities bear the ecological costs of unsustainable resource use and practices carried out by external agencies.
- ❖ **Research, Public Education and Training:** Increase research on the identification, conservation, and sustainable use of biological diversity, promote understanding of the interactions between people and biological resources, and transmit—both formally and informally—traditional knowledge of biodiversity, its local uses and management.
- ❖ **Access Issues:** While the CBD acknowledges the State's sovereign rights over the genetic resources within its jurisdiction, but property rights need to be determined by national law. There is a need to promote the fair and equitable sharing of benefits arising from the use of genetic resources and to intensify their use.
- ❖ **Financial Resources:** While the BAP will require a significant financial investment, many of the recommendations can be implemented through policy and legal changes. Similarly, existing programs can be made more biodiversity sensitive at incremental cost.
- ❖ **Integration:** Conservation efforts must be integrated across many sectors and stakeholders. These are Federal and Provincial governments, research and training institutions, local communities, NGOs, the private sector and the public.

IIED's discussion paper *Towards an IIED 'Biodiversity for Sustainable Development' Cluster* (IIED, 1998) is of a very different flavor. The premise of the proposal for such a cluster rests on the argument that there is a need for an "interpreter"—an institution which can put international and national conservation policies as well as policies which promote economic growth in a local context, convey the implications of these policies to people at the local level, and act as a bridge-builder to facilitate the exchange of information across the gap between the different role players. The proposal foresees this role being played by IIED, towards the achievement of the following objective:

To inform policies and decisions which affect biodiversity, so that they become more pragmatic and take into account the aspirations, needs and constraints of **primary resource users** who directly use biodiversity, **promoters of economic growth** who are mainly interested in development, and **environmental protectors** to whom biodiversity conservation is important.

Conceptually, the proposal rests on the idea that the future of biodiversity ultimately depends on those who bear direct responsibility for its use and conservation, and those with the ability to have an impact on the resource base. They can be divided into three broad groups:

- ❖ Those with the agenda to promote growth (e.g. politicians and government officials with economic growth in their portfolio, infrastructure developers, land use planners, international traders, foresters, mining companies).

- ❖ Those with an agenda and mandate to protect the environment (e.g. politicians and government officials with environmental protection in their portfolio, national and international NGO managers, conservation professionals).
- ❖ Those who use biodiversity as part of their survival strategies (e.g. subsistence farmers, subsistence hunters and plant users, rural women, traditional healers).

The need for an "interpreter" institution to mediate the dialogue between these three sets emerges because there appears to be a large gap in communication between them and especially between role players who are active at the global level and those focussing at the national, sub-national and local levels. Role players at the local and sub-national levels do not understand the meaning and context of international conservation and growth-promoting policies. National and international role players, on the other hand, find it difficult to visualize the impact and implementation of international policies at the local level and do not consider such factors when conventions, treaties and agendas are formulated, evaluated or modified. Hence, the need for an institution that can:

- ❖ Act as a bridging agent which collects data, strengthens capacity, turns it into information and makes the information accessible to those who promote environmental protection, those who promote growth, and those who use and manage biodiversity resources.
- ❖ Convey the previously disregarded or misrepresented viewpoints and knowledge of primary resource users 'upward' to decision-makers.
- ❖ Make biodiversity policies and policies which promote economic growth accessible to information-poor primary resource users.
- ❖ Critically evaluate the efficiency of past and existing policies and other decision mechanisms in the context of a) governments' capacity to apply them, b) the prevailing socio-political and economic context, c) the needs of subsistence and commercial resource users, and d) their contribution to poverty alleviation.
- ❖ Ensure that future policy and other decision-making mechanisms do not repeat past mistakes or reinvent the wheel.

A third and final contribution, from SDPI's Tahir Hasnain, provides a good example of how RING partners are already working as 'interpreter' organizations--in particular on assisting national governments with the implementation of the CBD, especially in the areas of policy research, capacity strengthening, information service, and technical inputs. Hasnain's (1998) policy brief was written for the Government of Pakistan to assist the Pakistan delegation to the Fourth Conference of the Parties to the Convention on Biodiversity. The brief highlights the implementation status of the Convention in Pakistan and, in particular, the role of civil society organizations in this implementation.

Hasnain (1998) points out that the CBD itself has a number of shortcomings and "the GOP's response to the operational shortcomings of the CBD was to develop an implementation framework... which integrates the three types of initiatives called for under the Convention, namely, a country study, a national strategy and an action plan." Referring to the BAP (above) the briefing note highlights the involvement of NGOs and the desire to involve local

communities as the most important achievement. Importantly, the paper represents an example of how NGOs can, and are, playing an important interpretation role in the implementation of MEAs.

2.5 · FORESTS

Creating a holistic global environmental agreement on forests has long been a contentious issue. In the run-up to the United Nations Conference on Environment and Development (UNCED or Earth Summit) in Rio de Janeiro in 1992 the issue of a Convention on Tropical Forests was one of the most explosive issues. The idea was vigorously (and successfully) resisted by a number of key governments and NGOs from the South, much to the dismay of the United States which was an important proponent of the idea.

Key amongst the many objections to the idea were: a) the fears arising from the implicit suggestion that forests are a 'global commons' rather than a 'national resource'; b) the concern that the proposed convention was to focus only on tropical forests to the exclusion of other types of forests; and c) the argument that a number of global and regional agreements were already available to deal with most of the areas that the proposed convention would have covered. The Statement of Principles on Forests that was eventually adopted as a compromise solution is considered to be little more than exactly that and is generally deemed to be of limited value, even as a soft law instrument.

Following the Earth Summit, and in view of persisting global deforestation and forest degradation, an independent World Commission on Forests and Sustainable Development (WCFSD) was established.⁸ The Commission was established to: a) increase awareness of the dual function of world forests in preserving the natural environment and contributing to economic development; b) broaden the consensus on the data, science and policy aspects of forest conservation and management; and c) build confidence between North and South on forest matters with emphasis on international cooperation.

Not surprisingly, the issue of a new 'global' forest agreement has been a frequent and heated subject of debate in the deliberations of the WCFSD. As its contribution to this debate, the IIED prepared a paper titled *Forest Security: Challenges to be met by a Global Forest Convention* (Bass and Thomson, 1997). The study provides a detailed analysis of the

⁸ - The 25 member WCFSD is co-chaired by Ambassador Ola Ullstam, former Prime Minister of Sweden, and Professor Emil Salim, former Minister for Population and Environment of Indonesia. The Commission was established by the InterAction Council, a group of former heads of Government and State.

arguments in favor of and against a global convention and lays out a roadmap for how an international forest security regime may evolve. The study concludes that:

In the short term... we believe it is premature to negotiate an intergovernmental convention on forests if such negotiation is based on current intergovernmental mechanisms and does not benefit from a searching review of other instrument. To do so may enshrine inequitable objectives (since it would not be negotiated on an equitable basis by all interest groups). It might also include imperfect objectives (lowest common denominators may persist from the UNCED and IPF processes, and the science may not yet be right). Moreover, it would cost time and money to prepare and implement, for which the political will is weak. This would detract from more pressing work in e.g. building national capacity and continuing promising civil society initiatives. (Bass and Thomson, 1997: iii)

Box 2.6: The Causes of Forest Problems

· Policy/Market Failures ·

- ❖ Policies/markets do not signal scarcity of all forest goods and services.
- ❖ Undervaluing forests—e.g. low stumpage (Ghana), low land prices (Costa Rica), tax breaks of logging (Russia).
- ❖ Overvaluing forest removal—e.g. subsidized agricultural prices (Brazil loans, input subsidies and tax breaks).
- ❖ Social and environmental costs not included in prices; nor in measurement of economic growth.
- ❖ Investments in sustainable forest management unprofitable or risky—e.g. high interest rates and lack of long-term, financial stability.
- ❖ Trade terms against primary production.
- ❖ Conflicting foreign policies—e.g. requirements for debt payment and structural adjustment.

· Institutional Failures ·

- ❖ Poor information and monitoring of forest stocks and flow.
- ❖ Differing priorities between stakeholders.
- ❖ Poor participation and consensus to reconcile differences.
- ❖ Uncoordinated decision-making.
- ❖ Unclear or outdated institutional roles based on anomalous policies.
- ❖ Misdirected international assistance.
- ❖ Technology to exploit forest exceeds capacity to plan/share costs and benefits.
- ❖ Government control mechanisms inappropriate—e.g. too weak or too strong; poorly handled decentralization.
- ❖ Inequity between and within nations.
- ❖ Misapplied wealth and poor control over major corporations.
- ❖ Wasteful consumption patterns especially for wood and energy.
- ❖ The 'concealed' institution—covert interactions determine many inequitable outcomes.
- ❖ Lack of political will—influential stakeholders unwilling to compromise between their own and others' demands on forests.
- ❖ Low political influence of forest authorities.

· Weak/Ineffective Tenure and Rights ·

- ❖ Tenure system which encourages deforestation in order to obtain title —e.g. Latin American land 'improvement'.
- ❖ Tenure system that discourages afforestation in order to keep land title (West Africa).
- ❖ Governments enforcing tenure extremes—e.g. nationalization or privatization.
- ❖ Poor recognition of access and user rights for the landless and people with traditional claims.

(Source: Bass and Thomson, 1997)

However, the study recognizes that intergovernmental processes do tend to trigger serious attention, and proposes that they might be best employed in:

- ❖ Finalizing discussions on the common *principles and criteria* of good forest management—which would have practical governmental, NGOs and market uses.
- ❖ Exposing the *root causes of forest problems to other appropriate international fora*.
- ❖ Working out ways to *build civil society processes* in future intergovernmental discussions.
- ❖ *Reviewing existing instruments* and gaps that they leave in meeting global forest goals and dealing with global causes of forest problems.
- ❖ Developing *goals* for securing global forest values.

The study does point out that there are some good arguments for establishing a global agreement on forests in the *long term* which should focus on achieving security of forest goods and services that are important at a global level, and/or on those causes of forest problems that are international in scope. However, as Box 2.6 highlights, many of the threats to forest security emanate from the national level, although there are also failures that emanate from the global level and at the local level. It is pointed out that global forest agreements potentially apply to a) *global forest services* (notably biodiversity and carbon issues) and b) the *causes of forest problems* that have an international dimension (power imbalance, trade effects, cross-boundary pollution).

On the first of these, there are already many international regulations that seek to increase the security of global forest services. These include:

- ❖ The U N Framework Convention on Climate Change (UNFCCC)
- ❖ The Convention on Biological Diversity (CBD)
- ❖ The Convention to Combat Desertification (CCD)
- ❖ World Heritage Conventions
- ❖ The Convention on International Trade in Endangered Species (CITES)

However, none of these are now being fully implemented. Their real potential to contribute to forests should now be assessed, in light of which the case for strengthening them and/or adding a special forest agreement will become clearer.

On the second issue, there already appear to be many gaps in international agreements that need to be filled to tackle the international causes of forest problems. Two causes are critical: power imbalances between interest groups and the effects of trade that exacerbate these imbalances. In this regard, the following are particularly urgently required:

- ❖ Mutual obligations between nations to recognize the rights of weaker interest groups (notably marginalized forest-dependent groups) and to treat them on an equitable basis in their attempts to achieve security of forest goods and services.
- ❖ To control asset-stripping corporations that undermine forest security by seeking out forests subject to weak governmental/social control and deforesting them.

However, these issues are to some extent 'bigger' than forest issues alone. The ways in which they can be resolved might be better assessed outside intergovernmental processes. In the last few years, a number of civil society agreements have had significant impacts on forests and people and may be a good basis for further progress. Notable amongst these is

the Forest Stewardship Council's principles and criteria—a multi-stakeholder agreement between NGOs and leading companies. Buyers groups' procurement policies and forest sector associations' codes of practice offer other examples of voluntary agreements amongst concerned leaders.

