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WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT

SECOND MEETING  
Jakarta, 27-29 March 1985

WCED/85/10

Item 6.6 of the Provisional Agenda

PROPOSED PROGRAMME OF WORK ON  
INTERNATIONAL COOPERATION

PROPOSED WORK PROGRAMME: INTERNATIONAL CO-OPERATION

Note by the Secretary-General

1. In its work on international co-operation, the Commission will build on experience to date with multilateral discussions and negotiations, international law and institutional arrangements. While respecting the complex ecological and geo-political realities of environment and development issues, the Commission will need to examine ways of strengthening existing forms of international co-operation. It will also consider new forms that move beyond traditional patterns and offer new possibilities to influence policies and events in the direction of needed change.
2. In doing so, there are a number of critical questions that the Commission will need to address regarding shared international problems and resources and the international legal and institutional framework.

Shared Problems and Resources

- What are the implications for national decision-making and international co-operation of increased economic and ecological interdependence within and among nations?
- What are the new problems, new possibilities, even new imperatives, that will arise as interdependence increases?
- How to better ensure the protection and sustainable and equitable use of areas outside national jurisdictions, of natural resources shared by two or more states, or of unique species, sites and eco-systems of international significance?

International Legal Framework

- What are the strengths, weaknesses and gaps in the present international legal framework regarding environmental protection and sustainable development?

- What is the status of existing multilateral conventions related to environment? What legal concepts, principles and guidelines exist or need to be developed in support of environment protection and sustainable development?
- How can existing methods and procedures for avoiding or resolving international disputes regarding resource use and environmental protection be strengthened or augmented?

#### International Institutional Arrangements

- As many of what were formerly called "natural" disasters are increasingly being recognised as man-induced disasters (with environmental degradation as a principle cause), how can the present disaster response capability be improved? More importantly, how can an effective political and institutional capacity best be developed for anticipating and preventing man-induced disasters?
- As many problems of environment and sustainable development have fundamental and common sources in sectoral policies and related economic and trade policies, what specific adjustments and changes are needed in existing institutional arrangements in order to deal more effectively with them?
- What are the existing and potential roles and capabilities relevant to environment and sustainable development of non-governmental organizations?
- As political support and funds are still more readily available for curative than for preventative measures, how can existing possibilities for financing international action in support of preventative measures be extended and augmented?

#### PROPOSED WORK PROGRAMME

3. The following draft work programme has been developed to address these questions. Each of the main elements are briefly described below.

##### 1. International Co-operation: Shared Problems and Resources

1.1 Implications of Increasing Interdependence: New Problems and Possibilities - A major implication of economic and ecological interdependence is that, as it inevitably increases, the ability of governments to deal unilaterally with problems on a national scale diminishes (e.g. the inter-national linkages on energy -fuelwood - deforestation - species loss - human health and agriculture, etc.). Increasing interdependence also increases the factors which can unite or divide national further (e.g. the different sources and impacts of climate change). These and other aspects will create new problems and possibilities for international co-operation which the study will attempt to identify and assess.

1.2 Global and Regional Commons, Heritage and Shared Natural Resources - Several summary reports will be prepared on the special characteristics of international co-operation now in place or needed regarding areas outside national jurisdictions (e.g., oceans and regional seas, Antartica, Outer Space); for unique species, sites and eco-systems of international significance; and for natural resources shared by two or more states.

## 2. International Conventions, Legal Principles and Modalities

2.1 Existing and Emerging Legal Concepts, Principles and Guidelines Applicable to Environment and Sustainable Development - A major study will be carried out to identify, document and test existing and emerging legal concepts, principles and guidelines applicable to environment and sustainable development (e.g. regarding the use of shared natural resources; obligations to prevent, abate and control transfrontier pollution; etc.). An initial report will be completed by October 1985 in order to provide an early and common basis for discussions within and outside the WCED on strengthening and extending existing international law. A second and definitive report, taking into account comments and suggestions received, would be re-submitted to the Commission by mid-1986.

2.2 Existing and New Modalities for Avoiding or Resolving Environment Disputes - The study would identify and assess existing and new methods, procedures and institutions for avoiding (e.g. prior notification and consultation procedures) or resolving (e.g. arbitration; mediation; special commissions, etc.) international disputes on matters of resource use and environmental protection, and also consider the special requirements of periodic large scale disasters (e.g., Amoco Cadiz, Bhopal, etc.).

2.3 Multilateral Conventions Related to the Environment - The IUCN Environmental Law Centre (IUCN/ELC) has prepared a chart showing the current status of over 100 multilateral conventions related to the environment. It will be submitted to the WCED Meeting in March 1985 and be periodically updated and re-issued. The chart and related IUCN/ELC back up information will be used as a basis for identifying conventions which need to be brought into force, or reinforced, as well as gaps in the present international legal framework.

### 3. International Institutional Arrangements

3.1 Existing and Potential Roles and Work of Non-Governmental Organizations - Over the past decade, non-governmental organizations have had a significant influence on public attitudes and policy regarding environmental protection and improvement in and among many countries (e.g. IUCN; WWF; Friends of the Earth; IOCU; etc.). They also undertake or support many relevant public information campaigns and practical field projects around the world (e.g. campaigns on endangered species, tropical plants and forests; fuelwood and reforestation projects; disaster relief; etc.). NGO's would be invited to contribute to a study for the Commission on their many different existing and potential roles and work relevant to environment and sustainable development.

