Global environmental governance: the United Nations Convention to Combat Desertification
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ABSTRACT

This discussion paper is about the United Nations Convention to Combat Desertification (UNCCD) - one of the multilateral agreements that came out of the UN Conference on Environment and Development (UNCED) held in Rio de Janeiro in 1992. UNCCD is based on a conceptualization of international relations that transcends to a large extent the traditional notions of inter-governmental treaties. Such policy concepts are known under the framework of Global Governance as they allocate political action rather to the horizontal level - implying multi-actor-networks and the civil society - than to vertical or top-down processes. The paper first shows that - inspired by the Brundtland Report and the emerging process of globalization - Rio was the peak season for Global Governance concepts that found their way into treaties and triggered structural reform, thus shaping a different reality of multilateral cooperation. In a second step, the paper shows that the Convention to Combat Desertification is the most Global Governance oriented of all of UNCED's outcomes. Its legally binding text contains a number of pertinent elements, ranging from a stringent cross-over of environment and development issues, via the ‚bottom-up approach', to a mix of policy tools such as mainstreamed national action programmes and partnership agreements.

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PROLOGUE
Introduction / Methodological remarks

This study is first and foremost on the United Nations Convention to Combat Desertification (UNCCD). Since the latter, as the very outcome of the United Nations Conference on Environment and Development (UNCED), held in Rio de Janeiro, Brazil, in June 1992, carries the handwriting of a certain type of conceptualization of international relations that I will call as postmodern, it is also on the notions of postmodernity in international relations.

While the peace treaties of Westphalia, 1648, are commonly identified with the architype of the *modern* state system, based on concepts such as balance of power, sovereignty and territoriality, it is the achievements of the late 20th century - based, inter alia, on symbolic structures such as the Charter of the United Nations - that led to another conceptualization of international relations referred to as post-Westphalian, or *postmodern*.

But what exactly is meant by ‚postmodernity in IR‘? Are we speaking of an observable fact, or are we dealing with normative blueprints only? I would tend to say: it is both. In analogy to the Westphalian concept of IR, whose terms of reference can be grasped through the observation of structures and actors, but also refers to an idealized, normative mental construct, postmodern international relations are firstly normative, but have obviously also shaped political practice in terms of actions and structures during the second half of the 20th century.

Postmodernity in IR implies the principles of collective political action, expressed in regime building processes, delegation of sovereignty to supranational institutions, supremacy of international law, and the constructing role of information and knowledge. Its overall expression is the concept of global governance, which furthermore implies a shift from hierarchical to non-hierarchical, or horizontal authority structures comprising a multitude of non-state actors.
Further subcategorial implications of postmodern international relations are semantic cross-overs such as the concept of sustainable development, cross- or inter-sectoral policy strategies, and reformed decision structures within the network of international institutions.

My first hypothesis is that, inspired by normative elaborations such as the Brundtland Report or the philosophy of a New World Order, and enabled by the changing global landscape due to the end of the Cold War and the emerging process of globalization, the Rio Earth Summit was a peak season for postmodern concepts, out of which many

found their way into treaties and declarations on one side, and triggered structural reform on the other, thus shaping a different reality of multilateral cooperation.

My second hypothesis is that the UN Convention to Combat Desertification, whose establishment was decided upon in Rio, is probably the most postmodern among all of UNCED's outcomes. Its legally binding text contains a number of concepts referred to as post-Westphalian, ranging from a stringent cross-over of environment and development issues, via a strong focus on global governance rhethorics named the ,bottom-up approach', to the subscribtion to a mix of policy tools such as mainstreamed national action programmes or partnership agreements.

I will start with providing the background for my elaborations, i.e. summarize the main findings deriving from the modernity/postmodernity debate in IR theory, which had its origins in some critical articles on the role of international law undertaken in the 1960s, and intensified in the early 1990s as a crusade of constructivism vs. (neo)realism. This venture aims at clarifying the conceptual origins of my study by understanding the respective notions of the modern vs. the postmodern conceptualization of international relations. This will be done in Chapter One, which eventually unveils the concept of global governance as the epitome of post-Westphalia.

In Chapter Two, I will deal with the Rio Earth Summit (UNCED) as locus classicus for postmodernity. I will name and describe seven phenomena that emerged at UNCED, which flag out the various implications of a post-Westphalian understanding of international relations for policy making and institution building processes.

In Chapter Three, the conceptual framework of UNCCD will be examined, based upon lessons learnt from a previous attempt to multilaterally tackle the issue of desertification. Particular emphasis will be laid on the Convention's bottom-up approach, implying participatory principles, multi-level and multi-actor concepts, the so-called partnership agreements, and the cross-sectoral orientation towards policy formulation and institution building.

In Chapter Four, I will provide some examples taken from the implementation process of UNCCD, which started with its entry-into-force in December 1996. These examples cover the areas of policy formulation and evaluation, cross-sectoral synergies, multilateral assistance, partnership and coherence with world conferences, and comprise conceptual blueprints as well as conference proceedings. They aim to illustrate how a largely normative concept frame is being tried to be declinated into reality, facing challenges, naturally.

Chapter Five refers to the World Summit on Sustainable Development (WSSD), held in Johannesburg, South Africa, in 2002, which was ment as a stocktaking of the Rio process. Johannesburg proved to be a reality check, revealing that postmodern ideas about international relations are not completely dead, but have to cohabitate with a number of conceptual neighbours, particularly unilateralism, type II outcomes and coalitions of the willing. Some conclusions will be drawn from and for the further implementation process of UNCCD. This final chapter also contains conclusions drawn from the deliberations of this exercice.

Within this study, the Convention is understood as an inscribed case of those concept fragments referred to as "postmodern". It is not perceived as a case study in the classical sense of the word, which would aim at allowing to draw generalized conclusions on the state of international affairs. Yet, UNCCD is perceived as an interesting political phenomenon, which will be heuristically researched and described as a case of Rio, an international legal treaty which is conceptually based on a post-Westphalian understanding of international and also national politics.

The description of UNCCD *as* a case of postmodern global governance concepts will be seconded by the field examples named above. Hereby, the normative concepts will become as evident as the impressions and conclusions deriving from the implementation process.

This study is based on: (a) Thorough literature research. A great number of relevant scientific articles and books have been systematically studied and comprehensively allocated into the concept frame of this book. (b) Original documents. Similar research was done on UN documents and publications as well as those of a number of states, governmental and non-governmental organizations, thinktanks and research networks. (c) Conference and field visists. The author participated in a number of relevant meetings, workshops and conferences on national, regional and global level, and engaged in a series of field trips to implementation projects. (d) Expert interviews. Such interviews were carried out with senior officials and representatives from UN Headquarters, departments and specialized organizations, national governments, scientific bodies and NGOs.

CHAPTER ONE
The debate on modernity/postmodernity and how this paper fits in

Westphalia and all that...

Westphalia has been described as locus classicus for modernity in international rela-
tions[1], featuring the concepts of *sovereignty* and *balance of power* as underlying princi-
ples for a reshaped inter-statehood in Europe, and bringing about a long and durable
phase of relative stability. Although balance of power and sovereignty had already been
part of the conceptual matrix of the Augsburger Religionsfriede of 1555[2], as well as the
Utrecht Treaty of 1579[3], it is Westphalia that has been identified with *the* paradigm shift
in post-medieval international order, i.e. the transformation of a state system based on
the principle of hegemonic rule into one based on the principles named above, com-
monly called the *modern* or *Westphalian* system.[4]

It is worthwhile recalling at this point that pre-Westphalian or premodern order should
not be confused with a technical Hobbesian state[5]. It can be conceptualized as based on
hegemonic rule - *divide and conquer* - rather than on virtual anarchy. Thucydides[6] de-
scribes how a quasi-Hobbesian system of small states, under the threat of a foreign su-
per-power - Persia -, transforms itself into a system of order, in which two strong lead-
ers - Sparta and Athens - emerge as hegemons, with the effect that all other states of the
Hellenic system take the site of either power and thus constitute the state system of
hegemonic rule, or in short: the hegemonic system.