Bass and Thomson suggest that further civil society processes—and initiatives amongst individual 'leading' countries—might be encouraged to work out ways to achieve those global purposes that remain unfulfilled. It is likely that many of these will stress standards, norms and local-level decision-making. The key will be to determine when and if some of them need to be backed up by the power of a top-down convention. If this becomes the case, a framework convention might be the best way forward as it would allow scope for inclusion of further (and changing) areas of agreement as they become necessary.

If, at some point in the future, a consensus begins to emerge on the need for a separate global framework convention on forests, it should be based on the following principles:

- ❖ Global in scope and non-discriminatory.
- ❖ Designed to sustain the forest functions necessary for security of goods and services at the global level; and/or to minimize the international causes of forest problems that affect security of goods and services at any level.
- ❖ Complementary to, and harmonized with, other legal agreements that touch on certain of the above forest functions and international causes; in some cases this will mean 'hardening' existing soft law.
- ❖ Founded on principles of sustainable development (social desirability and equity, environmental acceptability, and economic viability).
- ❖ Built around monitoring and learning systems.
- ❖ Linked to key international fora—especially the continuation of the Intergovernmental Panel on Forests (IPF), but also open to civil society processes.
- ❖ Encouraging of bottom-up initiatives to further develop and implement the convention.
- ❖ Backed up by adequate financial and secretariat resources for effective implementation.

At a different, more local, level the question of forests has been central to the research of other RING partners. Given the South's general position that this is not an issue that is best managed at the global level, the focus in developing countries has been at analyzing forest governance on the ground. Since vast numbers of people in the South actually live in the forests and survive on its resources, these questions become central to sustainable development and sustainable livelihood.

An example of sophisticated analysis that focuses on what can and cannot actually be done in this realm comes in the form of an SDPI paper by Tariq Banuri titled "Policy that Work for Forests and People: Decentralization and Devolution." The author begins by pointing out that "we have less experience with policies that work than with policies that do not work"

and adds that "many policies that work well in other context work only on paper in our context, indeed they are often counter-productive."

The SDPI study highlights the importance of property rights in any analysis of forest policy... whether it be at the local level or the global. It argues that:

In the real world it does matter to whom the [property] rights are granted, for at least four reasons. First, it matters because of history... whether you give the rights to the saw mill owner or to the community must depend on who in the historical perspective is the legitimate owner of these rights.... [Second,] it depends on who can manage those rights, and therefore will be in a better position to defend them.... For instance, if the saw mill owner is not capable of managing the rights to the water (i.e., maintaining clean water), it will produce an economically inefficient solution.... Third, there is the equity issue. Equitable distribution of rights will have greater political sustainability. Even if there is no opposition in the short run it will emerge in the long run. This too will create conflict, undermine legitimacy, and lead to both economic and social cost. Finally, there is the question of who has interest in conserving the resource? ... The manner of allocation of property rights determines whether individual decisions coincide with the collective need to conserve the resource.... In short, it does matter who owns the rights. It does matter how you allocate rights. (Banuri, 1995: 3-5)

The issues that Banuri identifies as key are relevant to the local as well as the global context. They are also the most contentious and important issues in the potential framing of an MEA on forests. These are issues of contested knowledge, issues of property rights allocation, and issues of incentive structures. These, ultimately, emerge as the issues that will require some global determination before any headway can possibly be made on a possible global forests convention.

2.6 · TRADE IN HAZARDOUS WASTES

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal initially came about as a response to fears about shipments of hazardous wastes from rich countries to poorer countries with little capacity to handle the waste effectively. In the 1980s there was a general perception that hazardous waste exports from the industrialized countries of the North had potentially significant adverse environmental impacts on the developing countries of the South. A number of Southern countries began lobbying for international mechanisms for regulating and restricting such trade.

The Organization for African Unity (OAU), in particular, pushed for a complete ban on the transboundary movement of hazardous wastes. The OECD (Organization for Economic Co-operation and Development) countries, on the other hand, argued that a) in many cases

international trade in hazardous wastes would represent an effective means of treating and disposing of waste, and b) a ban of trade in recyclables, in particular, would be counter-productive. The result was a compromise regime based largely on the notion of "prior-informed-consent" supported by a ban between signatories and non-signatories. The effectiveness of this regime has been much debated. This resulted in the Convention being radically amended in 1994 through the adoption of Decision III/1.

This decision, which has since been ratified, imposes a ban on all trade in hazardous waste for final disposal from OECD countries to non-OECD countries. Moreover, this is due to be expanded into a ban on hazardous recyclable waste. The ban creates a relatively complicated two-world system in which richer countries cannot export their waste to developing countries, although trade in the opposite direction—and within the two groups of countries—is allowed. Also, the distinction between OECD and non-OECD was amended to Annex VII countries (OECD, EU and Liechtenstein) and Annex VIII (all other signatories).

Two IIED reports by Nick Johnstone (1998a and 1998b) have examined the implications of these recent changes for developing countries. These studies apply economic analysis to determine the likely economic and environmental consequences of the amendments to the regime and discuss possible reforms to the regulation of international trade in hazardous waste. In relation to the changing nature of the Basel Convention, the IIED finds:

While the Basel Convention was initially developed as a means of *regulating and monitoring trade* in order to allow signatories better to control the adverse environmental consequences of the trade in hazardous waste, it is fast becoming an *explicit trade ban*. Indeed Decision III/1 effectively makes all other aspects of the Convention redundant, at least insofar as they relate to trade between Annex VII and Annex VIII countries. To some extent, therefore, the advent of the ban is a reflection of the failure of the parties to regulate the trade in a coherent manner. While such a policy is clearly not optimal, it may well be the most efficient "second-best" instrument available. (Johnstone, 1998b: 6-7; *original emphasis*)

The likely effect of Decision III/1 (if ratified and enforced) will be that the Northern countries in Annex VII which had previously contracted treatment services in non-Annex VII countries will no longer be able to do so. Although in aggregate Annex VII countries are net exporters of waste treatment services at present, at a more disaggregated level some countries may be forced to contract more services from other countries within the grouping and/or increase domestic treatment capacity. Similarly, some non-Annex VII countries which have previously treated waste from Annex VII countries may find themselves importing more waste from other non-Annex VII countries.

The study on "The Economic and Environmental Effects of the Basel Convention" (Johnstone, 1998a) points out that the ambiguities and inefficiencies that have riddled the Basel Convention are likely to become even more acute as the nature of hazardous waste generation and treatment in different countries changes. Furthermore, with recent developments—principally Decision III/1—it is not clear whether the Convention is able to address the environmental effects of the changing nature of the trade in hazardous wastes. To a great extent this will depend upon the wastes which are included in the ban. However, perhaps more importantly, it depends upon the criteria which are applied for membership in the Annex VII grouping and whether or not national capacity for environmentally sound management of wastes is used in a systematic manner.

Importantly, trade in wastes with secondary values has grown in importance. It is important that the Basel Convention recognizes such changes by applying some of the technical provisions (i.e. defining waste criteria and environmentally sound management) in a coherent manner and introducing transparency into the Annex VII/non-Annex VII distinction. However, doing so will require more research (both at the level of the waste and the country) in order to avoid applying restrictions in an excessively blunt manner.

Moreover, specialization in recovery and recycling operations is a reflection not so much of domestic processing capacity, but of domestic demand for such capacity. As such, the most telling indicator of the success of the Basel Convention is not the so much its ability to reduce trade flows from OECD countries, but the effect that it has on the capacity of developing countries to manage their own wastes effectively. Johnstone (1998a) suggests that in order to ensure that developing countries do not face significant waste-related environmental problems in the coming years it is more important that they invest in good waste management regimes than restrict imports. Even more important, he adds, is the need to attach teeth to the positive measures in the Convention, which have lain almost dormant since its inception; in particular, the "Technical Cooperation Trust Fund to Support Developing Countries" has received almost no financial support. Additionally, the establishment of regional centers for training and technology should be expanded and accelerated. The report concludes that:

In the event that such efforts are not supported there is considerable danger that the overall environmental consequences of the Basel Convention will prove to be negative. Since developing countries are inevitably going to play an increasingly important role as generators of hazardous waste, and since an ill-conceived ban—i.e. one which is unrelated to actual capacity—may discourage environmentally benign trade in hazardous waste, this outcome is by no means unlikely. (Johnstone, 1998a: 27)

These findings are further substantiated in a separate but related study from IIED (Johnstone, 1998b) which focuses on the case of trade in non-ferrous metal-bearing (NFM) waste. This detailed analysis of the environmental and economics aspects of NFM waste finds that: a) although the generation of metal-bearing solid waste amongst developing countries is lower in absolute terms, the rate of growth is much higher than amongst OECD countries; b) many developing countries are exhibiting much faster rates of growth for non-ferrous metal than OECD countries due to shifts in the sectoral composition of their economies; c) international trade in NFM -bearing waste and scrap is relatively significant for some metals, but those types of waste most likely to be affected by the ban do not appear to be important parts of this trade; and d) imports of non-ferrous metal waste and scrap help to explain the production of secondary metals, thus indicating that at least some of the trade in waste is motivated by demand for the waste for reclamation.

Taken together, the two studies highlight four important conclusions on the evolving shape of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal:

- ❖ Many non-Annex VIII countries (particularly in South-East Asia, the Middle East, and Latin America) are important generators of hazardous waste and the rate of growth in generation is much higher than in Annex VII countries. This means that for these areas at least, the ban is increasingly less relevant as a component of national hazardous waste management regimes.
- ❖ Conversely, for the poorest developing countries (particularly in sub-Saharan Africa), most of which are not important generators of hazardous waste, the ban may be an appropriate "second-best" policy. This is particularly likely if the administrative costs of regulating international trade in the wastes are less than the costs of overseeing domestic management regimes. Indeed in many cases Decision III/1 merely serves as international support for national or regional bans.
- ❖ A large proportion of trade in waste between OECD countries and developing countries is in wastes with secondary values, with some countries in East Asia and Southeast Asia specializing in the recovery and reuse of wastes arising from OECD countries. As such, it is important that the Basel Convention recognizes these changes by applying some of the technical provisions in a coherent manner.
- ❖ It is important to add teeth to the positive measures in the Convention which have lain almost dormant since its inception. In particular, the Convention's Technical Cooperation Trust Funds to Support Developing Countries" has received almost no financial support. This is important not only for those countries which are generating large and increasing volumes of hazardous waste and thus need to develop national treatment capacity, but also for poorer countries since they are more likely to be destinations for illegal shipments.⁹

While the two studies reported on above have delved deeply into a scholarly analysis of the subject, other RING partners have approached it principally from an action perspective. A

⁹ - Up till here this section is based on Johnstone 1998a and 1998b. The text of the section has been taken from these two papers and only slightly edited for purposes of flow and cohesion.

particularly strong example of the 'action-research' approach to policy advocacy comes from the Sustainable Development Policy Institute (SDPI) in Pakistan.

In 1995 a highly polluting mercury-based chloro-alkali plant was being exported from Denmark to Pakistan. On finding out about the impending import, SDPI launched a major monitoring and advocacy operation to resist the importation of the plant. As a policy monitor SDPI tracked the import of this dirty technology, as a policy advocate it protested this import, as a policy researcher it worked with technical experts to devise innovations to the technology that would reduce its environmental impact, and finally it worked with industry and government to implement and institutionalize these innovations. This episode is a particularly rich example of how deep and lasting policy influence can come from timely action and how think-tanks in the South have to function in multiple roles. From an MEA perspective, the episode demonstrates the importance of NGOs as monitors of MEA implementation.

#3 ● CROSSCUTTING THEMES

The previous chapter has reported on research on particular international environmental issues undertaken individually by different RING partners. In pooling that research together and organizing it around six substantive areas (trade and environment, climate change, desertification, biodiversity, forests, and trade in hazardous wastes) we begin getting a more holistic picture of the current state of thinking in these institutions in particular—and in Southern policy and research NGOs in general—on this set of Multilateral Environmental Agreements (MEAs).