3.2 Proposals to Strengthen International Institutional Arrangements - These will largely emerge as integral parts of the final reports to the Commission by the different WCED Advisory Panels and Working Groups, especially for the key issue areas. Other proposals will likely also be made by other experts and organizations which voluntarily submit reports to the Commission.

3.3 Improving the Capacity to Anticipate and Prevent Man-Induced Disasters - Many of what were formerly considered "natural" disasters are increasingly seen as largely man-induced disasters, with environmental degradation as a major contributing cause. While there remain many questions about the efficiency and effectiveness of disaster relief efforts themselves, the capacity to anticipate and take preventative measures is far weaker. This study would examine both aspects, but with greater attention to improving the capacity, and especially the political and institutional capacity, to anticipate and prevent man-induced disasters.

3.4 Existing and Potential Methods for Financing International Action on Environment and Sustainable Development - Over the past 15 years the number, frequency and impact of man-induced disasters have increased. For such disaster as well as for environmental pollution and degradation, the amount of money spent annually in simply responding to these problems is far greater than the funds available for putting in place the preventative measures for avoiding them or at least reducing their impacts. This study would identify and assess existing and potential methods for financing international action, particularly for anticipatory and preventative measures (e.g. assessed budgets; special trust funds; polluter or user charges for global commons; etc.).

DRAFT WORKPLAN

4. It is proposed that the work proceed in three related phases.

March to December 1985

During this phase a series of analytical overviews (on, for example, existing and emerging legal concepts, principles and guidelines) and summary reports (on, for example, the existing and potential roles and relevant work of non-governmental organizations) will be completed and submitted to the Commission. Together, these reports are intended to provide a common basis and reference point for subsequent discussions within and outside the Commission on ways of strengthening and extending international co-operation in support of environment and sustainable development.

September 1985 to June 1986

During this phase the various Advisory Panels and Working Groups established by the Commission will be examining the substantive issues in their respective key issue areas. In developing their reports, they will also be assessing the legal and institutional implications of their findings. As their reports evolve, the various proposals on legal and institutional changes will need to be reviewed and compared so that recommendations in the final reports submitted to the Commission are as consistent and complementary as possible.

June 1986 to early 1987

During this phase the Commission must discuss and agree on the main points, conclusions and recommendations to be included in its final report for strengthening and augmenting the political, legal and institutional capacity for dealing more effectively with key environment and development issues. The Commission will have as a basis for discussion a range of specific proposals developed during the first two phases by its own Advisory Panels and Working Groups, as well as other relevant proposals which other organizations and groups may have submitted for consideration.

5. A summary chart is attached showing the proposed issue papers and studies, the individual or institution which will have the primary assignment (if confirmed), a preliminary list of possible co-operating institutions, the scheduled completion date for the report, and the body to whom the report will be submitted.



**WORLD COMMISSION ON ENVIRONMENT AND DEVELOPMENT**

**International Co-operation**

**Special Advisor: R.D. Munro**

**Advisory Panel**

(It is not proposed to establish an Advisory Panel at this stage as the principal discussions and work will occur in the various other Panels, Working Groups and the Commission itself)

<b><u>Issue Papers</u></b>	<b><u>Primary Assignment</u></b>	<b><u>Possible Co-operating Institutions</u></b>	<b><u>Completed by</u></b>	<b><u>Report to</u></b>
<b>1. <u>International Co-operation: Shared Problems and Resources</u></b>				
1.1 The Implications of Increasing Interdependence: New Problems and Possibilities	-	IIED OECD UNCTAD	Dec. 85	WCED
1.2 Global and Regional Commons, Heritage and Shared Natural Resources	-	UNESCO, UNEP, IUCN	Dec. 85	WCED
<b>2. <u>International Conventions, Legal Principles and Modalities</u></b>				
2.1 Existing and Emerging Legal Concepts, Principles and Guidelines	-	ECEL, ICEL, IUCN/CEPLA, FAO, UNEP, ILA, HAIL, UN/ILC, ICJ	Oct 85	WCED
- Proposals to Strengthen and Augment Existing Concepts, Principles and Guidelines	From other Panels, WG's and reports to WCED	-	Jun 86	WCED
2.2 Existing and New Modalities for Avoiding or Resolving Environmental Disputes	-	EMI, ILA, IUCN/ELC, ILC	Oct 85	WCED
- Proposals to Strengthen or Add to Existing Mechanisms and Methods	From other Panels, WG's and reports to	-	Jun 86	WCED
2.3 Status of Multilateral Conventions Related to the Environment	F.Burhenne	IUCN/ELC	Mar. 85	WCED
- Proposals to Strengthen and Augment Existing Conventions, Agreements and Codes	From other Panels WG's and reports to WCED WCED	-	Jun 86	WCED

<u>Issue Papers</u>	<u>Primary Assignment</u>	<u>Possible Co-operating Institutions</u>	<u>Completed by</u>	<u>Report to</u>
3. <u>International Institutional Arrangements</u>				
3.1 Existing and Potential Roles and Work on Environment and Sustainable Development of Non-Governmental Organizations	-	ELC UIA	Oct 85	WCED
3.2 Proposals to Strengthen and Augment International Institutional Arrangements (especially in Key Issue Areas)	From other Panels. WG's and reports to WCED	-	Jun 86	WCED
3.3 Improving the Capacity to Anticipate and Prevent Man-Induced Disasters	-	LRCS/SRC UNDRO IIED	Dec 85	WCED
3.4 Study of Existing and Potential Methods for Financing International Action on Environment and Sustainable Development	-	-	Dec 85	WCED