Thucydides' narrative reproduction of the said historical phenomena traditionally serves
as a model for autopoietically self-organizing hierarchical systems[7] and thus character-
izes the above-described paradigmatic shift from anarchy to order, the thrust of premod-
ernity. Analoguously, Westphalia became a synonym for a very different concept of

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[1] The term ‚Westphalia‘ commonly refers to the 1648 peace treaties of Münster and Osnabrück.
[2] Augsburg consisted of a vast compromise between catholic and protestant states, guaranteeing their
     legal equality and transforming the latter into Reichsrecht. Augsburg also established the principle of
     cuius regio cuius religio.
[3] Utrecht proclaimed a union of seven sovereign northern provinces of the Netherlands. See also Ipsen,
     Knut [1999]: Völkerrecht. 4. Auflage. München. (§§ 2, 17)
[4] Much has been written on this subject in the last three decades. As an overall introduction into the
     theoretical framework of this book, I am going to characterize in the present chapter some of the most
     influental contributions to the Westphalia discourse, as long as they relate to the points I would like to
     make.
[5] Reference is made to the classic Hobbes, Thomas [1996]: Leviathan. Ed. By Richard Tuck. Cam-
     bridge, Mass.
[6] Thucydides [1989]: The Peloponnesian War. Cambridge, Mass.
[7] The notions of ‚autopoiesis‘ and self-organizing systems have been introduced to IR theory by
     Maturana, Humberto R./ Varela, Francisco J. [1992]: The Tree of Knowledge: The Biological Roots
     of Human Understanding. Boston, Mass. and Luhmann, Niklas [1995]: Social Systems. Stanford.

international organization, marking the second significant paradigm shift according to international relations theory. But what is it all about?

In short, the peace treaties of Münster and Osnabrück re-established the main provisions of Augsburg and extended their validity onto protestant territories.
The Reichsstände, or free states, were not only granted participation in matters pertaining to the Empire as a whole. They received full sovereignty on their respective territories, which is best symbolized and expressed in their newly established right to create alliances with foreign state entities. The treaties of Westphalia furthermore became a main source of the Reichsrecht - the Empire's legal constitution - and so were turned into international law.

Westphalia's immediate and inter-mediate historical consequences for the European continent's state system were significant. The political as well as the military power of the house Habsburg was diminished for a notable period of time, while the Emperor's influence vanished forever. Altogether, the Empire was weakened by the rise in power of the small state units and transformed rather into a federation of sovereign states, maintaining its function as a law-protecting community. However, this led to a complete reshuffling of the allocation of power in Europe. At the beginning of the secular period, Habsburg was defeated as hegemon, establishing new super-powers, i.e. Sweden, France and The Netherlands. The Emperor's rights were bound to the Reichstag's legislative authority, while, ironically, France and Sweden guaranteed the Empire's existence. Collective security and legal order were thus no longer supposed to be provided and enforced by a hegemon, and a new matrix for international relations was created through Westphalia, as has been said based on sovereignty and balance of power.

Looking closer at the underlying reasons and causes of the Thirty Years War, we realize that at the turn to the 17th century, religious polarization added enormous pressure to the already fragile political consensus in Germany. The foundation of the Union by Protestant German princes and free cities in 1608 and subsequently of the Catholic League in 1609 increased this tension significantly until 1618, when war broke out between the two camps. But the latter was not caused by religious strain only. Maybe even more decisive and grave weighed the struggle between Emperor and estates on their respective rights. Time was due for a system change, and hegemonic rules seemed to have come to an end.

At first, the Emperor and his ally, the King of Spain, both Catholics, fought against Protestant estates, which was soon perceived as a threat not only to Protestantism, but to the general political order and stability in Europe. As a result, Denmark, Sweden and France intervened on behalf of Protestantism, and surely conscious of their opportunity

to weaken Habsburg, in 1624, 1630 and 1635 respectively. The war lasted for thirty years without bringing forth a clear military or political advantage for one of the camps. Even worse, no consensus could be reached.[8]

In his book *The States System of Europe 1640-1990*, Andreas Osiander states: "To promote such consensus was the daunting task of the assembly that ... convened at Münster and Osnabrück in Westphalia in 1644."[9] For a period of four years, the two cities became the thrilling stage for a classic performance of pendulum diplomacy, the enigma being evident: to bring about a vast political consensus that would be acceptable for either party involved, and allow a face-saving solution for the super-powers. Although negotiations comprised all, Sweden, France and the Empire were the most important negotiators. On January, 30th 1648, Spain signed a treaty with The Netherlands in Münster, and on October, 24th 1648, two peace treaties between the Empire and Sweden and the Empire and France were signed at Osnabrück. No peace was formally reached between Spain and France.

Osiander continues:

> *"The international system that the congress of Münster and Osnabrück undertook to reorganize was highly complex... It was in a state of flux and inherently unstable due to a lack of system-wide consensus... An adequate consensus agenda was lacking – one did emerge to some extent as a result of the negotiations, but the process was laborious and the result, fragile... On one point, all the participants ... were agreed that peace was to be declared desirable."[10]*

> *"The congress had a double constituency: on the one hand, the European states system at large, and, on the other, ist central sub-system, known as the Holy Roman Empire. The consensus inherent in these two structures manifested itself as a sense of community which the negotiators could appeal to. It was bound up with the concepts of 'Christendom' and 'Germany' respectively."[11]*

The author names two consensus principles, based on which this community sense was able to be appealed to, despite all conflicting interests: "the inviolability of the structures ... by which the community was defined, and ... loyalty to the community"[12]. As far as Germany was concerned, no central power with real enforcement qualities had

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[8]   Since this book is not about the Thirty Years War, I aim at simplifying here the complexity of the matter, but not without recalling that also other European states, namely The Netherlands and some of the Empire's smaller neighbours, joined the party while it was on.

[9]   Osiander, Andreas [1994]: The States System of Europe 1640-1990. Oxford. (here p. 17)

[10]   Osiander, Andreas [1994], p. 20-21.

[11]   Op. cit., p. 27.

[12]   Op. cit., p. 31. It is worth noting here that such principles clearly indicate that a merely generalized maximizing power theory as featured by some realists is not able to explain Westphalia.

ever been established.[13] However, "in their allegiance to established institutions and procedures the estates of the Empire found sufficient common ground ... to reach peace and to conduct ... mutual relations with a high degree of stability"[14]. Remarkably enough, and contrary to the European states system as a whole, until the uprising of the concept of nation-states in the 19th century, the German estates managed to preserve both sovereignty as well as their territorial identity. Osiander's second consensus principle, loyalty to Christendom, however constituted a base strong enough for the European powers to reach a settlement.

The modernity-postmodernity shift: two early contributions

We have seen so far that while the Peleponnesian war, as re-narrated by Thucydides, serves as the first big paradigm shift in IR theory, Westphalia stands as a synonym for the second, referring to the transformation from premodern condition, the so-called system of hegemonic rule, to the one named as the modern state system. We should move our attention now to the critical question what exactly would be the equivalent for the third big shift in conceptualizing international relations, the migration from modernity, or Westphalian order, to postmodernity, or post-Westphalian order. Can we figure out an analoguous date, event, structure or process which could likewise serve as a synonym?

With a view to historical facts, the Westphalian system lasted for about 300 years. It evidently collapsed with the devastating impacts of World War II at the latest.[15] However, scholars have had their arguments on the exact turning point, the birth hour of postmodernity. It would be as reasonable to mention the League of Nations as the inauguration of the United Nations or the entry-into-force of the UN Charter. A more rigid interpretation would instead rather highlight the first application of Article 37 in 1950 or even NATO's operations in Kosovo in 1999. All of these *do* reflect the spirit of postmodernity, and yet none is *the* exact event or entity to be identified with.