However, a lot of the concerns raised in the pooled research relate not simply to the particular substantive issue being tackled but to the 'larger' questions surrounding MEAs in general. In many ways, this commonality in thinking about MEAs is a much more striking feature of the pooled research than the unison of ideas and opinions that emerges on individual MEAs. This chapter seeks to highlight the cross-cutting themes that span the pooled research in an attempt to acquire a more nuanced view of the texture and weave, not simply of this research but of Southern thinking on the larger questions related to multilateral environmental agreements in general.

Table 3.1: Key Crosscutting Themes

Agenda Setting Phase	Negotiation Phase	Implementation Phase
<p style="text-align: center;">The Absent South</p> <ul style="list-style-type: none"> It is extremely important for research and policy NGOs from developing countries to engage in the discussion on MEAs as early in the agenda setting stage as possible. Research investment in the analysis of options and alternatives at the agenda setting phase will not only have high payoffs in terms of ultimate influence over the MEA but is, in fact, a prerequisite for any influence at all. <p style="text-align: center;">Rethinking the International Environmental Agenda</p> <ul style="list-style-type: none"> There is a need to study the appropriateness of the international environmental agenda and focus on a) whether it reflects the priorities of the South, and b) which particular issues are best tackled at which level: international, regional, national, or local. There is a need to assess the multitude of MEAs that exist or are in development for areas of overlaps, conflicting mandates and duplication. <p style="text-align: center;">Globalization and Global Governance</p> <ul style="list-style-type: none"> MEAs are instruments of global governance. They should be analyzed in relation to how they might impact, or be impacted upon, by larger processes of globalization; particularly economic and trade globalization. It is also important to understand how each new MEA is likely to interact, or overlap, with existing MEAs and contribute to the evolution of a system of global environmental governance. <p style="text-align: center;">Institutions for Sustainable Development</p> <ul style="list-style-type: none"> The development of effective institutions for sustainable development is ultimately as important, if not more, as the development of effective MEAs on particular issues. The proliferation of institutions for environmental governance requires a process of institutional pruning and mergers so that we are left with a smaller number of institutions with clearer mandates. A more regional focus is likely to emerge. 	<p style="text-align: center;">Unpackaging the 'South'</p> <ul style="list-style-type: none"> In most MEA negotiation, the collective interests of the developing countries are expressed through the G77. However, there is a felt need to place greater emphasis on regional aspects either through the negotiation of regional, as opposed to global, agreements or through the adoption of regional annexes to global agreements. Policy and research NGOs in the South will play an important role in this potential shift to a more regional focus. This will require more regional analysis with explicit attention to tracing the links between the local, the national, the regional and the global. <p style="text-align: center;">Capacity-building for Negotiation</p> <ul style="list-style-type: none"> There exists a chronic deficit of technical as well as negotiation capacity within developing country delegations. This provides an advocacy opportunity and a challenge to NGOs in these countries to influence their governments and work with them to bolster their human resources. Research and policy NGOs have a niche role to play in functioning as clearinghouses of information, analysis, and advice on individual MEAs as well as on the larger landscape of related MEAs. They also have an important role to play in negotiation capacity development through trainings, etc. <p style="text-align: center;">NGO Networking</p> <ul style="list-style-type: none"> NGO networking is not only a means of effective advocacy but also an important strategy for capacity enhancement. NGO networks work best when their activities are planned rather than sporadic and when channels for regular exchange of information are maintained, a strategic understanding of comparative advantages and skills is developed, and a clear division of labor is facilitated. NGO networks should be promoted at all relevant levels: local, national, regional and global. Such networks can play an important role as 'interpreters' of ideas between the global level at which most MEAs are negotiated and local and sub-national levels at which they are actually to be implemented. 	<p style="text-align: center;">Localizing the Global</p> <ul style="list-style-type: none"> The key challenge to MEA implementation is the translation of norms, rules and commitments that have been agreed to at a global level into operational actions that are relevant to and make sense at the local level. NGOs play a critical role in this process of translation. Moreover, NGOs are well suited to this niche role. However, NGOs need to develop the skills that allow them to converse effectively at both the international and the local levels, either directly or through support networks. <p style="text-align: center;">Capacity building for Implementation</p> <ul style="list-style-type: none"> There is a serious lack of MEA implementation capacity in developing countries. NGOs have a major role to play in supplementing this capacity deficit, both in terms of technical inputs and in relation to actual field implementation of MEA related projects. Research and policy NGOs also have an important role to play in traditional capacity building activities and in acting as a broker between key actors in government, civil society and the private sector on issues related to MEA implementation. <p style="text-align: center;">Financing Implementation</p> <ul style="list-style-type: none"> Financial constraints remain a most important impediment to MEA implementation. The financial support available from the industrialized countries of the North remains limited and is unlikely to dramatically increase anytime soon. There is, therefore, a need to think about alternative innovative sources of financing MEA implementation in the South. Alternative sources of financing could include the leveraging of private sector funds, raising financing from the rich (countries as well as classes) within the South, and devising implementation plans that remove disincentives to voluntary implementation of MEA provisions by the private sector and by communities.

For the sake of conceptual clarity the discussion in this chapter is organized into, what may be called, the three phases in the life cycle of an MEA—the agenda setting phase, the negotiation phase and the implementation phase.¹⁰ Fortuitously, the research pooled for this study spans the entire spectrum of the three phases. For example, the studies related to forests (IIED) and trade and environment (ZERO) are very much situated in the agenda setting phase, the negotiation phase has been studied in detail in the studies on desertification (NEST), and on climate change (BCAS), and the ones of climate change (BCAS and SDPI) and biodiversity (SDPI) relate to the actual implementation of reporting provisions under the respective MEAs. Moreover, in the case of desertification and climate change the entire MEA cycle has been the subject of analysis by RING scholars.

The discussion highlights some of the important cross-cutting themes that are raised by the pooled research and highlights the key research and policy challenges for developing country NGOs working on such issues. A summary of these issues is presented in Table 3.1.

3.1 · AGENDA SETTING PHASE

There is a general tendency in discussions on MEAs to focus only on the negotiation and implementation phases. Generally speaking, academics tend to be much more interested in the negotiation dynamics while scholars affiliated with NGOs are often impatient for getting to the implementation phase as quickly as possible. However, the fact of the matter is that the most critical issues in most MEA battles have already been decided in the agenda setting phase, well before the formal negotiation of the MEA text begins. As the discussion on forests in the previous chapter suggests the very decision to seek a global agreement or not can be the most crucial one and can mean all the difference in the world. Once that critical decision has been taken (one way or the other) and an agenda devised, the options tend to become progressively limited and continue to shrink as the process proceeds.

A review of the pooled research on MEAs from RING partners raises four related concerns that are of particular importance at the agenda setting phase of MEA development. These are discussed below.

¹⁰ - It should be clearly understood that this is simply a heuristic device. These three phases are neither linear nor entirely distinct. In actual practice, there are significant overlaps between the phases and very rarely does any phase ever actually conclude.

3.1.1 The Absent South

Developing countries in general—and developing country NGOs in particular—are seldom seen playing a key role at the agenda setting phase and only enter the thick of the substantive debate in the negotiation phase, and sometimes not even then. This situation—which is motivated by a milieu of factors including the lack of resources and capacity, the profusion of other more pressing priorities, and the informational distance from the centers of international decision-making—leads to the oft-repeated complaint about the international environmental agenda being principally driven by the North.

In an important respect, two of the cases discussed in this report are exceptions to this generalization. In the case of forests the South was, in fact, *not* involved in the *original* agenda setting phase of the discussions which is why the issue of a possible Convention on Tropical Forests gained as much momentum in the run up to the Earth Summit as it did. It was unusual for those opposed to the convention to be able to stall it as they did, and it was only because of doing so that they were able to become full participants in the *second* round of agenda setting which is now in progress within and outside the WCFSO.

Desertification is also a special case in the sense that it is one of the few issues which has been successfully placed on to the international agenda by the South (despite the North's uninterest). In fact, the issue was effectively shunned at Rio despite it being the only issue specifically mentioned in UNCED's enabling resolution. It was only the determined insistence of African governments and NGOs that shamed the rest of the world (including many influential developing countries) to put desertification on the international agenda. It was because of this background that the governments and NGOs from the South—particularly from Africa—were so involved in the agenda setting phase of the CCD.

More importantly, one could argue that the higher level of support from the South that this Convention enjoys can, at least partially, be attributed to the fact that the developing countries were involved in (and were able to shape the agenda for) the Convention at its earliest stages. This involvement allowed the Southern delegates to actually shape the Convention to meet their concerns and saved them from the frustration of joining the dialogue midway, by when many of the important decisions have already been made.

The general conclusion would be that the influence of any actor—governmental or nongovernmental, Northern or Southern—on an MEA is enhanced if it enters the discussion at the agenda setting stage. However, a look at the two trade cases (on trade in hazardous

wastes and on trade and environment) suggests a more sobering corollary. The lesson from the transboundary movement of hazardous wastes case seems to be that it is not enough to be present at the agenda setting discussion; it is critical that one be *prepared* for this discussion, especially in terms of the requisite technical analysis. In the case of the trade and environment the South is not yet a real 'discussant' on the subject simply because its greatest challenge seems to be to merely keep abreast of the fast pace of developments.

This stream of arguments leads to the following recommendations:

- ❖ It is extremely important for developing countries in general—and for research and policy NGOs from developing countries in particular—to engage in the discussion on MEAs as early in the agenda setting stage as possible.
- ❖ Research investment in the analysis of options and alternatives at the agenda setting phase will not only have high payoffs in terms of ultimate influence over the MEA but is, in fact, a prerequisite for any influence at all.

3.1.2 Rethinking the International Environmental Agenda

Directly related to the above is the issue of whether the existing international environmental agenda is, in fact, a relevant—or even realistic—agenda. Without even touching the issue of whether the existing agenda is North driven or to what extent it reflects the priorities of the South, a case can be made that in its current form the international agenda on sustainable development is not only unachievable but inappropriate. Richard Sandbrook of IIED most eloquently makes such a case.

Sandbrook (1997) suggests that "far too much attention is given to international debates rather than to national and regional processes" and that:

...governments need to sort out much more clearly what can and should be addressed at the international level. Many of the major environmental issues, such as forest and biodiversity loss, are basically national or local concerns. The development agenda and poverty have to be addressed locally. Only when it is clear that individual countries and regions cannot cope without international intervention, as happens in the case of climate change and the international trade regime, should the matter be of concern to the UN at the center. The UN could do more to foster this sense of subsidiarity in its affairs. (p. 641)

The argument is that "there is a need to sort out what is the job of local, national, regional and finally international institutions" and that "defining in international law what needs to follow has to be based on well-established national norms if the result is to be anything other than timid" (p. 645). The author further argues that "most of the arguments in favor of a sustainable economy are national and are best dealt with through national sustainable development strategies" and that "worldwide, as opposed to global, problems do not

necessarily require international interventions" (p. 648). The need is to implement existing MEAs and create new regulations only if they can be meaningful:

[The] frequent muddling of the international with the national and the local only serves to throw up worthless rhetorical disputes. There is, for example, very little point in trying to construct an international legal regime for the management of forests when many countries have not even allocated property rights for forest assets. Rules and norms are certainly required but in most cases there is no way the UN can usefully frame them in anything other than the most banal form. International rule-making has to be based on a critical mass of national rules or, increasingly, of regional agreements. The UN needs to relearn this discipline, or at least a number of governments and NGOs do. Setting international performance standards expected of governments and the monitoring of them should be a central part of the incentives for change, but no more. (p. 649)

This message is supported by much of the research reviewed here. However, this is a message that is not without controversy, especially on issues such as desertification (see Okpara, 1997c).

