



## The United Nations and the Environment

### United Nations Charter

The United Nations was created on 24 October 1945 and has become increasingly active in protecting the world's environment in accordance with the *UN Charter*:

- To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character (*Articles 1(3), 1(4), 55*).
- Requiring the UN General Assembly (GA) to promote international co-operation in the political, economic, social, cultural, educational and health fields and the development and codification of international law (*Article 13*).

Australia's first UN Ambassador for the Environment was Sir Ninian Stephen 1989-92. It is currently Ms Penny Wensley based in Geneva since 1993 to be succeeded by Mr Howard Bamsey in January 1996. UN World Environment Day is celebrated on 5 June each year.

From 1972 the UN has developed more specialised environmental agencies and activities.

### 1. Conference on the Human Environment (the Stockholm Conference)

From 5 -16 June 1972 the UN held a *Conference on Human Environment* in Stockholm which produced 4 environmental cornerstones. These were:

#### A. Stockholm Declaration

This contained 26 principles reaffirmed in the *Rio Declaration* (discussed below).

#### B. Earthwatch

*Earthwatch* evaluates global issues, exchanges information, research and co-ordinates implementation of global plans such as *Agenda 21* (see below).

#### C. United Nations Environment Program (UNEP)

GA Resolution 2997 (XXVII) 15/12/72 established UNEP as a subsidiary to the GA and the Economic and Social Council (ECOSOC). It also established a UNEP Governing Council of 58 members elected for terms of 4 years by the GA 16 from African States, 13 from Asian States, 10 from Latin American and Caribbean States, 13 from Western European

and other States and 6 from Eastern European States. Australia is a member of the Council with its term expiring on 31/12/95. The Council promotes international environmental co-operation and recommends UN policies.

UNEP has established the Global Environment Monitoring System (GEMS) and committees including the Co-ordinating Committee on the Ozone Layer (CCOL), Scientific Advisory Committee (SAC), Climate Change Bureau (Australia's Penny Wensley is Vice-Chair) and the Advisory Group on Greenhouse Gasses (AGGG). UNEP produces annual reports, state of the world environment reports and maintains the International Environmental Information System (INFOTERRA).

UNEP was the first UN global secretariat to be located in a developing country - Nairobi, Kenya. It has experienced budget constraints with \$US90m for the 1996-97 biennium reduced from \$US120m for the 1994-95 biennium. UNEP has recently decided to change organisation of its work program from a sectoral approach to challenges to the environment.

UNEP has been innovative in sponsoring 'framework conventions' which promote general goals but leave implementation to State parties sometimes supplemented by later specific Protocols. UNEP maintains a *Register of International Treaties and Other Agreements in the Field of the Environment* which lists over 170 instruments:

- approximately 40% deal with marine systems
- more than 25% deal with nature conservation and terrestrial living resources
- 6% deal with climate and atmosphere.

Australia is a party to 88 multilateral or regional treaties (mostly UN) relating to the environment and conservation. In 1995-96 Australia's core contribution to UNEP will be \$A1.1m.

In 1993, UNEP awarded its *Global 500 Award* to Ian Kiernan for his 'Clean Up Australia' and 'Clean Up the World' Campaigns.

#### D. Environment Fund.

### 2. 'Earth Summit': UN Conference on Environment and Development (UNCED)

The most important recent UN initiative has been *UNCED* held in Rio de Janeiro 3-14 June 1992. *UNCED* was the largest UN Conference ever held with 30,000 participants from 178 countries including 103 heads of State and produced 3 important documents:

#### A. Rio Declaration on Environment and Development;

This declared 27 principles/needs including:

- humans are entitled to a healthy productive life within sustainable development in harmony with nature (*Principle 1*)
- States have sovereignty to exploit their resources and responsibility not to damage the environment outside their jurisdiction (*Principle 2*)

- environmental protection is integral to the needs of future generations and development (*Principles 3, 4*)
- need for global partnership between developed and developing countries on environment, development, finance and technology based on common but differentiated responsibilities (*Principle 7*)
- need for eradication of poverty, sustainable production and demographic policies (*Principles 5, 8*)
- need for public awareness, participation and access to remedies (*Principle 10*)
- need for effective State environmental legislation including liability for compensation for pollution outside a State's jurisdiction (*Principles 11, 13*)
- supportive and open international economic system (*Principle 12*)
- prevention of relocation of environmentally harmful activities and substances in other States (*Principle 14*)
- necessity of a precautionary approach so that full scientific certainty is not required for cost-effective measures to prevent environmental degradation (*Principle 15*)
- application of polluter pays principles (*Principle 16*)
- environmental impact assessment for activities likely to have a significant adverse effect on the environment (*Principle 17*)
- importance of women, youth and indigenous people in sustainable development (*Principles 20, 21, 22*)
- need for protection of environment in warfare (*Principles 23, 24*)
- interdependence of peace, development and environmental protection (*Principles 25, 26*)
- need for partnership of States and people to fulfil the *Rio Declaration* (*Principle 27*).

## B. Agenda 21: a program for future action

*Agenda 21* is regarded as the most significant result of *UNCED* and is an evolving program of international action with 115 areas in 40 chapters. It deals with:

- sustainable growth (economics, trade and debt)

- sustainable living (poverty, health and equity, consumption of resources)
- human settlements (urban issues, shelter, water supply sanitation, wastes, transport and energy)
- efficient resource use (sustainable use of renewable resources, water, energy, biological diversity, minerals forests and agriculture)
- global and regional resources (climate and weather, oceans and atmosphere)
- managing chemicals and wastes (reducing wastes, improving chemical safety)
- training programs in environmental law.

## Commission on Sustainable Development

Arising out of Chapter 38 of *Agenda 21* GA resolution 191/1992 established a Commission on Sustainable Development comprised of representatives from 53 States, observers from other States, non-government organisations (NGOs), UN and other agencies. It monitors implementation of *Agenda 21*, considers information, reviews financial resources, technology transfer, development aid and progress of environmental agreements and makes recommendations to the GA.

The Commission focuses on chapters of *Agenda 21* in sectoral groupings:

1994 - Health, human settlements and fresh water; toxic chemicals and hazardous wastes

1995 - Land desertification, forests and biodiversity

1996 - Atmosphere, oceans and the seas

1997 - Review of *Agenda 21* in preparation for a special 1997 session of the GA.

## C. Statement on Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests.

This encourages community participation in sustainable forest policies.

## D. Conventions opened for signature

*The UN Framework Convention on Climate Change* (ratified by Australia 30/12/92)

*The Convention on Biological Diversity* (ratified by Australia 18/6/93).

## 3. Global Environment Facility (GEF)

The GEF is jointly managed by the United Nations Development Program (UNDP), UNEP and the World Bank to provide funding, technical assistance, and research concerning: greenhouse gasses, degradation of international waters, ozone depletion, preserve biological diversity, sustainable resource use and also land degradation, desertification and deforestation. 26 countries have pledged over \$US2b to fund the GEF 1994-97. (Australia will contribute \$A42.76m 1994-97).

## 4. International Court of Justice

In July 1993 the ICJ established a new 7 Member *Chamber for Environmental Matters*.

## 5. Draft UN Covenant

A *UN Draft International Covenant on Environment and Development* is being developed and after 1-2 years of negotiations may be open for signature.

**Sarah O'Brien**  
**Law and Public Administration**  
**Group**  
**Parliamentary Research**  
**Service**

Phone: 06 2772433  
 Fax: 06 2772475

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