Obviously, postmodernity in international relations is a concept rather than a fact. Like all other concepts named above, the conceptualization of international order referred to as post-modern is a condensed mental construct drawn from the observation of evident changes in the way actors organize themselves on the global stage, in both a structural as well as a content-driven, or normative dimension. In this sense, we can make out various instantiations of postmodernity in the timeline of recent historical develop-

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[13] Osiander calls this the *hallmark of the international system.*
[14] Op. cit., p. 38.
[15] We have to note here that the rise of nation-states in the 19th century may have changed the inner constituency of Germany, but it did never disrupt the European system as a whole.

ments. Yet it is more promising to take a look at the core of those structures and normative patterns that mark the transcend from modern to postmodern conditions in IR.

As early as 1969, in his classic article *The Interplay of Westphalia and Charter Conceptions of International Legal Order*, Richard Falk[16] draws a comparison between the Westphalia conception and the Charter Conception of international legal order, ultimately unveiling the Charter of the United Nations as a paradigmatic expression of the postmodern turn.

Falk calls the peace treaties of 1648 a „classical framework of legal constraint postulated to regulate a highly decentralized world of sovereign states ... yielding a permissive, voluntaristic system of law stressing matters of the allocation of competence among sovereign states"[17].

He continues:

> „*The basic formal ordering conception in international society since the 17th century has been the coordination of sovereign state units. It is convenient to identify this conception with the Peace of Westphalia of 1648... Medieval society was dominated by the image of a Christian commonwealth, a world order system hierarchically organized beneath the sway of the Pope and the Holy Roman Empire. Westphalia evolved a new image of coordinated states, each sovereign within its territorial sphere... The Westphalia conception - giving legal status to a growing exercise of authority on a national level - has provided the main outline of structure and process in international society up to and including the present period. Sovereign states remain the dominant actors in the international society. The state, a spatial unit, results in the fundamental ordering of international relations through a central reliance on territorial conceptions... Respect for the boundary of states is crucial and results in derivative legal ideas of territorial jurisdiction, sovereign equality, and nonintervention.*"[18]

On the other side, the so-called Charter conception refers to the UN Charter, which is said to constitute a major modification of the Westphalia system, bearing on the status of war, the role of national sovereignty, and the degree to which authority structures are centralized.[19] It centers upon the Charter's normative provisions and overlaps, according to Falk, in some aspects the Westphalia conception, but „complements [it] by centraliz-

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[16] Falk, Richard A. [1969]: The Interplay of Westphalia and Charter Conceptions of International Legal Order/ In: Bleck, Lyrich/ Falk, Richard (eds.) [1969]: The Future of the International Legal Order. Princeton.

[17] Op. cit., p. 32.

[18] Op. cit., p. 43-44.

[19] See Falk, Richard A. [1969], p. 32.

ing some cooperative activities and contradicts [it] to the extent that community-oriented procedures come to displace sovereignty-oriented procedures"[20].

Although „the critical ideas of Westphalia involving sovereign equality and domestic jurisdiction are *formally* perpetuated in the Charter"[21], a number of conflicting tensions between the two conceptions are easily to be made out, e.g. regarding issues such as the status of war and violence, the right for self-defense, the basis for obligation, constitutional authority, the erosion of domestic jurisdiction, and supranational professionalism.[22]

Falk's article mainly deals with the interplay between the said two conceptions, which he calls as of normative orientation. Although it also refers to other ordering conceptions such as spheres of influence, rules of the game, deterrence, and decentralized modes of law enforcement [23], the author is trying to show how the Westphalian matrix has been transcended and transformed into the one referred to here as postmodern, finding its concrete shape in the UN Charter. The approach chosen at that stage – some time before political scientists started their intense debate on the matter – is a legal one and can be named *critical theory of international law.*[24]

Falk's classification of the two conceptions and their interplay has become influential on any debate on the role of sovereignty, territoriality and legal authority in interna-

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[20] Op. cit., p. 48-49.

[21] Op. cit., p. 49. Reference is made here to Article 2 of the UN Charter: „The Organization shall be based on the principle of sovereign equality of all its Members... Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state." (Art. 2 (1), (7))

[22] See op. cit., p. 49-64. See also some of my own points made in this context in: Rechkemmer, Andreas [2003a]: Die Zukunft der Vereinten Nationen. Weltorganisation am Scheideweg – eine deutsche Perspektive. SWP-Aktuell 15 (April). Berlin.

[23] See op. cit., p. 33.

[24] The author conceives the international legal order as an *aggregate conception* comprising structures and processes by which authority is created, applied, and transformed. His focus is on the authority system as an attribute of the wider extralegal conception of an international system. Authority is understood to „encompass established expectations and traditions about who is entitled to make and implement decisions". For Falk, international legal order is „a socio-historical product of convergent perspectives of formal authority and actual behavior". He rejects a legalistic approach, maintaining the „distinctiveness of legal order while managing to be responsive to the extralegal setting. The study of international law - as the specialized and disciplined inquiry into the structure and process of authority - gives the legal dimension in international relations the status of a quasi-dependent variable. By quasi-dependence is meant that law both tends to reflect and to be shaped by the international system as a whole." The author expresses his „unwillingness to accept a conservative interpretation of the province of legal authority as delimited by formal expression of consent by sovereign states. The authority system operative in international society is specified here to encompass *de facto* regimes that can come into effective being without any dependence upon the rhetoric or technique of lawyers." He continues: „It is important to understand that legal order is a quasi-dependent variable in any social and political setting... It is a mistake to suppose that the domestic legal order of a modern state is a paradigm for any legal system... International society is bound to possess a decentralized form of legal order that corresponds to its decentralized social and political structure." – The quotes are taken from op. cit., p. 33-64.

tional order. For the purpose of the present book, it constitutes an early testimony with regard to the mentioned paradigm shift to postmodern concepts of IR, preparing the ground for three important findings I would like to recall here:

- Contradictory to a realist/positivist perception, international law is not constitutive for political order, but rather coincides with a package of socio-historical, extra-legal patterns that actually both reflect and reshape the so-called political reality among states and other actors on the global stage.
- Postmodernity in international relations is in itself a concept, or rather a label for a bunch of conceptual fragments, dealing with attributes and qualities of a changed nature of political order compared to the system referred to as Westphalian. In short, these attributes and qualities relate to supranationality and transcend the concepts of sovereignty, territoriality and balance of power.
- It is intelligible to perceive the shift from modern to postmodern paradigms as gradual and complementary, i.e. while basic elements of modernity remain vaild – e.g. the state as a principal actor in international relations -, others are sacrificed for the sake of a new conceptual reality, rating community-oriented values higher. This gradual understanding of the paradigm shift in question helps reduce the tension that derives from an either-or concept.

The last of these findings is expressed in Falk's observation that Westphalia is far from being fully displaced while the Charter is far from being fully realized - which is still an appropriate description of the state of affairs even nowadys. In this light, both conceptions are „ideal type characterizations, highly abstract images, intellectual constructs" [25].

A second godfather of the modernity/postmodernity discourse deriving his argument from a critical perspective on the role of international is William Coplin[26]. Similar to Richard Falk, he laments that most writers on international relations and international law examine the relationship between the two in terms of the assumption that law either should or does function *only* as a coercive restraint on political action and that international law should be examined as a system of coercive norms controlling the actions of states, i.e. as a system of restraint, „deriving their conception of the relationship between international law and political action from their ideas on the way law functions in domestic communities ... [i.e.] as an instrument of direct control"[27]. For Coplin, it is desirable to approach the relationship between international law and politics at a different functional level:

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[25] Op. cit., p. 33.
[26] Coplin, William D. [1965]: International Law and Assumptions about the State System/ In: World Politics Vol. 17 (Oct.-Jul.).
[27] Op. cit., p. 615-616. In the context of the criticised position it is worthwhile referring to Morgenthau, Hans [1961]: Politics Among Nations. New York, N.Y. Named be also the works of Carr and Kennan.