The merit of individual cases aside, the larger point to be made is that the international environmental agenda is, at the very least, over-extended vis-à-vis the capability of the international system as well as the capacities of individual governmental and nongovernmental actors who inhabit the system. Moreover, the 'MEA glut' on the international environmental agenda contributes to a situation where already scarce human and financial resources have to be spread very thin across the multitude of MEA negotiations and deliberations that are ongoing at any point in time (more discussion on this later). There is also the issue of overlaps, conflicting mandates and duplications between different MEAs as is raised in the case of forests and of trade and environment. Finally, in insisting on tackling what are essentially local problems at the global level we not only distract attention from problems that are truly global (e.g. trade regime inequities) but also create the problem of having to unpackage global agreements at a local level. This is not something that we have been very good at; this is why MEAs, such as the CCD, which do make an effort to be relevant at the local level, are seen as a cause for celebration.

In essence, this stream of arguments point towards the following recommendations:

- ❖ There is a need to study the appropriateness and relevance of the international environmental agenda itself. This should focus on a) whether the agenda reflects the priorities of the developing countries as a whole or of particular regions within the South, and b) which particular issues are best tackled at which level: international, regional, national, or local.
- ❖ There is also a need to assess the multitude of MEAs that already exist or are in development for areas of overlaps, conflicting mandates and duplication. This would not only contribute towards more streamlined agenda setting but would also have beneficial payoffs in improved coordination during implementation of various related MEAs.

3.1.3 Globalization and Global Governance

Globalization—or, more particularly, the fear of the unknown that lurks behind this ominous catchall—is a constant theme that lurks in the background of the pooled research under review. Globalization, after all, has its winners and losers. Who will be what is all important. The fear, of course, is that the already marginalized and vulnerable will become even more marginalized. For example, the principal concern of ZERO's contributions on trade and environment (Maboyi, 1996; Kitikiti, 1996) is very much whether developing countries, especially in Africa, are again going to emerge as the losers. The same is the concern of Khan (1997) as he looks at Trade and Environment in Pakistan. Other researches looking at other policy areas gravitate to the very same concern.

The challenge of globalization processes relates to more than just their fast pace and ever-changing nature. It relates, much more fundamentally, to how the changing nature of the 'global' is likely to affect the 'local'. This is of importance because, despite all the changes in communication, most people are most often in much more direct contact with the local than with the global. The ultimate implementation of most MEAs—even on issues as obviously 'global' as climate change—requires action at the local, often individual, level. It is important, therefore, to recognize the in-built tussle between the global and the local that exists within every MEA.

It is also important to remember that MEAs are, by definition, a globalizing phenomenon. They are also, by definition, a governance phenomenon. They are, in essence, instruments of global governance. They deserve, therefore, to be treated with both respect and restraint. What this means is that every MEA adds to the evolving system of global governance and one should carefully analyze how it might impact, or be impacted upon by, larger globalization processes. A good example is the case of the transboundary movement of hazardous wastes. IIED's research (Johnstone, 1998a and 1998b) suggests that the impact of economic globalization has so changed the nature of this trade that the proposed ban on the movement of such waste between North and South will no longer have the effects that it was originally conceived to have.

Instead of viewing individual MEAs as isolated Band-Aids for taking care of isolated problems, there is a need to understand each MEA as a part of a larger system of global environmental governance and to establish explicit linkages between related MEAs. In most cases this is not done at the agenda setting phase and exacerbates the aforementioned

problems of overlap, duplication and conflicting mandates at later stages, most often during implementation. The forest security case discussed in the previous chapter is an example of an issue which, despite its individual environmental importance, is considered unripe for a separate MEA because its global facets are already covered within existing MEAs.

This issue points toward the following recommendations:

- ❖ MEAs are instruments of global governance. They should be analyzed as such at the agenda setting stage, particularly in relation to how they might impact, or be impacted upon, by larger processes of globalization; particularly, but not solely, economic and trade globalization.
- ❖ It is also important to understand how each new MEA is likely to interact, or overlap, with existing MEAs and contribute to the ongoing evolution of a system of global environmental governance.

3.1.4 Institutions for Sustainable Development

The promise of sustainable development—hazily defined as it may be—is the cornerstone of an entire generation of emerging MEAs. It was meant to capture the idea that the hitherto all too separate goals of economic progress, social justice and environmental protection have to be and are reconcilable. It has, in fact, enabled a dialogue between actors that might otherwise not have talked to each other. However, it has also generated frustrations as the separate meanings that different actors attach to the concept sometimes turn out to be incompatible.

This concept forms the very basis of all that was agreed to at the 1992 Earth Summit. In fact, the Summit might not even have been held unless it were a meeting of environment *and* development. The 'win-win' solutions that the concept of sustainable development, and the promise of Rio, has come to embody are indeed real—cleaning up pollution usually reduces health care costs; increasing energy efficiency can reduce production costs, increasing recycling can reduce waste disposal costs, and so on. However, there is more to the concept than just 'win-win'. It calls for accelerated development for the poor, much more efforts to address global inequities and a shift in the life styles of the rich in the interest of longer term security. However, as Sandbrook (1997: 645) points out:

The reality is that if the burning issues behind the Rio Earth Summit are to be addressed, there will be winners *and* losers. If we are to be serious about reducing the emissions of greenhouse gases, preventing the destruction of habitats and the loss of biodiversity, or addressing the increasing gap between rich and poor then there will have to be a redistribution of material wealth and of access to natural wealth (including at one end land for the poor and at the other access to the 'service' of absorbing greenhouse gases).

Operationalizing the concept of sustainable development requires more than simply placing an *'and'* between environment and development. The international environmental agenda has failed to internalize, much less operationalize, the link between environment and development. So much so that debates persist about whether the objective of the CCD is simply to manage and mitigate drylands degradation or to address its root causes, including abject poverty and lack of development options (Okpara, 1996c).

An important part of the challenge, which has to be addressed at the agenda setting phase is the design of institutions where the link between environment and development can be examined and operationalized. The UN Commission on Sustainable Development (CSD) was supposed to have played such a role but has not done so as well as one might have hoped. To whatever extent it has operated as such has largely been because certain NGOs--such as SDPI in Pakistan--have been able to insist that it do so. SDPI is a particularly good example in this case since it has had tremendous influence on Pakistan's delegations to the CSD. SDPI has regularly prepared briefs for the Pakistan delegations to the CSD (SDPI, 1993, 1994, 1995, 1996) and was the principal author of the Pakistan Report to the Commission in 1993 (SDPI, 1993). Pakistan's position--and Pakistan's leadership role in the CSD, the South's position--at the CSD has been greatly influenced by their policy briefs. Here is an example of a Southern think-tank being able to not only positively impact the environmental policy positions of its own government but, through that influence, being able to also influence the discourse at international institutions.

Other RING partners--e.g., BCAS on global climate change, or NEST and ZERO on desertification, or Development Alternatives on Sustainable Livelihoods--have similarly demonstrated the pivotal role that nongovernmental think-tanks from the South can, do, and must play to direct the focus of international institutions towards the all-important issue of sustainable development. Doing so is both difficult and expensive. It drains resources from other activities. Moreover, many of these institutions are populated by forces that would prefer the focus to be elsewhere. The problem of international institutions is made all the more complex because of a proliferation of institutions where the same debates are repeated again and again--each MEA, for example, has a separate secretariat. This not only makes for inefficient management of interrelated issues but jacks up the costs of participation for developing country governments and NGOs making their contributions that much less effective and less influential.

The challenge of creating effective institutions for operationalizing sustainable development points toward the following:

- ❖ The development of effective institutions for sustainable development is ultimately as important, if not more, as the development of effective MEAs on particular issues. There is a need to develop a clearer understanding of the landscape of international institutions for environment and development, assessing institutional duplications and redundancies, and develop strategies for institutional streamlining.
- ❖ The existing proliferation of institutions for environmental governance (including treaty secretariats) requires more than simple coordination. A process of institutional pruning and mergers should be undertaken so that we are left with a smaller number of institutions with clearer mandates. A more regional focus is likely to emerge and the UN could act as the sustainable development convenor/broker in each country.

3.2 · NEGOTIATION PHASE

A lot of scholarly as well as practitioner attention is, in fact, invested at the stage of MEA negotiation. The research from NEST, for example, provides a detailed picture of the negotiation phase of the Convention to Combat Desertification.

Box 3.1: The State of International Environmental Affairs

"... The current way of doing business in the UN on such complex issues as the environment and development does not work. Months of efforts expended on producing compromise texts do little to help. If we are to make progress a new *modus operandi* is desperately needed. The present situation simply absorbs too much time and resources...

Many had come to the Rio process on false pretences. The poor world had been persuaded that the rich world was ready to pay to provide the technology for a new agenda. This would protect the global environment (for which read climate systems, biological diversity, deserts and forests) and accelerate the development process. (And indeed *Agenda 21* did cover all aspects of human need and interests.) Sadly, the rich were not ready to pay. Furthermore, as was clear at the time, it is not governments but the private sector that owns technology. They do not invest on the basis of UN accords. Little wonder then that the poor nations have lost interest in taking the process seriously. It has even reached the point where the more the rich seem to care, the more the poor appear to 'obstruct'.

This is not to say the Earth Summit was a failure in domestic terms, as much that is positive has indeed followed. But for the intergovernmental process the 'bargain' that was mistakenly promoted was not delivered... The conclusion must be that governments of the North and the South are not ready to trade away their comparative advantages, much less their sovereignty, in the interests of some global environmental compact...

The stand-off [between North and South] is going nowhere. The South now equates progress since Rio with the size of the aid budget; the North meanwhile is unwilling to pay more. The North also refuses openly to tackle market failures, such as the negative impacts of trade liberalization and globalization... The idea of sustainable development for all is appealing, but we do not have the international institutions to achieve it. The data on which to plan, the trust with which to negotiate, and the honesty to face up to each country's difficulties are also missing. In short, at the international level the environment/development issues, known as sustainable development, is in a mess..."

(Source: Sandbrook, 1997)

Many consider the international negotiation system to be too slow and too unproductive: i.e. it takes too long and the results tend to be watered down platitudes that mean little in terms

of real action and real change. Moreover, international environmental negotiations are particularly problematic because a permanent shadow of North-South tensions hangs heavy over them. Box 3.1 details one view of the sorry state of international environmental affairs.

In reviewing the pooled research, three key issues emerge at this phase of the MEA cycle. These relate to the need to un-package the 'South' to solve the problem of getting past the lowest common denominator, the issue of weak negotiation capacity especially in light of a growing MEA glut, and the importance of NGO networking at the negotiation phase.

3.2.1 Unpackaging the 'South'

The so-called 'South' is a remarkably diverse, and often unwieldy, group. The Group of 77 (G77)—which represents the developing country caucus at all UN negotiations, including MEA deliberations—comprises of nearly 130 states of all sizes ranging from gigantic India and Brazil to tiny St. Lucia and Bhutan. It represents not just the geographical, cultural and religious diversity of every continent, but is equally diverse in politics and ideology—ranging from the still communist Cuba, to the stoutly capitalist Singapore, to royalist Saudi Arabia, to all the possible shades that define the varied political ideologies of countries such as Jamaica, Iran, Tanzania, Argentina, and Indonesia. Even in terms of economic prosperity its members are spread across the world's economic map—from South Korea to Somalia, Malaysia to Mozambique, and Chile to Chad. (See Box 3.2)

Despite these differences, the political commonality—a shared sense of being at the periphery of the international system with little power to influence it, except through collective action—that has held this unlikely group together has been able to successfully weather many a storm for the last quarter century, including the fall of the former Soviet Union. The G77 has survived, and at times even thrived, as a negotiating bloc despite the barrage of criticism over its unwieldy size, its structural rigidity and its inability to leave any significant dents on the international system. In understanding the G77, it is very important to recognize that a) its goal has always been to minimize losses rather than maximize gains, and b) its most important purpose is to make international negotiation manageable for its members. As such, the G77 serves a very important purpose for the developing countries as a bloc, many of whom would otherwise simply not have the skills and resources to participate in the overflowing international agenda of negotiations. For its more powerful members, it serves the purpose of enhancing their international negotiating power.

