



January 1993

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### Recommended Citation

Reilly, William K. (1993) "Reflections on Rio," *Journal of Natural Resources & Environmental Law*. Vol. 8 :  
Iss. 2 , Article 8.

Available at: <https://uknowledge.uky.edu/jnrel/vol8/iss2/8>

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# Reflections on Rio\*

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The term "watershed" is overused, but the recent United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro, Brazil—the "Earth Summit" or the Rio Conference as it has come to be known—was truly such an event in the evolution of environmental protection. Three times as many countries (180) were in attendance at this summit as were present when the United Nations was organized, twice as many were present as signed the Montreal Protocol to protect the ozone layer. In all, 40,000 participants, 9,000 journalists, and over 100 heads of state were in attendance.

This Earth Summit occurred twenty years after the first great international environmental meeting—the Stockholm Conference of 1972. The Stockholm Conference raised the profile of environmental concerns internationally. Many countries created environmental ministries. However, the environment in most countries did not become a priority, nor did trade, economic, or foreign policy typically begin to incorporate environmental values. The purpose of the Rio Conference was to elevate the environment as a priority and to promote greater integration of environmental goals and economic aspirations.

Expectations for UNCED were high, and inevitably some expectations could not be met. What is extraordinary, though, is how many of those high hopes were fulfilled:

(1) *A Framework Convention on Climate Change*: 154 countries committed to decrease harmful levels of greenhouse gases, develop national action plans, and increase scientific research and monitoring. A sound framework for addressing and periodically reviewing the science, economics, and technology relevant to climate change was adopted.

(2) *A Convention on Biological Diversity*: The biological diversity treaty addresses the problem of worldwide species loss,

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\* The opinions contained in this essay are those of William K. Reilly and are not necessarily reflective of the views of the JOURNAL OF NATURAL RESOURCES & ENVIRONMENTAL LAW.

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with a commitment to national plans and conservation strategies. The United States' decision not to sign the treaty was the subject of intense controversy. This decision was not based on an opposition to the conservation elements of the agreement, which we continue to support, but rather on legal, financial and other concerns wholly unrelated to protecting wildlife. These objections notwithstanding, President Bush made it clear in his speech at UNCED that the United States will exceed the conservation goals of the Conference, and we will fulfill that pledge.

(3) *A Declaration of Principle on Forests*: In negotiating this declaration, I was struck by how offensive developing countries find concepts like "global forest values," "carbon sinks," and "international concern." Genuine fear of "globalization" of their resources explains the opposition of forested, developing countries to a forest convention. The United States and other countries will continue to make forests a priority and commit substantial funds for their protection. Specifically, the United States will continue to push the "Forests for the Future Initiative." This initiative proposes to double forest assistance worldwide as it promotes forest conservation.

(4) *Agenda 21*: Perhaps the most remarkable achievement of the conference was this 900-page action plan, adopted by the consensus of the 180 countries present. This plan addresses issues ranging from atmospheric and ocean protection, to guidelines for environmental impact statements, toxic release inventories, public participation, community right-to-know, and safe drinking water. Many of these ideas have been consistently championed by the United States. Agenda 21 represents an extraordinary new statement on standards to measure the performance of governments. The press, non-governmental groups, and environmental ministries will scour these documents for ideas and use them to hold countries accountable for their actions in years to come.

(5) *The Rio Declaration*: The "Earth Charter" represents a compromise statement of principles by both developed and developing nations. In a broad sense, the declaration embodies a generally positive political emphasis on environment and development needs. While the declaration's language is not all felicitous, it does endorse the use of market based approaches to environmental protection—a first for a U.N. document.

The Conference will also be remembered for more:

(1) UNCED significantly heightened worldwide environmental concern. In effect, the Conference was a fourteen-day crash

course in environmental education. North and South America, Europe, and Japan all received saturating press coverage from Rio.

(2) UNCED marked the arrival of the international environmental issue as one that will engage trade, energy, technology transfer, bilateral and multilateral financing, diplomacy, and more.

(3) UNCED created a new and compelling rationale for cooperation between North and South America, including funding commitments. As traditional security and strategic claims wane in the aftermath of the Cold War, developing countries have begun to appreciate the need for environmental negotiations with wealthier countries.

(4) UNCED marked the arrival of Germany and Japan as international environmental leaders. Clearly, a transition is taking place; countries with enormous economic resources are beginning to acknowledge environmental obligations commensurate with their economic power. This, in fact, has long been an objective of U.S. foreign policy, and we welcome the shared leadership.

In my view, the press often did not fairly portray the accomplishments and impacts of UNCED. Nor, for that matter, was the extent of the United States' contributions to the conference's success fully appreciated. History, I hope, will take a closer look at what we accomplished together in Rio.

Another disappointment of the Rio Conference was what I perceived to be an unwillingness to address issues of trade and investment. In attempting to highlight these issues, I point to the lessons of Mexico's experience, where in recent years a liberalized Mexican economy now open to trade and investment has resulted in new inflows of capital, totaling more than \$25 billion net. This amount dwarfs any conceivable foreign aid to which Mexico might have aspired. Consequently, Mexico is now spending one percent of its GNP on the environment. The point is we have entered a new era where trade, not aid, will provide needed resources to developing economies.

Finally, I was disappointed at the lack of attention paid to the experiences of Eastern Europe. Entire nations are now living in the dark shadow of an environmental catastrophe, their cities blackened by thick dust, their rivers overflowing with dangerous chemicals. Parts of Poland and East Germany are literally uninhabitable, while millions of Russians live in cities with dangerously polluted air. The sad irony is the very policies that

ravaged these countries' natural systems also devastated their economies. The lesson of Eastern Europe must not be forgotten: healthy natural systems are a *sine qua non* for all human activity, including economic activity. A clean and healthy environment is a prerequisite to sustained economic prosperity. In the words of U.S. conservationist Gifford Pinchot, "a nation that has lost its liberty may win it . . . a nation divided may reunite . . . but a nation whose natural resources are destroyed must inevitably pay the penalty of poverty, degradation and decay."

Where do we go from here? We need to continue to build on the momentum of international cooperation regarding the environment, capitalizing, in particular, on the new, heightened role for Europe and Japan. Similarly, we must continue to articulate more clearly the real reforms needed in developing countries, particularly with respect to subsidies for environmentally distinctive activities. Finally, I suspect all governments worldwide will need to adjust to the higher environmental expectations of their people. As President Bush said on June 12, 1992 in his concluding remarks at the Conference, "when our children look back on this time and this place, they will be grateful that we met in Rio, and they will certainly be pleased with the intentions stated, and the commitments made. But they will judge us by the actions we take from this day forward."<sup>1</sup>

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<sup>1</sup> President George Bush, Address Before the UN Conference on Environment and Development (June 12, 1992).