> *„In a domestic society, the legal system as a series of interrelated normative statements does more than direct or control the actions of its members through explicit rules backed by a promise of coercion. [They also act by] serving as authoritative modes of communicating or reflecting the ideals and purposes, the acceptable roles and actions, as well as the very processes of the societies... Law in the domestic situation is a primary tool in the socialization of the individual ... providing an image of both factual and normative aspects... International law functions in a similar manner ... as an institutional device for communicating to the policy-makers of various states a consensus on the nature of the international system. "[28]*

The said relation is thus percieved as a „system of quasi-authoritative communications to the policy-makers concerning the reasons for state actions and the requisites for international order - quasi because the norms of international law represent only an imperfect consensus of the community of states ... expressing generally held ... assumptions about the state system"[29].

According to Coplin, there are three basic assumptions inherent to the *Westphalian conception* that structure the matrix of modernity[30]:

- The state is perceived as an absolute institutional value. Its security is the one immutable imperative for state action.
- International politics is equal a permanent struggle for power.
- The prevailing motto is: Preserve the balance of power! State actors see a necessity to form coalitions to counter any threat to hegemony and moderate actions to avoid excess of violence that could disrupt the system.

Coplin states that almost every legal aspect of international relations from 1648 to 1914 reinforced these assumptions. He highlights four concepts that are constitutive for the Westphalian system and reflect these assumptions: *sovereignty, territoriality, neutrality and diplomacy*.[31] First are treaties as an expression of sovereignty. Statehood is defined by the ability to make treaties. „Treaty law also contributed to the evolution of the classical assumption regarding the maintenance of the international system... [and] reminded the policy-maker that the maintenance of the international system was a legitimate and necessary objective of state policy." Second is the legal concept of boundaries

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[28]   Coplin, William D. [1965], p. 617.
[29]   Op. cit., p. 617.
[30]   See op. cit., p. 618.
[31]   For these as well as for the following para see op. cit., p. 619-622.

being „most discernible of all criteria of a state's existence" since they define territory.[32]
Third is the idea of neutrality as an expression of the principle of balance of power.
Modernity lays emphasis on the preservation of the international system. Fourth and last
- but not least - in line comes the law of diplomacy.

These four concepts together are Westphalia's threshold.[33] Yet with the emergence of
international actors possessing supranational powers, "the legal idea of self-contained
units based on territorial control lacks the clear basis in fact that it once enjoyed" [34].
Thus, a break has to be witnessed, a shift that marks the end of absolute rule of the
Westphalian paradigm. A second symptom of the shift towards postmodernity, accord-
ing to Coplin, is the post-World War II practise of questioning the validity of the laws
of other states.

Already „the League [of Nations] represented a threat to the assumptions of the state
system". Its conceptual thrust contained a basic tension between preserving the state and
subordinating it through a formal institution. Coplin continues that „like the League, the
UN was to replace the state as the paramount institutional value by establishing a con-
stitutional concert of powers. However, it has succeeded only in underscoring the exist-
ing tension between the drive to maintain the state and the goal of maintaining the sys-
tem. In the Charter itself, [this] ... tension remains unresolved."[35]

Summarizing the role of international law for international relations, Coplin views it as
part and parcel of political reality that "serves as an institutional means of developing
and reflecting a general consensus on the nature of international reality"[36]. In this light,
the above observations concerning the respective blueprints for international legal order
contained in the Westphalian and the Charter conceptions help us understand some of
the specific differences of postmodernity vs. modernity. From such perspective, the ar-
ticles of Falk and Coplin show how, in the course of the 20th century, postmodern con-
ceptual elements have gradually altered the modern ones.

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[32] For further reference as far as the concept of territoriality is concerned, see Kratochwil, Friedrich
      [1986]: Of Systems, Boundaries and Territoriality: An inquiry into the Formation of the State System/
      In: World Politics Vol. 39 (Oct.), and Ruggie, John Gerard [1993c]: Territoriality and beyond. Prob-
      lematizing modernity in international relations/ In: International Organization Vol. 47 (Winter).

[33] Coplin reminds us in op. cit., p. 623 that „the assumptions of the state system were reinforced not only
      by the legal practises of states but also by the major international legal theories of the classical period.
      Three general schools of thought developed: the naturalists, the eclectics or Grotians, and the positiv-
      ists." Particular reference is made to the Grotian concept of the sovereign power of states as expressed
      in: Grotius, Hugo [1901]: The Rights of War and Peace. Ed. with notes by A. C. Campbell. Washing-
      ton. (p. 62)

[34] Op. cit., p. 625-626.

[35] See op. cit., p. 627. Explicit reference is made to Art. 25-51 and Art. 2, para. 2-7, UN Charter.

[36] Op. cit., p. 633.

Elements of a classical debate

In the foregoing sub-chapter we have seen how a critical and comprehensive examina-
tion of the development of international law undertaken in the Sixties helped understand
the respective notions of modernity and postmodernity in international relations as well
as the transformatory process, or shift, between them, providing the stage for the later
debate in IR theory. Consequently, we will now take a more political science oriented
look at the issue, and recall some of the major findings and tensions of this said moder-
nity/postmodernity discourse in IR theory as unfolded mainly in the Nineties.

We will see that qualitative terms such as *stability* or *security* are not to be identified
exclusively with one of the two named paradigms of international order.[37] Those terms
can be normative as well as descriptive and merely refer to either desirable or estab-
lished qualities of an international system, independantly if that would be named mod-
ern, postmodern or elsewise. In understanding what postmodernity is about and what it
refers to, will we have to identify other conceptual terms and qualities in use when re-
ferring to international systems.

Andreas Osiander[38], for instance, addresses the problem of stability in international
politics, stating that politics is determined extensively by the framework of terms of
reference used by the decision-makers so that the focus of analysis should be put on the
assumptions held by the decion-makers themselves. He calls the autonomous centres of
decision-making in international affairs *international actors*, stating: „There is ... no
strong central authority capable of laying down, and enforcing, the rules that interna-
tional actors will follow... This is what defines the international system, as opposed to
the sphere of domestic politics." Making out the specific difference between these two
spheres, the author recalls that at the domestic level, the highest political authority is
centralized, while at international level it is decentralized and distributed. However,
there is no disorder, the international system is „quite stable".

It is worth focusing for a moment on the conditions for stability in IP. For Osiander, the
international system has no physical reality. It "extists exclusively in the mind. It is
what people think it is. It is a mental construct, resting entirely on shared assumptions...
Such assumptions are never axiomatic. They are always arbitrary to some extent, and
capable of modification. The international system as we know it is the sum of elaborate,
widely shared assumptions."[39] Stability in the international system is thus provided if

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[37] Realists believed in such exclusiveness as far as their interpretation of the Westphalian system was
      concerned. In this context, reference is to be made again to the already mentioned Morgenthau, Carr
      and Kennan.
[38] Osiander, Andreas [1994]. The quotes in this para and the next are compiled from p. 1-3.
[39] Osiander, Andreas [1994], p. 4.

the „principal assumptions on which the system is founded do not clash... The degree of stability of the international system will depend on the degree of congruence of the principal assumptions on which the system is founded,... on the degree of consensus present in the system.“[40]

Osiander lays emphasis on a type of assumptions called *structural principles*, and less emphasis on another type called *procedural rules*:

> „*Structural principles are assumptions that influence the three basic aspects of the structure of the international system: the identity of the international actors, their relative status, and the distribution of territories and populations between them. Procedural rules influence the way that relations between the actors are conducted.*“[41]

For the author, stablity presupposes reliable expectations: "International actors will consider exercising restraint in their mutual dealings only if they can expect such restraint to be universal."[42] Stability is explicitly *not* based on recipocity.[43] It will not prevail "if the actors make their own abstention from disruptive behaviour depend on what other actors have done in this respect rather than on what it is thought that they will do... Generalized reciprocity is not the precondition but the result of the acceptance of a code of behavoir."[44]

This latter is provided by the sum of the structural principles and of the procedural rules that form the object of a consensus among the international actors. Structural principles do not promote certain types of action but rather prevent disruptive behavior. "The international system will be stable, provided that it is in conformity with the structural principles on which there is consensus in the system, and provided, too, that the consensus on these principles is strong enough."[45] In case these conditions are not fullfilled, tension will prompt conflict and lead to either modification of the system or of its underlying principles.