The G77 does all this while being a very cautious entity, which is ever careful about keeping its coalition intact, even though it espouses a very radical agenda of change. Herein lies its biggest contradiction and its most important management challenge. In holding this huge coalition together through consensus decision-making, the G77 nearly invariably falls into the lowest common denominator trap. Any proposal that is likely to offend any member is rejected and all that is left at the end is the all-too-familiar litany about the historical responsibility of the North, the need for most financial resources, technology transfer, and economic justice. While all these are good things, a certain sense of *deja vu* sets in after one has heard them for the n-th time.

Box 3.2: Member States of the Group of 77 ¹¹

- Afghanistan •
- Antigua & Barbuda •
- Bahrain •
- Belize •
- Bolivia •
- Brazil •
- Burundi •
- Cape Verde •
- Chile •
- Congo •
- Cuba •
- Dominica •
- Egypt •
- Ethiopia •
- Gambia •
- Guatemala •
- Guyana •
- India •
- Iraq •
- Kenya •
- Kuwait •
- Lesotho •
- Madagascar •
- Maldives •
- Marshall Islands •
- Micronesia •
- Mozambique •
- Nepal •
- Nigeria •
- Palestine •
- Paraguay •
- Qatar •
- Samoa •
- Senegal •
- Singapore •
- South Africa •
- St. Lucia •
- Suriname •
- Tanzania •
- Tonga •
- Uganda •
- Vanuatu •
- Yemen •
- Algeria •
- Argentina •
- Bangladesh •
- Benin •
- Bosnia-Herzegovina •
- Brunei Darussalam •
- Cambodia •
- Central African Republic •
- Colombia •
- Costa Rica •
- Cyprus •
- Dominican Republic •
- El Salvador •
- Fiji •
- Ghana •
- Guinea •
- Haiti •
- Indonesia •
- Jamaica •
- Korea (North) •
- Lao •
- Liberia •
- Malawi •
- Mali •
- Mauritania •
- Mongolia •
- Myanmar •
- Nicaragua •
- Oman •
- Panama •
- Peru •
- Romania •
- Sao Tome and Principe •
- Seychelles •
- Solomon Islands •
- Sri Lanka •
- St. Vincent & Grenadines •
- Swaziland •
- Thailand •
- Trinidad & Tobago •
- United Arab Emirates •
- Venezuela •
- Yugoslavia •
- Angola •
- Bahamas •
- Barbados •
- Bhutan •
- Botswana •
- Burkina Faso •
- Cameroon •
- Chad •
- Comoros •
- Côte d'Ivoire •
- Djibouti •
- Ecuador •
- Equatorial Guinea •
- Gabon •
- Grenada •
- Guinea-Bissau •
- Honduras •
- Iran •
- Jordan •
- Korea (South) •
- Lebanon •
- Libya •
- Malaysia •
- Malta •
- Mauritius •
- Morocco •
- Namibia •
- Niger •
- Pakistan •
- Papua New Guinea •
- Philippines •
- Rwanda •
- Saudi Arabia •
- Sierra Leone •
- Somalia •
- St. Kitts and Nevis •
- Sudan •
- Syria •
- Togo •
- Tunisia •
- Uruguay •
- Viet Nam •
- Zaire •
- Zambia •
- Zimbabwe •

Given the real utility that the G77 serves for its members, proposals such as simply disbanding the caucus are not only realistic but likely to create more problems than they actually solve. The need is to seek ways of operation in which the G77 can capitalize on its strength of numbers while not succumbing to the curse of the lowest common denominator.

The Convention on Desertification, with its Regional Annexes seems to have been the first major case where an MEA has been able to adopt a more regional focus for implementation. The analyses on the Basel Convention from IIED suggest that a similar approach that focuses on regional differences within the developing countries may also make sense in the case of transboundary movement of hazardous wastes. Current thinking on climate change suggests the need to a similar 'graduated' approach within the developing countries. None of this would necessarily imply the dismantling of the Group of 77. In fact, a regional focus is built into the original intent and structure of the G77. The need is to operationalize that regional focus and there is a strong case for doing so on environmental issues where the regional differences are important enough to justify such a focus. This will not only provide a way out of the lowest common denominator trap but is also likely to lead to more coherent regional negotiating positions which will ultimately make MEAs more implementable.

Southern NGOs focussing on research and policy issues have an important role to play in this regard since these groups have significant influence over their government delegates during the MEA negotiation phase:

- ❖ In most MEA negotiation, the collective interests of the developing countries are expressed through the G77. However, in a growing number of such agreements there is a felt need to place greater emphasis on regional aspects. This could be done either through the negotiation of regional, as opposed to global, agreements or through the adoption of regional annexes to global agreements, as has been done in the CCD.
- ❖ Policy and research NGOs in the South will play an important role in this potential shift to a more regional focus. This will require more regional analysis with explicit attention to tracing the links between the local, the national, the regional and the global.

3.2.2 Capacity-building for Negotiation

One important result of the MEA glut already referred to above is that at any given point of time one can be sure that some MEA deliberations are going on somewhere. It has become

¹¹ - The membership of Yugoslavia has been suspended and it cannot participate in the activities of the G77. China, although not a full member of the G77 is an associate member and most resolutions of the group in the UN are introduced on behalf of "the Group of 77 and China."

difficult to simply keep up with the basic information on what is happening where, when and on what, let alone make sense of how all of this relates to the larger picture. The situation is difficult enough for governments and NGOs in industrialized countries to keep up with. Given the chronic lack of skills and resources it is outright impossible for governments and NGOs in developing countries to make full and coherent sense of all the MEA activity that may be going on at any point.

Indeed, a number of the RING partners--including BCAS and SDPI on climate change and NEST and ZERO on desertification--have demonstrated that Southern NGOs can not only participate effectively at the international negotiation level, but to enrich the negotiations in the process. However, this requires tremendous investment of resources, time and effort. These investments are not always easy to make. In general, these are the exceptions rather than the rule.

The acute lack of negotiation capacity in developing countries translates to delegate absenteeism, makeshift delegates, overburdened delegates, unprepared delegates, and a lack of continuity in delegation design. Simply the cost of attending one meeting after another in exotic but far-flung locations is exorbitant. Even though the cost of participation for delegates from the poorest countries is usually covered from outside resources, the problems with such participation are persistent. In many ways, this is itself the biggest rationale for the continued utility of something like the G77. However, the implication of this lack of capacity is a reduced quality of participation from developing country delegates and a resultingly stunted sense of ownership for the MEA by these countries. The situation is only worsened by the fact that many MEAs involve a high degree of technical sophistication and scientific uncertainty. Technical capacity often tends to be even less readily available than policy expertise.

Although developing country NGOs also face many of the same constraints on capacity, they do derive one important benefit from this state of affairs. Simply for lack of adequate skills within government institutions, many developing countries are forced to look towards the NGO sector for technical advice and relevant skills. This has provided a number of developing country NGOs an important window of opportunity to influence the negotiation of MEAs. Nearly all RING partners have had the opportunity to exert such influence on their own as well as other governments, during MEA negotiations. Working closely with governments, however, does not imply co-optation. In fact, it poses both a challenge and an advocacy opportunity for research and policy NGOs in the South and should be seen as a

valuable opportunity that should be availed of to the maximum. The relevance of any NGO in working with government during MEA negotiation is directly correlated to the NGOs ability to analyze, understand and articulate the national interest vis-à-vis the MEA in question.

Functioning as clearinghouses of information, analysis and advice on individual MEAs as well as on the larger landscape of related MEAs is a niche that many organizations have occupied and should continue to occupy. For example, both ZERO and NEST played such a role during CCD negotiation (Okpara, 1996b). BCAS plays this role for all of South Asia (and in some ways the South) on climate Change (BCAS, ongoing). Another key function that such NGOs can play relates to the development of national negotiation capacity. Trainings, both in the terms of the substance of individual MEAs and more generally on MEA negotiation, can help create such capacity and ensure a higher quality of participation at MEA negotiation sessions.

In this regards the following key research and policy challenges can be identified:

- ❖ There exists a chronic deficit of technical as well as policy and negotiation capacity within developing country delegations. This provides both an advocacy opportunity and a challenge to research and policy NGOs in these countries to influence their government's negotiating positions as well as work with them to bolster their skills and human resources.
- ❖ A very large number of MEAs are constantly in negotiation with little in way of official coordination, even between related MEAs. Research and policy NGOs have a niche role to play in functioning as clearinghouses of information, analysis, and advice on individual MEAs as well as on the larger landscape of related MEAs. They also have an important role to play in negotiation capacity development through trainings, etc.

3.2.3 NGO Networking

The issue of NGO networking is directly related to the above. Although particular NGOs in developing countries do have the ability to develop a deeper and more detailed understanding of particular MEAs, or even a set of MEAs, than officials in these countries. However, the advantage is relative and only available to a select set of NGOs. In general, the problem of capacity is equally, and in many cases more, profound for the Southern NGOs. Networking with other NGOs within and outside ones own country thus becomes one of the most important strategies for NGO capacity development (Okpara, 1996c; BCAS, ongoing).

Networks, such as RING, not only allow for a pooling of information, skills and capacities but also offer efficiency gain through coordinated divisbn of labor and a utilization of the

comparative advantages that various network members enjoy. Regional networking on the part of African NGOs played a key role in the negotiation of the Convention to Combat Desertification and also had significant impacts on the ultimate shape of the Convention (Okpara, 1996a, 1996b, 1996c). BCAS is playing this role in South Asia on climate change with CANSA. One of the more important lessons from this experience seems to be that NGO networking needs to be planned rather than sporadic. Regular communication and a sharing of information between network partners, a strategic understanding of comparative advantages, and clear divisions of labor are amongst the ingredients that make NGO networks particularly effective.

In keeping with the thrust of our earlier discussion, there is a clear need for NGO networking at all relevant levels: local, national, regional and global. Ultimately it is such networks, as much as potential changes in the system of MEA negotiation that will create the means for information and ideas to flow circularly from the local level to the global and back from the global to the local. Conceptually, one of the most important functions of NGOs, and of NGO networks, in the MEA negotiation process is to facilitate the flow of the most relevant ideas from the local level to the global negotiation table and then to translate the ideas expressed in the MEA back to the realities of the local level.

In this regards the following key research and policy challenges can be identified:

- ❖ NGO networking is not only a means of effective advocacy but also an important strategy for capacity enhancement. NGO networks work best when their activities are planned rather than sporadic and when channels for regular exchange of information are maintained, a strategic understanding of comparative advantages and skills is developed, and a clear division of labor is facilitated.
- ❖ NGO networks should be promoted at all relevant levels: local, national, regional and global. Such networks can play an important role as 'interpreters' of ideas between the global (or regional) level at which most MEAs are negotiated and local and sub-national levels at which they are to be implemented.

3.3 · IMPLEMENTATION PHASE

The real challenge of Multilateral Environmental Agreements is the challenge of implementation. Implementation, however, is a very complex process (see Box 3.3). Implementing MEAs—which are instruments of *international* policy that have, most often, to be implemented at *national* and *sub-national* levels—is a particularly precarious exercise. Issues related to capacity and financial constraints make MEA implementation in developing countries all the more difficult. The pooled research on MEAs that is being reviewed here

has directly confronted these and other issues. In doing so it raises three key challenges related to MEAs in the implementation phase.

All three are, in fact, challenges of sustainable livelihood which is the key RING theme but the subject of a separate paper. While this subject is not elaborated at length here sustainable livelihoods emerges as a recurrent theme in the research reviewed and as the thread that actually ties the local to the global. The notion--and the commitment--to conserve natural resources while protecting the rights of the poor and the vulnerable through providing opportunities for dignity and development is not only a feature that holds the RING together but has to be the basis of its global advocacy at every level; particularly the implementation level. This issue needs to be the rallying cry for all RING initiatives in the global arena.

3.3.1 Localizing the Global

Even though MEAs are, by definition, instruments of international policy, most of them have to be implemented at the national, sub-national or local level. While the need for coordination and collaboration between nations necessitates an international agreement, the agreement itself works only if it can then be 'unbundled' at the national level to lead to sub-national action by industries, communities, or individuals. In essence, most MEAs have to be 'localized' in order to be implemented.

This challenge of translating norms, regulations and commitments that have been negotiated at the international level, to local realities is the single biggest challenge to MEA implementation. Much of the praise that has been expressed for the Desertification Convention is because the CCD is somewhat unique in its attempts to incorporate this process of translation of the 'global' to the 'local' into its implementation design.

As already pointed out, NGOs—as 'interpreters'—play a particularly important role in this process of translation. For example, much of the responsibilities that NGOs have taken upon themselves for the implementation of the CCD serves this translation function (see Toulmin, 1995; Okpara, 1996c). In particular, this is the role that NGOs will play through their inputs in to the preparation and field implementation of National Action Plans (NAPs). What makes NGOs particularly appropriate brokers for such a role is the combination of an understanding of ground realities and MEA complexities that they embody.

Box3.3: Understanding Implementation—The 5C Protocol¹²

Implementation is not an easy concept to define. As a noun, implementation is the state of having achieved the goals of the policy. As a verb it is a process—everything that happens in trying to achieve that policy objective. Thus, just because implementation (noun) is not achieved does not mean that implementation (verb) does not happen.

Implementation is not simply a managerial or administrative problem, it is a political process—it is concerned with who gets what, when, how, where, and from whom. By definition, then, there are multiple actors. Not only is implementation influenced by multiple actors, it operates at multiple levels. Most importantly, implementation is dynamic. This implies that we view implementation as a 'living' process that is not restricted only to translating a stated policy into action but may well transform the policy itself. This is offered as a descriptive rather than a normative statement. In essence, then, we can view implementation as a *dynamic process of negotiation between multiple actors, operating at multiple levels, within and between multiple actors.*

In understanding implementation as a complex political process, rather than a mechanical administrative one, the study of implementation becomes an attempt to unravel the complexity—of following policy as it travels through the complex, dynamic maze of implementation; to understand how it changes its surroundings and how it is changed itself in the process; and, most importantly, to see how it can be influenced to better accomplish the goals it set out to achieve. From our survey of the literature five such variables emerge which are important causal factors that affect policy implementation:

- ❖ *The CONTENT of the policy itself—What it sets out to do (i.e. goals); how it problematizes the issue (i.e. causal theory); how it aims to solve the perceived problem (i.e. methods).*
- ❖ *The nature of the institutional CONTEXT—The corridor (often structured as operating procedures) through which policy must travel, and by whose boundaries it is limited, in the process of implementation.*
- ❖ *The COMMITMENT of those entrusted with carrying out the implementation at various levels to the goals, causal theory, and methods of the policy.*
- ❖ *The administrative CAPACITY of implementers to carry out the changes desired of them.*
- ❖ *The support of CLIENTS AND COALITIONS whose interests are enhanced or threatened by the policy, and the strategies they employ in strengthening or deflecting its implementation.*

Each of these five variables is linked to, and influenced by, the others. For example, implementation capacity is likely to be a function of all the remaining four variables: policy content may, or may not, provide for resources for capacity building; the institutional context of the relevant agencies may hinder or help such capacity enhancement; the commitment of implementers to the goals, causal theory, and methods of the policy may make up for the lack of such capacity—or vice versa; or the coalition of actors opposed to effective implementation may stymie the capacity which might otherwise have been sufficient—here, again, supportive clients and coalitions may in fact enhance capacity. In each case, then, it is the web of interlinkages, rather than only the variables themselves that will influence ultimate implementation.

However, to play such a role in a meaningful manner requires a particular set of attributes. The most important amongst these is the ability to converse in the 'dialects' of the various levels at which an NGO seeks to simultaneously operate. This requires the ability to understand the realities of the local level and to articulate them in a way that is relevant to the global discourse while also being able to comprehend the message coming from the global level and transmit it to the local level so that it does not lose its validity. The ideas about NGO networking and division of labor that were raised earlier become relevant here because they can enable NGOs to better play this role without burdening themselves with an impossible mandate.

¹² - From, "Learning from the Literature on Implementation: A Synthesis Perspective" by Adil Najam, IIASA Working Paper WP-95-61, Laxenburg, Austria: IIASA, 1995.

In essence, the key challenges that this discussion points towards include:

- ❖ The key challenge to MEA implementation is the translation of norms, rules and commitments that have been agreed to at a global level into operational actions that are relevant to and make sense at the local level.
- ❖ NGOs play a critical role in this process of translation. Moreover, NGOs are well suited to this niche role. However, NGOs need to develop the skills that allow them to converse effectively at both the international and the local levels, either directly or through their support networks.

3.3.2 Capacity building for Implementation

In general, the South's capacity for implementing MEAs is, if anything, even more restricted than its capacity to negotiate MEAs. This is partly because MEA implementation is not high on the priority list of most developing country governments. The result is overworked and underpaid officials with limited capacities to understand the complex technical and policy stipulations of an ever-increasing list of MEAs. This is compounded by a general lack of qualified human skills to design national programs or forge operational partnerships for implementation with civil society and the private sector.

Even where such capacity does exist, or is developed with outside assistance, the biggest challenge is to bring about policy coherence in domestic implementation. This can be a major challenge, partly because of the MEA glut discussed earlier (and the existing lack of coherence between different MEAs) and partly because of the difficulties associated with forging policy coherence between MEA requirements and domestic policy goals. The same forces that make a true fusion of environment and development planning difficult at the international level come into play at the domestic level and serve to undermine the goals of sustainable development.

Once again, NGOs can become a very important vehicle for bolstering government capacity for MEA implementation. The baseline socio-economic scenarios produced by SDPI (1997) as an input into the *Climate Change Impact Assessment and Adaptation Strategies for Pakistan* and the *Report on Vulnerability of Bangladesh to Climate Change and Sea Level Rise* prepared by BCAS and associates (GOB/BCAS, 1994) serve as good examples of how NGOs can supplement or make up for a lack of capacity in the government sector on MEA implementation, especially as related to technical and analytical capacity. Policy and research NGOs are increasingly being called in any developing countries to play such a capacity enhancement role in producing technical outputs related to MEA implementation.

NGOs are also likely to play an increasingly important role in the direct implementation of field components of MEAs. In particular, the CCD envisages such a role for NGOs in the implementation of the National Action Plans. A similar role is to be played by NGOs in the implementation of the CBD. Here again, NGOs are playing a role of directly supplementing government capacity to implement an MEA.

A more indirect contribution of NGOs toward capacity building for MEA implementation is through policy research and training activities which serve to identify the gaps in capacity and seek to fill these through appropriate trainings, etc. A more innovative approach in terms of such capacity building is for NGOs to act as brokers in forging partnerships between key actors related to particular MEAs. It is now well understood that the government sector cannot implement MEAs by itself. There is a need to involve civil society and the private sector in these activities. Brokering such involvement from key 'non-traditional' actors in MEA implementation is a something that can have potentially far-reaching impacts.

This discussion raises the following key issues:

- ❖ There is a serious lack of MEA implementation capacity in developing countries. NGOs have a major role to play in supplementing this capacity deficit, both in terms of technical inputs and in relation to actual field implementation of MEA related projects.
- ❖ Research and policy NGOs also have an important role to play in traditional capacity building activities and in acting as a broker between key actors in government, civil society and the private sector on issues related to MEA implementation.

3.3.3 Financing Implementation

The financing of MEAs is probably the single biggest complaint that developing countries have. The truth of the matter is that no existing MEA has been able to properly address the financing needs of the developing countries. The North-South standoff on this subject is repeated at every MEA negotiation. The same speeches are made. The same rhetoric is exchanged. But no real progress is ever made. Most recently, the charade was repeated at the desertification negotiations, but the North refused to budge (Okpara, 1996c).

The GEF remains the only functioning fund from which 'additionalities' amounts can be drawn for activities related to four priority areas: global warming, biodiversity, ozone layer depletion, and international waters. However, many believe that the focus of the GEF remains restrictive, procedures for drawing monies from it are cumbersome, and the pool of money available through it is too little in comparison with the enormity of the environmental

challenge. Those criticisms aside, the fact of the matter is that even this modest fund has not been properly, or fully, utilized until now. The situation, as it now stands, is that the North has been unwilling to commit as much to MEA implementation as it should but the South has also not been very good at utilizing the little that has been made available.

Given that it is unlikely that the North will suddenly become generous overnight or that MEAs will suddenly become vehicles for economic justice and the redistribution of wealth, it is important to begin thinking about new and innovative ways of generating finances for MEA implementation in the developing countries. Given our earlier discussion about how the South is itself not a homogenous whole, one has to at least consider the possibility of raising finances from the more affluent countries within the South and, more importantly, from the affluent classes within the developing countries.

A case can indeed be made for why these rich Southerners should foot at least part of the bill for the domestic MEA implementation in developing countries. However, there is likely to be significant reluctance on the part of developing countries to invest their own monies on implementing those (large) parts of MEAs that do not reflect their developmental priorities. While this reluctance is understandable, developing countries should be held responsible at least for those segments of MEAs that do reflect their developmental priorities. Southern governments have to be held responsible for implementing at least those elements of the MEAs that they sign that actually are parts of their own agenda. If the Southern governments do not give the top priority to the most marginalized and most vulnerable in their own countries, then who will? The CCD is going to be an important test case to see whether developing countries do in fact make the budgetary provisions for the mitigation of drylands degradation that they have committed to.

This does not absolve the North of their responsibilities. While the pressure needs to be maintained on the North to fulfill its obligations there is also a need to seek alternative innovative ways of financing MEA implementations. One way may be to leverage private sector flows. More work needs to be done on how this might be achieved. Clean Development Mechanism and other schemes that build on economic incentives for voluntary implementation of MEA obligations by the private sector may be another way of involving the private sector. Similar incentive structures should also be worked out at the community level for issues such as forests, biodiversity or desertification. As the discussion of forests in the previous chapter suggested, the current situation is riddled with domestic policies that are not only contrary to MEA provisions but also provide incentives for deforestation.

Reviewing and reworking the incentive structures imbedded within existing domestic policies could be a useful first step in ensuring better MEA implementation within existing financial constraints.

Some of the key points that emerge from this discussion include:

- ❖ Financial constraints remain a most important impediment to MEA implementation. The financial support available from the industrialized countries of the North remains limited and is unlikely to dramatically increase anytime soon. There is, therefore, a need to think about alternative innovative sources of financing MEA implementation in the South.
- ❖ Alternative sources of financing could include the leveraging of private sector funds, raising financing from the rich (countries as well as classes) within the South, and devising implementation plans that remove disincentives to voluntary implementation of MEA provisions by the private sector and by communities.

#4 ● LESSONS AND FUTURE DIRECTIONS

This final chapter seeks to highlight the key lessons for policy and research that emerge from pooling together the MEA-related research of the RING partners. It does so in its first section. It will then seek to build upon these lessons and outline some key ingredients of possible research directions for RING. The second part of this chapter is, however, not a proposal per se. It is, instead, a means to organize the learning from this research in a forward looking fashion. The agenda set out in this section is an ambitious one that probably cannot, and certainly should not, be undertaken all at once. However, it is an agenda that, if pursued over time, can influence a better reflection of Southern concerns and priorities in the global environmental arena.

4.1 · LESSONS LEARNED FOR POLICY AND RESEARCH

Two types of lessons emerge from this report. The first relate to the specific MEAs and are detailed in Chapter #2. The second are broader lessons on the MEAs in general and are discussed in detail in Chapter #3.