In the light of the above, the insight emerges that qualitative terms such as *stability*, or others, cannot simply be identified with *one* of the two paradigms in question, and subsequently do not serve as explanatory criteria for the modernity/postmodernity discourse. Furthermore, Osiander's article unveils a typical viewpoint on IR, which is postmodern in itself: the constructivist perception of the realm of international politics, or relations, as a platform for the emergence of structures and processes based on rules,

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[40] Op. cit., p. 5.
[41] Ibid.
[42] Op. cit., p. 6.
[43] ...as has been stated by realists and neo-realists.
[44] Op. cit., p. 6.
[45] Op. cit., p. 7.

norms and wishful thinking of the actors involved, rather than on hardcore, eternal stereotypes such as interest or struggle for power.[46] It seems evident that postmodern conceptualizations of international relations, e.g. the constructivist school, do nothing but *reflect* the paradigmatic shift being dealt with in this chapter and being both the result of normative considerations nourished by historical processes as well as a theorectical conceptualization in itself.

We revert back to the core attributes commonly identified with Westphalia, its threshold, the concepts of sovereignty, territoriality and balance of power. In his article *Sovereignty as dominium*, Friedrich Kratochwil[47] argues that sovereignty is not simply an observable fact. "The actions and patterns we observe are part and parcel of an institution that allows us to characterize and appraise our observations in terms of certain normative criteria... Institutional behavior is hardly ever as clearly structured as in a game and the contestability of such concepts is part of its very function of mediating between the realm of is and ought."[48] It is important to understand how institutional rules function. Kratochwil refers to an analogy between the institution of sovereignty and the one of property, and states that the concept of sovereignty was developed by legal scholars[49] as a rule-constituted practise analogous to private property in Roman law. His investigation starts on the level of *actual practice* and *justification* while he avoids nominal definitions as well as simple etymologies of the term of sovereignty.

> *"Only when we consider both practice and its justification can the continuity and change of this institution be grasped without succumbing to the fallacy of structural persistence or to largely platitudinous generalizations."*[50]

Kratochwil's argument takes the steps of disentangling the concept of sovereignty "from some cognate notions such as will, absoluteness, or possessive individualism" and thus rejects any "identification of law with the command of the sovereign"[51]. The added value of this article is that it rescues the concept of sovereignty from conceptual mistakes such as its identification with supreme will and with authority above the law. Following the initially proclaimed analogy, yet not identity, between sovereignty and

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[46] See Kratochwil, Friedrich [1989]: Rules, Norms and Decisions. Cambridge, Engl. (here ch. 1)
[47] Kratochwil, Friedrich [1992]: Sovereignty as dominium: Is there a Right of Humanitarian Intervention? Manuscript. University of Pennsylvania (Sept, 16). The author has provided an updated version of his views in Kratochwil, Friedrich [2002]: Souveränität und Moderne: Eine begriffliche Analyse des semantischen Feldes/ In: Jachtenfuchs, Markus/ Knodt, Michèle (eds.) [2002]: Regieren in internationalen Institutionen. Opladen. Kratochwil argues therein that the social world does not exist *per se*, but is rather constructed through actions of actors. Therefore, sovereignty has to be conceptualized in a generative manner, reflecting it in front of its respective historical backdrops.
[48] Kratochwil, Friedrich [1992], p. 1.
[49] Named be here Grotius, Pufendorf and Selden.
[50] Op. cit., p. 3.
[51] See op. cit., p. 3. The author explicitly refers here to Bodin and Hobbes.

property, the term in question should thus better be understood as an institution of a normative, or rule-based, nature.

In the light of the foregoing, and understanding sovereignty as a social institution, we can grasp its significance for the political order shaped and established through Westphalia.[52] Moreover, the conceptual shift to postmodernity, or post-Westphalian order in international relations can subsequently be understood as a process of desired structural, or institutional, change due to a gradually transformed shared understanding of the underlying normative terms of reference, institutional rules and/or functional settings of the international society.

The process of structural change highlighted by Kratochwil can be further conceptualized in conformity with the findings of Alexander Wendt[53], who understands Westphalian order as functional equality among states, which, as an expression of the modernity/postmodernity switch, is being transformed into differentiation, while quasi-anarchic relations among states are at the same time being transformed into authoritative ones:

> *"The structure of a states system is constituted as anarchic by member states having and acting on the identity of juridical independence and self-governance... Whether or not the structure of a states system is anarchic is intimately tied to the distribution of state identities... Structures do not exist except by virtue of the agent."*[54]

States form a so-called anarchic structure if they identify with themselves only, a hierarchical one if they identify with a world state, and a decentralized authority system if they identify with each other. The latter is called *international state*, and serves as equivalent to the already introduced term *postmodern* or *post-Westphalian system*. Wendt explores how international states emerge by focusing on the causes of collective identity-formation among states. He recalls that neither neorealists nor neoliberals[55] have explored the field of state identity and structural change as they take states and interests as given, and argues that this field is exclusively explored by critical or or con-

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[52] Reference is made to Krasner, Stephen D. [1993]: Westphalia and All That/ In: Goldstein, Judith/ Keohane, R. (eds.) [1993]: Ideas & Foreign Policy. Ithaca, N.Y., who believes that sovereignty is not an invention of Westphalia. See also Kratochwil's reply in: Kratochwil, Friedrich [1995]: Westphalia and all what? (Xerox) Pittsburgh, Penn.

[53] Wendt, Alexander [1996]: Identity and Structural Change in International Politics/ In: Lapid, Joseph/ Kratochwil, Friedrich (eds.) [1996a]: The Return of Culture and Identity in IR Theory. Boulder/ London.

[54] Op. cit., p. 47.

[55] Wendt names here Mearsheimer and Waltz.

structivist IR theory, choosing a more sociological than economic approach.[56] For Wendt, the process of internationalization of political authority consists of a "gradual, but structural, transformation of the Westphalian states system from anarchy to authority" whose basis is the "institution of sovereignty, which constitutes an anarchy of mutual recognition", while the international state formation does not mean formal cession of sovereignty to supranational institutions. It merely "does relocate individual state actors' de facto sovereignty to transnational authorities", whose result is neither anarchy nor hierarchy, but the "emergence of a new form of state and thus states system, which breaks down the spatial coincidence between state-as-actor and state-as-structure. As such, the erosion of individual state sovereignty does not imply the erosion of the state." By transferring sovereignty "to a collective, states may actually strengthen their capacity to solve problems. Internationalization is a way of reorganizing and redeploying state power, not a withering away of the state."[57]

Wendt's reflections illuminate the transformatory process from anarchy to authority, as he calls it, or simply from the Westphalian to the postmodern system, by transcending the classical concept of sovereignty, and likewise, implicitely, the concepts of territoriality and balance of power, into the realm of inter- or supranationality, without destructive notions such as *loss of sovereignty* or *decline of the nation-state*.