Given that the research pooled here is representative rather than exhaustive and covers only selected facets of the MEAs in question, it is only natural that the lessons learned are also limited to those facets. The lessons that emerge on the six MEAs that are discussed here are of a varied nature. For example, a heavy emphasis of the pooled research on desertification is on the role of NGOs in MEA negotiation and implementation. This is a success story as far as NGO involvement is concerned. This involvement, in turn has influenced the Convention to Combat Desertification, which is praised in the research for being focussed on local realities and has provisions for community involvement in its implementation design.

The pooled research on forests is of a different nature and relates not to an existing MEA but to the question of whether a separate global agreement on forests is, in fact, needed. The conclusion is that such a global convention would serve little purpose at present. Most of the elements of the problem that are 'global' in nature are already covered by existing MEAs while many of the issues that are not covered by such treaties tend to be national and sub-national in scope. A strong case is presented for why these issues would be better addressed at the local level. However, addressing them at this level means focussing on the needs of the most vulnerable, it means focussing on sustainable livelihoods, and it means focussing on questions of governance--all things that MEAs have not been good at addressing.

The issue of trade and environment is similar in that the research does not focus on a particular treaty but on an emerging issue. It is concluded that increasing trade globalization could have severe impacts on the economic and environmental health of the developing countries. The need is to better understand the global trade regime and the impact it has on issues related to environment and development.

The findings of the research on the Basel Convention on Transboundary Movements of Hazardous Wastes suggest that the nature of international trade in hazardous wastes has changed significantly over the last many years. The recent changes that have been made to the Convention will have to be applied with care if they are to have their desired effect.

The pooled research on climate change and biodiversity largely relates to the various and varied ways in which NGOs can, and do, influence global policy. This ranges from being clearinghouses of information, advocates at the global level, and providers of technical skills and local knowledge. A key lesson here is the important role that is being played by policy

research NGOs at all points of the MEA life-cycle: from actually debating the problem definition, to agenda setting, to negotiation to implementation. On the biodiversity issues, the pooled research also highlighted the need for NGOs to play an important role in acting as a 'broker' between key players who act at various levels during MEA implementation.

The discussion on crosscutting themes in Chapter #3 throws up a number of important lessons related to policy and research. These include:

· The Agenda Setting Phase ·

The Absent South

- ❖ It is extremely important for developing countries in general—and for research and policy NGOs from developing countries in particular—to engage in the discussion on MEAs as early in the agenda setting stage as possible.
- ❖ Research investment in the analysis of options and alternatives at the agenda setting phase will not only have high payoffs in terms of ultimate influence over the MEA but is also a prerequisite for any influence at all.

Rethinking the International Environmental Agenda

- ❖ There is a need to study the appropriateness and relevance of the international environmental agenda itself. This should focus on a) whether the agenda reflects the priorities of the developing countries as a whole or of particular regions within the South, and b) which particular issues are best tackled at which level: international, regional, national, or local.
- ❖ There is also a need to assess the multitude of MEAs that already exist or are in development for areas of overlaps, conflicting mandates and duplication. This would not only contribute towards more streamlined agenda setting but would also have beneficial payoffs in improved coordination during implementation of various related MEAs.

Globalization and Global Governance

- ❖ MEAs are instruments of global governance. They should be analyzed as such at the agenda setting stage, particularly in relation to how they might impact, or be impacted upon, by larger processes of globalization; particularly, but not solely, economic and trade globalization.
- ❖ It is also important to understand how each new MEA is likely to interact, or overlap, with existing MEAs and contribute to the ongoing evolution of a system of global environmental governance.

Institutions for Sustainable Development

- ❖ The development of effective institutions for sustainable development is ultimately as important, if not more, as the development of effective MEAs on particular issues. There is a need to develop a clearer understanding of the landscape of international institutions for environment and development, assessing institutional duplications and redundancies, and develop strategies that may lead to institutional streamlining.
- ❖ The existing proliferation of institutions for environmental governance (including treaty secretariats) requires more than simple coordination. A process of institutional pruning and mergers should be undertaken so that we are left with a smaller number of institutions with clearer mandates. A more regional focus is likely to emerge and the UN could act as the sustainable development convenor/broker in each country.

· The Negotiation Phase ·

Unpackaging the 'South'

- ❖ In most MEA negotiations, the collective interests of the developing countries are expressed through the G77. However, in a growing number of such negotiations there is a felt need to place greater emphasis on regional aspects. This could be done—within the G77 framework—either

through the negotiation of regional, as opposed to global, agreements or through the adoption of regional annexes to global agreements, as has been done in the CCD.

- ❖ Policy and research NGOs in the South will play an important role in this potential shift to a more regional focus. This will require more regional analysis with explicit attention to tracing the links between the local, the national, the regional and the global.

Capacity-building for Negotiation

- ❖ There exists a chronic deficit of technical as well as policy and negotiation capacity within developing country delegations. This provides both an advocacy opportunity and a challenge to policy research NGOs in these countries to influence their government's negotiating positions as well as work with them to bolster their skills and human resources.
- ❖ A very large number of MEAs are constantly in negotiation with little in way of official coordination, even between related MEAs. Policy research NGOs have a niche role to play in functioning as clearinghouses of information, analysis, and advice on individual MEAs as well as on the larger landscape of related MEAs. They also have an important role to play in negotiation capacity development through trainings, etc.

NGO Networking

- ❖ NGO networking is not only a means of effective advocacy but also an important strategy for capacity enhancement. NGO networks work best when their activities are planned rather than sporadic and when channels for regular exchange of information are maintained, a strategic understanding of comparative advantages and skills is developed, and a clear division of labor is facilitated.
- ❖ NGO networks should be promoted at all relevant levels: local, national, regional and global. Such networks can play an important role as 'interpreters' of ideas between the global (or regional) level at which most MEAs are negotiated and local and sub-national levels at which they are to be implemented.

· The Implementation Phase ·

Localizing the Global

- ❖ The key challenge to MEA implementation is the translation of norms, rules and commitments that have been agreed to at a global level into operational actions that are relevant to and make sense at the local level.
- ❖ NGOs play a critical role in this process of translation. Moreover, NGOs are well suited to this niche role. However, NGOs need to develop the skills that allow them to converse effectively at both the international and the local levels, either directly or through their support networks.

Capacity building for Implementation

- ❖ There is a serious lack of MEA implementation capacity in developing countries. NGOs have a major role to play in supplementing this capacity deficit, both in terms of technical inputs and in relation to actual field implementation of MEA related projects.
- ❖ Research and policy NGOs also have an important role to play in traditional capacity building activities and in acting as a broker between key actors in government, civil society and the private sector on issues related to MEA implementation.

Financing Implementation

- ❖ Financial constraints remain a most important impediment to MEA implementation. The financial support available from the industrialized countries of the North remains limited and is unlikely to dramatically increase anytime soon. There is, therefore, a need to think about alternative innovative sources of financing MEA implementation in the South.
- ❖ Alternative sources of financing could include the leveraging of private sector funds, raising financing from the rich (countries as well as classes) within the South, and devising implementation plans that remove disincentives to voluntary implementation of MEA provisions by the private sector and by communities.

4.2 · TOWARDS A RESEARCH AGENDA FOR THE FUTURE

As should be clear from the previous section, the research on MEAs undertaken by RING partners spans the entire range of research and policy issues related to Multilateral Environmental Agreements. Any number of important and interesting research questions could be picked up from the array of ideas that have been thrown up by this pooling of research. While trying to study all (or even a substantial chunk of) these issues would be an unmanageable task, there are certain clusters of predominant ideas around which a coherent and doable framework for future collaborative research could be structured.

It is understood that devising the details of any such research agenda would require direct feedback from RING institutions as well as much more detail about their future activities (related to MEAs) that are already planned or in the pipeline. The outline proposal, which follows (see Box 4.1 for a summary), is based only on the following criteria:

- ❖ **Informed by prior research:** The agenda for future research should be informed by the key challenges, issues and priorities raised by this review of pooled research from RING partners.
- ❖ **Relevant to key constituencies:** The agenda for future research should respond to the key challenges, issues and priorities identified by the larger literature and discussion on MEAs, especially areas that are of special concern and relevance to NGOs and to developing countries.
- ❖ **Realistically doable:** The agenda for future research should be realistic. In particular, it should realize the: i) difficulties of conducting collaborative research between geographically dispersed institutions; ii) danger of overburdening RING partners with new agendas unrelated to their current and planned activities; iii) problems related with MEA research in general including the slow pace of MEA activity, the costs involved in following international processes, and the difficulties associated with collecting reliable and timely information (data) on what are essentially political processes.

4.2.1 The Challenge

One of the single most striking, though often unstated, themes that runs through the pooled research is about the key function that NGOs, especially policy research NGOs, play—and/or should play—in relation to MEAs. This relates to the challenge of 'translating' local priorities and concerns onto the international canvas and then '(re-)translating' the decisions taken at the international level into actions that respond to, and are relevant to, local realities. The critical importance of this 'translation' or 'brokering' function emanates directly from the fact that although MEAs are (by definition) negotiated at the international—often global—level but invariably have to be implemented at the sub-national—often local—level.

Box 4.1: Towards a Research Agenda for the Future

· Challenge: A 'translation role' ·

The key challenge for policy research NGOs working on sustainable development issues in the South is to play a 'brokering' or 'translation' role by:

- ❖ ensuring that relevant local realities and concerns are properly reflected in MEA discussions in international forums; and
- ❖ translating the norms, rules and commitments that are agreed to at a international level into operational actions that make sense at the relevant local levels.

· Focus Areas ·

- ❖ **REGIONAL FOCUS:** Focussing on MEA initiatives at the global level that might be better tackled at the regional level or MEA initiatives that might benefit from a global *as well as* a regional focus; how countries from within a region might learn from the experiences of other countries within that region, especially in relation to implementation; and if, how, and why the experiences of different regions differ, especially in relation to MEA implementation.
- ❖ **CAPACITY BUILDING:** Including the identification of general capacity requirements at each stage of the MEA process, cataloging specific capacity deficiencies in different countries or agencies, or in relation to particular MEAs, or in relation to MEAs in general; and developing, individually and collectively, capacity building programs (such as trainings) to strengthen the capacity of other RING institutions and other key partners (including government).
- ❖ **MONITORING:** Including the development of a simple, but meaningful, format for MEA implementation around which rapid periodic assessments of progress can be made; and conducting periodic independent assessments of progress on the implementation of selected MEAs.
- ❖ **SUSTAINABLE LIVELIHOODS:** This should be the rallying focus on RING collaborative research on MEAs. The international agenda has ignored and sidestepped this issue. In doing so it is, and will remain, irrelevant to the most important concerns and needs of the most vulnerable communities. Substantively, this should be the focus of research.

· Strategy: Networking and 'Adopt an MEA' ·

Strategically, RING's biggest asset for research on MEAs is that it is an established network, which covers all continents of the South, and has a track record of having worked together, can be an invaluable asset in collaborative research on an international topic such as multilateral environmental agreements.

An "Adopt an MEA" approach is suggested. The notion is to select a small set of MEAs that the network agrees to collaboratively study. The idea is *not* to have each RING partner studying *each* of the selected MEAs but to come up with a list whereby a minimum of two institutions are focussing on each selected MEA. Initial areas of focus may include: a) Climate Change, b) Trade and Environment, c) Desertification.

· Possible Deliverables ·

+++ An 'Idiot-guide to MEAs' (or 'All You Ever Wanted to Know About MEAs But Were Afraid To Ask')

+++ RING Position Papers and Resource Packs

+++ A 'South Agenda' Survey

+++ An 'Independent Assessment of MEA Implementation' Report

· A "Rio+10" Project ·

Since RING came together at the 1992 Earth Summit it is only fitting to take stock of Rio's achievements-- or otherwise--at its 10th Anniversary. One way to do so is to work towards an edited book on the legacy of Rio, to be released at an appropriate forum during the second half of 2002. The book could be a collection of essays on issues of broader conceptual significance and research papers on Agenda 21 and special MEAs.

As such, a good starting point for an agenda for future research on MEAs is the explicit recognition that:

- ❖ The key challenge for policy research NGOs working on sustainable development issues in the South is to play a 'brokering' or 'translation' role by a) ensuring that relevant local realities and concerns are properly reflected in MEA discussions in international forums; and b) translating the norms, rules and commitments that are agreed to at a international level into operational actions that make sense at the relevant local levels.

4.2.2 Focal Areas for Research

Although a number of things need to be done in order to respond to this broad and daunting challenge, the research clearly points towards three priority areas. These relate to the need to give particular attention to the regional level, capacity constraints, and systematically following MEA processes (i.e. monitoring).

A **focus on the regional level** would point toward research questions, such as the following:

- ❖ Are there particular MEA initiatives at the global level that might be better tackled at the regional level?
- ❖ Are there particular MEA initiatives that might benefit from a global *as well as* a regional focus (e.g. through regional annexes)?
- ❖ What might countries from within a region learn from the experiences of other countries within that region, especially in relation to implementation?
- ❖ If, how, and why do the environmental priorities of different regions differ?
- ❖ If, how, and why do the experiences of different regions differ, especially in relation to MEA implementation?

The RING has an important advantage in this area because its current membership is naturally concentrated in three very important regions within the South: lower Africa (ZERO, NEST, ACT), South Asia (BCAS, Development Alternatives, SDPI), and Latin America (IIED-AL). Structured, regional research on MEA experiences in different regions could also lead to some very interesting inter-regional comparisons.

Capacity building, despite having become somewhat of a cliché, remains one of the most significant challenges at each stage of the MEA process: agenda setting, negotiation and implementation. In particular, the understanding of the complicated world of international institutions, overlapping MEAs, and attendant global processes tends to be skimpy to sporadic within NGOs as well as governments. The pooled research points towards the importance both of enhancing the capacity of policy research NGOs in the South and the role that such NGOs can play in complementing the capacities of their governments. In this regards collaborative efforts by RING partners may include:

- ❖ Identifying general capacity requirements at each stage of the MEA process, cataloging specific capacity deficiencies in different countries or agencies, or in relation to particular MEAs, or in relation to MEAs in general.
- ❖ Developing, individually and collectively, capacity building programs (such as trainings)—capitalizing on each organization's comparative advantage—to strengthen the capacity of other RING institutions and of other key partners (including government) within those and other countries.

Although the issue of **monitoring** was not directly raised in the pooled research, the need of systematically following MEA processes (or rather the absence of the same) was raised repeatedly. This also happens to be one of the important gaps identified by the larger literature on MEAs. Since MEAs are essentially living political processes, monitoring also serves an important capacity building purpose by providing a perspective on where a particular MEA is coming from (in terms of historical antecedents), where it is heading (in terms of its stated goals), how well it is doing (in terms of achieving its goals), and whether it needs course correction. Although the monitoring function is built into many MEAs, often in the shape of national reports to the conference of the parties (COPs), the structure and substance of such reports is often criticized as betraying their essential purpose. A focus on collaborative research on monitoring would entail activities such as:

- ❖ Developing a simple, but meaningful, format for MEA implementation around which rapid periodic assessments of progress can be made. Much of this would involve reviewing the official national reports and interviews with relevant agencies, NGOs and individuals.
- ❖ Conducting periodic independent assessments of progress on the implementation of selected MEAs in a set of selected countries in a comparative context.

Finally, and most important, **sustainable livelihoods** has emerged as the single most common thread that not only holds the research of the RING partners together but which also ties the local to the global. Global discussions have routinely ignored questions of sustainable livelihoods. The research reviewed here has consistently brought it up as the most important missing element, and the difference between relevance and non-relevance. RING has a natural advantage in its commitment and experience in this area; more than that MEAs need to look at this issue. Therefore:

- ❖ Sustainable Livelihoods should be the rallying focus on RING collaborative research on MEAs. The international agenda has ignored and sidestepped this issue. In doing so it is, and will remain, irrelevant to the most important concerns and needs of the most vulnerable communities. Substantively, this should be the focus of research.

4.2.3 Strategy

The criterion of 'doability' defined above suggests that the research agenda laid out here while not impossible is certainly challenging. To implement it RING will require a strategy

that builds on the strengths of the network and its members. Strategically, an established network, which covers all continents of the South, and has a track record of having worked together, can be an invaluable asset in collaborative research on an international topic such as multilateral environmental agreements. Networking, therefore, should not simply be seen as a structural feature of RING but as a 'strategy' for collaborative research.

However, the world of MEAs is wide and broad; as are the MEA interests of RING partners. Although particular institutions will, and should, continue focussing on whatever MEAs are most relevant to their constituencies at any point of time, meaningful comparative research would require limiting the focus on a manageable number of MEAs. Therefore, for the purpose of the comparative RING research component, an "*Adopt an MEA*" approach is suggested. The notion is to select, from the larger pool of MEAs that RING partners are working on anyhow, a smaller set of MEAs that the network as a whole agrees to collaboratively study in relation of the three focal areas described above.

The idea is *not* to have each RING partner studying *each* of the selected MEAs but to come up with a list whereby a minimum of two institutions are focussing on each selected MEA (in practice it is likely to be more than that and some MEAs will be of interest to most, if not all, partners). Ideally one would hope for a total of around three MEAs (one each in the agenda setting, negotiation, and implementation phase) to be selected by RING. Each RING institution participating in the collaborative research on MEAs would be focussing on one or two MEAs (anything more would become an excessive demand; also, not every RING partner may wish to be involved in the MEA component of the collaborative research).

As mentioned, there already are some MEAs (e.g., climate change) where all RING partners are already actively involved. On these, RING should start coming up with joint positions. These can be formalized in joint briefs that can be presented on behalf of RING and its members at key meetings (e.g., the UNFCCC Negotiating Sessions). On other issues where only a few partners are more active, they can take the lead in preparing 'Resource Packs' on key issues for other RING partners as well as for other NGOs working in the area. These could also lead to specific RING sponsored workshops on selected MEAs. Such activities will also assist in giving RING a more presence as a collective and thereby 'putting it on the map' of multilateral environmental agreements. Moreover, any joint statement or position coming from a collection of NGOs as eminent as this is bound to get significant international attention.

At this point one can only speculate about which set of MEAs would best suit the needs of RING partners. However, given the areas covered in the pooled research and current trends and priorities in international environmental affairs one might hazard that an interesting set to study through collaborative research would be:

- ❖ **Trade and Environment:** It is currently in the agenda setting phase. It is widely regarded (including in this pooled research) as one of the most significant areas as far as future MEAs are concerned. It is an area with important and wide-ranging impacts on the developing countries.
- ❖ **Climate Change:** It is currently in the negotiation phase. This is an issue mired in North-South conflict and with severe and long-lasting economic implications for all countries (not to mention survival implications for a number of developing countries). After the recent Kyoto Protocol there is a widely held view in the North that the next step should be demanding some form of binding commitments from the South. It is likely to remain one of the most important environmental negotiations for developing countries for the next many years.
- ❖ **Desertification:** It is now in the implementation phase. Desertification is widely seen as an "MEA with a difference" especially as far as its treatment of local communities and NGOs are concerned. However, it is still without a stable source of financing and it remains debatable whether it will live up to its promise. Its implementation phase, which is just beginning, is likely to provide many important lessons for future MEAs.

In addition, all three are areas where RING partners have already done, and are now doing, a significant amount of work.

4.2.4 Some Deliverables

Presenting a detailed proposal for future research is not the mandate of this paper. A detailed description of outputs is also, therefore, beyond the scope on the current discussion. However, the ideas above suggest at least four possible 'deliverables' (in addition to more formal research reports, etc.) that could have important policy impacts and be useful to MEA scholars, activists and practitioners.

An 'Idiot-guide to MEAs' (or 'All You Ever Wanted to Know About MEAs But Were Afraid To Ask'): The world of MEAs is a very complex world. Even those who have spent years working in this world are sometimes lost on exactly how it works (which may be why it so often does not work!). Producing a simple, easy-to-use text on MEAs in general would be a great service to all, but especially NGOs, working on (or wishing to work on) MEAs.

Some attempts at such an NGO guide have been made but these have usually ended up being in a format that is only understandable to those who already understand the issue. Much of the information required for such a booklet is already available in a variety of

academic and NGO sources; however, it is not available in a handy, easy-to-use, and accessible format. Providing it in such a form would, in itself, be an important capacity-building contribution. Such a booklet would include, apart from other, information on: what are the important MEAs, what areas do they cover, what are the key provisions, who are the signatories; what MEAs relate to which substantive areas and where are the redundancies and duplications; which are the key international environmental institutions, what are their relationships to each other; what is the general process of MEA negotiation and how can NGOs participate in this process either at the domestic or the international level; etc.

Ring Position Papers and MEA Resource Packs: As mentioned earlier, any joint statement that is issued jointly on behalf of as eminent a group of NGOs as this is bound to attract international attention. While many are in the habit of making statements and assertions on behalf of 'global' constituencies, few are actually in a position to do so legitimately. RING certainly comes close. Here is a collective of some of the most respected nongovernmental think-tanks working on issues of sustainable development in four continents of the world. This position of great strength should be capitalized upon. One way of doing so is to issue joint position statements (and papers) on selected MEAs on which all RING members are active (e.g., climate change or trade and environment). These can and should be released at visible events related to MEA negotiations through press conferences and/or panel discussions. Related to this--and to the 'idiot guide' idea above--is the preparation of 'Resource Packs' on specific MEAs. Those RING partners that are most involved in any given issue should be asked to prepare these as a way to inform other RING partners and other relevant actors on the key issues and debates around that MEA.

A 'South Agenda' Survey: An oft-repeated complaint of Southern governments and NGOs is that the international environmental agenda has been defined by Northern interests and does not reflect the true interests of the South. However, no comprehensive and authoritative articulation of the South's agenda is available. This has led to all sorts of problems including a tendency by the developing countries to be reactive rather than proactive in international environmental affairs and more finger pointing than may be actually necessary. An international network such as RING is very well placed to undertake a well-designed and carefully conducted 'experts survey' on exactly what the "South's agenda" on environment and sustainable development is. If done properly, the effort-to-impact ratio of such a project could be relatively high. Such an effort would begin a more serious discussion within the South on exactly what its MEA priorities are. Moreover, it could

also be a useful way of highlighting regional differences as well as similarities on international environmental affairs.

An '*Independent Assessment of MEA Implementation*' Report: In relation to the monitoring focus described above, the independent assessments of implementation on selected MEAs in selected countries could be compiled into an '*Independent Assessment of MEA Implementation*' Report on those MEAs. These could be released along with the national reports at the related COP meetings. It is not necessary for such a report to be comprehensive. A report on, say, around ten countries from different regions of the world (including a few industrialized countries) could be a useful first step. In fact, it could encourage other NGOs in other countries to follow suit, possibly in collaboration with RING. The important point would be to carefully develop a format for assessment that is relatively easy to produce and easy to understand. No matter how modestly such an endeavor begins, it could ultimately have a profound impact on MEA implementation.

4.2.5 A "Rio+10" Project

Since RING came together at the 1992 Earth Summit at Rio de Janeiro it is only fitting that it somehow takes stock of the achievements--or otherwise--of the Rio process at its 10th Anniversary. A focus on MEAs for such a project would be entirely logical and appropriate. One way to do so in the spirit of collaborative research is to work towards an edited book on the subject to be released in time for Rio+10 celebrations. The book would be released publicly at an appropriate forum during the second half of 2002. The first half of such a book could be a collection of essays on issues of broader conceptual significance (e.g., how to move towards North-South cooperation; the role of civil society in MEA negotiation and implementation; instilling an agenda of sustainable livelihoods in MEAs; etc.). The second half include research papers in the spirit of being 'report cards' of sorts on Agenda 21 and special MEAs. Different RING partners could take on different elements of the research and it would also trigger several of the other deliverables mentioned earlier.

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