In implicite conformity with Wendt, Daniel Deudney[58] critizices Realism as notoriously perceiving political order as a dyad, shaping a sharp divide between the domestic and interstate realms, and identifying states as dominant units that feature hierarchical order, monopoly on legitimate violence and sovereignty as their differentia specifica. Moreover, realists think that outside and between states is anarchy where security is of primary concern, while interstate unions - or even international states according to Wendt - have little staying power beyond self-interest and are related closely to balance and distribution of power.[59] The author further recalls that the most important challenge to realism has come from liberal international relations theory.[60] Liberals argue that nation-

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[56] The author refers to some overviews provided by Adler, Keohane, Kratochwil and Wendt. Detailed references are given in op. cit., p. 63 (note 2).

[57] Op. cit., p. 61. On the notion of structural change and its implications for the issue ducussed here, see also Little, Richard [1993]: Rethinking System Continuity and Transformation/ In: Buzan, Barry/ Jones, Charles/ Little, Richard (eds.) [1993]: The Logic of Anarchy. New York, N.Y.

[58] Deudney, Daniel H. [1995]: The Philadelphian system: sovereignty, arms control, and balance of power in the American states-union, circa 1787-1861/ In: International Organization Vol. 49/No. 2 (Spring).

[59] See op. cit., p. 191. Deudney refers here to Waltz, Kenneth [1979]: Theory of International Politics. Lexington, Mass., and Jervis, Robert [1983]: Security Regimes/ In: Krasner, Stephen (ed.) [1983]: International Regimes. Ithaca, N.Y.

[60] Deudney refers to Baldwin, David (ed.) [1993]: Neoliberalism and Neorealism. New York, N.Y. Interesting overviews of and contributions to the debate are also given in Lapid, Yosef [1989]: The Third Debate: On the Prospects of International Theory in a Post-Positivist Era/ In: International Studies Quarterly Vol. 33, Waever, Ole [1996]: The rise and fall of the inter-paradigm debate/ In: Smith,

states internally organized as democratic republics are not likely to wage war against one another, and that capitalism creates economic interdependence that moderates conflict and empowers inter-governmental actors. So, cooperation can occur despite anarchy, and states as well as anarchy can be modified. According to Deudney, Realism understands the concept of balance of power as a tool to maintain a plural political order by frustrating predatory states and avoiding universal empire.[61]

The conclusions of the four authors mentioned here are taken as representative for a postmodern perspective, in contradiction to a conservative or (neo-)realist one, on IR, putting together some of the central puzzles of the modernity-postmodernity debate as unfolded originally in the Nineties, and naming important qualities and attributes of the post-Westphalian concept framework. Together with the findings of Falk and Coplin, they allow us to realize what the two paradigms mean, and what is ment with the shift between them. Altogether, the postmodern or post-Westphalian paradigm can be grasped as a cognitive framework transcending the nation-state based authority model, making evident a significant transformation of Westphalia's core institutions, sovereignty and balance of power, towards a new normative setting named supra-national, or multilateral.[62] States may remain paramount actors, yet sovereignty looses its territority-bound nature and experiences an upgrade to the level of institutionalized interstatehood.

Post-nationalism and global governance

We have to admit that at the beginning of the 21st century, and probably as a result of the political history of the last one, the term *nation-state* seems out of order, without clear reference to reality. The spatial and ethnic coincidence of nation and state does not exist anymore. It can be questioned if it ever existed, or if it was just the virtual construct of the so-called nation-state ideology of the late 18th and 19th century.

> *"As far as differentiation and the 'national' are concerned, one sees ... how costly the failure of a clear analytical distinction between 'nation' and 'state' is for studies of contemporary world politics. As a matter of fact, the 'national idea' was totally absent from the blueprints of Westphalia. The insertion of this idea by the ar-*

Steve (ed.) [1996]: International Theory: Positivism and Beyond. Cambridgs, Mass., and Vasquesz, John A. [1997]: The Realist Paradigm and Degenerative versus Progressive Research Programs/ In: American Political Science Review (December).

[61] For this para, see op. cit., p. 192. Further references are provided there.

[62] I would like to provide reference to Ruggie, John Gerard [1993b]: Multilateralism: The Anatomy of an Institution/ In: Ruggie, John Gerard (ed.) [1993a]: Multilateralism Matters. The Theory and Praxis of an Institutional Form. New York, N.Y., who understands multilateralism as a concept of constitutive rules that order relations in given domains of international life. Particular emphasis is laid on their architecture as open networks (see op. cit., p. 12). Further reference is made to Krasner, Stephen [1993], who allocates social power to networks of an ideological, economic, military and political nature respectively.

chitects of the nation-state (circa 1789) suggests the insufficiency of the state (and of 'territoriality') as the sole principle of organization of segmented global orders."[63]

Differentiation and segmented global orders refer to processes as described as globalization or re-configuration of the spatial and social allocation of races, tribes and civilizations. Lapid and Kratochwil recall that since 1989 world order has known a rapid trend of self-transformation towards a fragmented, re-shuffled picture of states as spatial units and ethnics as "creatures of time"[64].

Anticipating these views, in his article *Ethnizität, Nationalismus und multikulturelle Gesellschaft*, Claus Leggewie[65] observes that since the late Eighties, conflicts are mostly of an ethnical nature and thus due to criteria that are not dealt with in most constitutional frameworks. The author raises the question how ethnical facts can be brought in accordance with other forms of collective, especially national, identity.[66]

Leggewie mentions various theories that address this dilemma, ranging from the hypothesis that ethnicity is the consequence of failed states or modernization, respectively, to the view of nationalism as an atavism, a means of the power politics fashion of the 19th century. In any case, the debate shows that, given the contemporary international order, identity formation does no longer simply and generally follow the logic of nation-state-based patterns.

Since a few years, various scholars have brought up the term *postnational politics* as a comprehensive means to grasp the notion of postmodern patterns in international relations as they relate to the changing nature, structure and functional aspects of so-called nation-states. First raised in Jürgen Habermas' *Die postnationale Konstellation*[67], the concept of postnational politics has been thoroughly explored and featured by Michael Zürn[68]. In his article *Zu den Merkmalen postnationaler Politik*[69] he characterizes poli-

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[63] Lapid, Yosef/ Kratochwil, Friedrich [1996b]: Revisiting the ‚National': Toward an Identity Agenda in Neorealism?/ In: Lapid, Yosef/ Kratochwil, Friedrich (eds.) [1996a]. (here p. 123)

[64] See op. cit., p. 123.

[65] Leggewie, Claus [1994]: Ethnizität, Nationalismus und multikulturelle Gesellschaft/ In: Berdug, Helmut (ed.) [1994]: Nationales Bewußtsein und kollektive Identität. Frankfurt (Main).

[66] See op. cit., p. 46-47.

[67] Habermas, Jürgen [1998]: Die postnationale Konstellation. Politische Essays. Frankfurt (Main). *English version: Habermas, Jürgen [2001]: The Postnational Constellation: Political Essays. Cambridge, Mass.*

[68] Explicit reference is made to his following works: Zürn, Michael [1998]: Regieren jenseits des Nationalstaates. Denationalisierung und Globalisierung als Chance. Frankfurt (Main), Zürn, Michael [2000]: Vom Nationalstaat lernen/ In: Menzel, Ulrich (ed.) [2000a]: Vom Ewigen Frieden und vom Wohlstand der Nationen. Frankfurt (Main), and Zürn, Michael [2001]: Politik in der postnationalen Konstellation. Über das Elend des methodologischen Nationalismus/ In: Landfried, Christine (ed.) [2001]: Politik in einer entgrenzten Welt. Opladen. Named be also Menzel, Ulrich [2000b]: Die post-westfälische Konstellation, das Elend der Nationen und das Kreuz von Globalisierung und Fragmen-

tics in the times of the postnational constellation, the latter marking a deep and paradigmatic shift in internatonal order – similar to the one leading from feudal rule to nation-state based order characterized by territoriality and sovereignty[70]. Subsequently, Zürn wants to abandon once and for all what he calls as *methodological nationalism*, a concept, if not an ideology, perceiving states and governments as the sole players in international relations and stating that the identity of states is bound to their internal formation as nations and their outward function as territorial entities ready to wage war against whomever may challenge their boundaries.

Zürn refers to a changed historical context, similar to the one leading to Westphalia, that makes any further attempt to maintain general concepts such as the methodological nationalism useless. Governance is traditionally based on security, the rule of law, participation in decision-making and social welfare. Zürn calls these *normative and functional goods*[71]. Historically, the Sixties and the Seventies of the 20th century marked their prime when the national constellation had reached a peak. National constellation means order based on the principles of sovereignty, recognition, material resources such as territory, use of force and finance, and the right to formulate policies.[72]

Nowadays, according to Zürn, this national constellation is no more: we live in a so-called postnational constellation, where international institutions based on norms, rules and procedures have gained significant value, aiming at harmonizing and cooperatively streamlining what used to be national politics. This process of *denationalization* is reflected in the growing multitude of multilateral agreements of the past two decades. Those feature a shifted nature with different goals. While agreements based on the Westphalian paradigm yielded to restrain the actions of states, postmodern ones aim at formulating normative goals that comprise more and more non-state actors, thus addressing *societies* rather than governments.[73]

Zürn writes:

> *"Supranationale Institutionen entwickeln Normen und Regeln, die gegenüber der nationalen Gesetzgebung als vorrangig anerkannt werden ... und beschäftigen Bedienstete, die eine relativ hohe Unabhängigkeit von den entsendenden nationalen*

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tierung/ In: Menzel, Ulrich (ed.) [2000a], who calls the postnational constellation postwestphalian constellation, and creates linkages with post-nationalism, globalization and growing fragmentation in IR.

[69] Zürn, Michael [2002]: Zu den Merkmalen postnationaler Politik/ In: Jachtenfuchs, Markus/ Knodt, Michèle (eds.) [2002a]: Regieren in internationalen Institutionen. Opladen.

[70] Zürn may use different language here but obviously refers to the analogy between the pre-Westphalia/Wetphalia shift and the one leading to postmodernity, too.

[71] See Zürn, Michael [2002], p. 216.

[72] See op. cit., p. 217-218.

[73] See op. cit., p. 218-219.

> *Regierungen haben... Jenseits von und überhalb des Nationalstaats hat sich ein dichtes Geflecht von Regelungen und Organisationen entwickelt, das internationale Foren zum vorrangigen Platz für die Formulierung von Politiken macht, die den Zielen des Regierens dienen.*"[74]

Further phenomena and epiphenomena of the postnational constellation according to Zürn are the lack of a strong central power entrusted with means of enforcement, functional differentiation between international actors and limited authority. Legitimacy, previously provided through internal constitutional provisions such as dynasty or electoral vote, is nowadays more approved by consensus of the international community and in accordance with the rules and regulations set out by their institutional bodies. The motivation of actors to play globally is far more than during the modern period driven by an interest to cooperate, or due to an evolved insight that (national) interests are best achieved throuh cooperation.[75]

However, Zürn warns that the end of nation-states, if at all, has not come yet: the paradigmatic change in question is expressed as a switch of gravity towards postnational governance structures and patterns, while states remain partly – mostly as far as their internal constitution is concerned – organized along the Westphalian line. The shift towards postnationality is gradual, and the degree of its completion varies on a regional basis, and also depending on policy fields. World trade, for instance, is a field where denationalization and postnational governance have evolved further than on the security one.

Still, Zürn insists that post-nationalism seems to be much more than an episode. The patterns and practices described in the foregoing paras, but also the changing notion of classic terms like power and resources are indicative for a real shift in progress: whereas the classic notion of power means the capacity to force someone, it is now rather the privilege not to comply with international standards and agreements. And the term resources nowadays refers to a variety of entities such as education and knowledge, and coincides widely with the phenomenon of *transnational epistemic communities*.[76]

When Zürn uses *governance* as a black box concept he merely refers to established hierarchical structures such as states. Traditionally, governance means "die Herbeiführung kollektiv verbindlicher Entscheidungen, um in unterschiedlichen Politikfeldern bestimmte Ziele zu erreichen"[77]. According to this definition, governance refers to a con-

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[74] Zürn, Michael [2002], p. 220-221.
[75] See op. cit., p. 225-224.
[76] See op. cit., p. 232.
[77] Beate Kohler-Koch as quoted in Knodt, Michèle/ Jachtenfuchs, Markus [2002b]: Regieren in internationalen Institutionen/ In: Jachtenfuchs, Markus/ Knodt, Michèle (eds.) [2002a]. (p. 9).

scious effort of collective target identification, combined with bundled efforts yielding the compliance of all actors involved. But what does it mean in terms of postmodern practice? And what does it mean in the context of contemporary international relations and in the absence of a central enforcement power? Apparently, also the notion of this classical term has witnessed a shift in reference.

IR scholars have more and more argued against the traditional conceptual divide between the international system as anarchical and the vision of a hierarchical domestic state. Not only the emerging problem of failed states leads to this insight, also the inner constitution and outer appearance of OECD members hints in this direction.[78] Statehood is presently diversifying its territorial reference towards regionalization, as far as a growing independance of self-governing sub-entities is concerned, and regionalism, meaning inter-governmental regimes on a geographical basis, such as trade unions. Furthermore, with a view to the effects of globalization, the significance of boundaries has drastically diminished. Such issues have to be dealt with taking into account the changed nature of governance – Alberta Sbragia calls this *multi-level governance*[79] and mostly points at the mentioned trend towards regionalism as a political process.

But there is more to it: not only statehood and boundaries raise new challenges to the concept of governance, the emergence of private actors, or civil society, has transformed the notion of the term discussed here as well. Governance on the international scale is therefore mostly seen as a process of regulation beyond the nation-state using non-hierarchical, i.e. horizontal cooperation patterns and comprising also a widely spread network of international institutions.[80] The field sketched out here is commonly referred to as *international governance* or *global governance*.

Postmodern perspectives on international institutions commonly bring about the view that they are social constructs - or institutions in Kratochwil's sense as described further above - that are merely based on ideas and norms rather than on power and interest. Given their nature along the semantics of a *contrat social*, international institutions must comprise civil society actors and organize themselves in a horizontal manner, if widely spread consensus and compliance to the rules and norms set out by them is to be yielded.[81]

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[78] See Knodt, Michèle/ Jachtenfuchs, Markus [2002b], p. 10.
[79] Sbragia, Alberta M.: Building Markets and Comparative Regionalism: Governance Beyond the Nation-State/ In: Jachtenfuchs, Markus/ Knodt, Michèle (eds.) [2002a]. (p. 237)
[80] See Knodt, Michèle/ Jachtenfuchs, Markus [2002b], p. 15.
[81] A detailed discussion of the topic of compliance, civil society and international institutions featuring the constructivist point of view is provided in Börzel, Tanja A./ Risse, Thomas [2002]: Die Wirkung internationaler Institutionen. Von der Normanerkennung zur Normeinhaltung/ In: Jachtenfuchs, Markus/ Knodt, Michèle (eds.) [2002a]. Recommended articles on constructivism are Kratochwil, Friedrich [2001]: Constructivism as an Approach to Interdisciplinary Study, and Zehfuss, Maja [2001]:

Klaus Dieter Wolf[82] argues that intergovernmental cooperation, traditionally established to effectively tackle transborder issues, is more and more lacking control by social actors and would thus be leading to a process of de-democratization of international governance. He therefore calls for a new *raison d'état*, that understands international governance as an inter-cultural regulatory process, legally carried out at inter-governmental level, but significantly implying civil society actors in the decision-making so as to yield legitimacy. For Wolf, the perspective of at least a partial privatization of world politics is realistic - he speaks about the emergence of the *cooperative state*[83].

The tendency to exchange the terms international or world politics more and more through *international relations* marks a great change in the generalized perception on the nature of the contemporary international system, stressing out the emerged role of supranational agencies, collective governance patterns and civil society actors respectively. Moreover, scholars have started to deeper explore the field in terms of perceiving politics as one among other factors constituting what is commonly called international relations[84], along with other phenomena such as culture and economics.

Intense debates have been carried out since a while on the nature and functional specifics of civil society. Mervyn Frost[85], for instance, warns that the ethical significance of global civil society should not be misunderstood. Frost refers to two common viewpoints. For the first one[86], global civil society is "ethically important" but also a "fragile layor of non-state actors sandwiched between states and markets", i.e. a set of voluntary associations and organizations, while for the second one, the neo-Marxist school - Frost quotes here Justin Rosenberg[87] -, global civil society is seen as "a social formation which includes the global market". For the latter view, civil society is "of enormous structural power such that even states are subject to it". But according to Frost, both perspectives clearly lack the ethical dimension of global civil society which he finds

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Constructivism in International Relations: Wendt, Onuf, and Kratochwil – both in: Fierke, Karin M./ Jorgensen, Knud Erik (eds.) [2001]: Constructing International Relations – the next generation. Armonk, N.Y. and London, and Checkel, Jeffrey T. [1998]: The Constructivist Turn in International Relations Theory/ In: World Politics Vol. 50 (January).

[82] Wolf, Klaus Dieter [2002]: Zivilgesellschaftliche Selbstregulierung: ein Ausweg aus dem Dilemma des internationalen Regierens?/ In: Jachtenfuchs, Markus/ Knodt, Michèle (eds.) [2002a].

[83] See op. cit., p. 184.

[84] A contemporary reader containing brilliant articles that deal with the political aspect of IR is Ebata, Michi/ Neufeld, Beverly (eds.) [2000]: Confronting the Political in International Relations. Houndmills/ London.

[85] Frost, Mervyn [1996]: Global Civil Society: Taking Rights Seriously/ In: Millennium. London. (here p. 1-2)

[86] Artcles along this line are contained in Walzer, Michael (ed.) [1995]: Towards a Global Civil Society. Oxford.

[87] Rosenberg, Justin [1994]: The Empire of Civil Society. London.

"fundamental to our flourishing as ethical beings". For him, civil society "is the social formation within which we constitute one another as rights holders".[88]

A more rationalist approach is suggested by Ronnie D. Lipschutz, who explains the emergence of global civil society with interacting phenomena both at the structural as well as the agency level: while liberalism has achieved universal acceptance as "operating system" in IR and thus provides space for non-state actors to prompt in, national governments are not anymore in a position to provide public welfare goods as they used to do, a fact that allows new networks of educated, skilled individuals and associations, somewhat like the epistemic community, to take over responsibilities formerly allocated to the classic state.[89]

Other contributions deal with legitimacy of NGO participation in international governance[90], the aspect of democratization of the UN system[91] or issues such as distribution of power[92]. The latter states that the end of the Cold War has led to a process of redistribution of power among states, markets, international organizations and non-state actors. This process is most reflected in the changing nature of international agencies. Jessica T. Mathews argues that, in modernity, those used to be membership based organizations of nation-states. Nowadays, they are "building constituencies of their own and, through NGOs, establishing direct connections to the peoples of the world"[93].

Mathews continues:

> *"International organizations are still coming to terms with unprecedented growth in the volume of international problem-solving... Treaties, regimes, and inter-governmental institutions... are multiplying. 'Soft law' in the form of guidelines, recommended practises, nonbinding resolutions, and the like is also rapidly expanding. Behind each new agreement are scientists and lawyers who worked on it, diplomats who negotiated it, and NGOs that back it, most of them committed for the long haul."[94]*

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88   See Frost, Mervyn [1996], p. 2-3.
89   Lipschutz, Ronnie D. [1996]: Reconstructing World Politics: The Emergence of Global Civil Society/ In: Fawn, Rick/ Larkins, Jeremy (eds.) [1996]: International Society after the Cold War. London/ New York, N.Y. (here p. 120-121)
90   Schweitz, Martha L. [1995]: NGO Participation in International Governance: The question of Legitimacy/ In: Proceedings of the American Society of International Law (89th Meeting). 1995. (p. 413-432)
91   Otto, Dianne [1996]: Nongovernmental Organizations in the United Nations System: the Emerging Role of International Civil Society/ In: Human Rights Quarterly 18 (1996).
92   Mathews, Jessica T. [1997]: Power Shift/ In: Foreign Affairs (January/February).
93   Op. cit., p. 58.
94   Op. cit., p. 59.

Contemporary contributions mostly explore international organizations in terms of their role as promoter of, forum for, and part of global governance processes and structures. Contrary to the old functionalist approach - *optimal structures for optimal solutions* - and traditional rational choice models - *effective organizations will be selecetd by force of market* -, authors such as the Haas brothers[95] tackle the phenomenological aspect of organizations: these have tremendous staying power, even without function or in absence of efficiency. The conclusion is: organizations learn. They have a cultural value.

As a movement parallel to the conceptual reconstruction of the phenomenon of globalization[96], the already introduced term *global governance* has emerged in IR theory since the early Nineties. As a scientific concept, it implies various aspects as have been summarized by Ulrich Menzel:

> *"Dabei geht es ... um die Bearbeitung der Effektivitäts- und Koordinierungsprobleme, die sich aus [der] Vielzahl von Akteuren, Regelungsformen und Handlungsebenen zwangsläufig ergeben. Gemeint ist damit insbesondere die sog. Mehrebenenproblematik, die sich einerseits aus der Koexistenz bzw. Kooperation staatlicher und nichtstaatlicher Akteure ergibt."*[97]

In their article *Global Governance – Herausforderungen an der Schwelle zum 21. Jahrhundert*, Dirk Messner and Franz Nuscheler[98] co-relate global governance with the im-

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[95] Haas, Peter M./ Haas, Ernst B. [1993]: Learning to Learn. Some Thoughts on Improving Global Governance (lecture script). Geneva.

[96] The present book does not aim at dealing with globalization issues as such, although linkages and impacts towards the topics examined here are obvious and significant. A well-appreciated articel introducing the phenomenon is Perraton, Jonathan/ Goldblatt, David/ Held, David/ Mc Grew, Anthony [1998b]: Globalisation of Economic Activity/ In: Perraton, Jonathan/ Goldblatt, David/ Held, David/ Mc Grew, Anthony [1998a]: Global Flows, Global Transformations: Concepts, Evidence and Arguments. Cambridge, Engl. Discussions of the interactions between globalization and the changing nature of statehood are contained in Rittberger, Volker [2000]: Globalisierung und der Wandel der Staatenwelt/ In: Menzel, Ulrich (ed.) [2000a], Cable, Vincent (ed.) [2000]: Globalization and Global Governance: Rules and Standards for the World Economy. London, and Cerny, Philip G. [1995]: Globalization and the changing logic of collective action/ In: International Organization 49 (Autumn). The impacts of globalization on state formation, labour and social systems are explored in Altvater, Elmar/ Mahnkopf, Birgit [1999]: Grenzen der Globalisierung. Münster, and Altvater, Elmar/ Mahnkopf, Birgit [2002]: Globalisierung der Unsicherheit. Münster, while tensions and linkages between globalization, participation and the local level are thoroughly explored in the following reader: Berndt, Michael/ Sack, Detlef (eds.) [2001]: Glocal Governance? Voraussetzungen und Formen demokratischer Beteiligung im Zeichen der Globalisierung. Wiesbaden. *Glocal governance* is also subject to Altvater, Elmar/ Brunnengräber, Achim [2002]: NGOs im Spannungsfeld von Lobbyarbeit und öffentlichem Protest/ In: Aus Politik und Zeitgeschichte B 6-7.

[97] Menzel, Ulrich [2000b], p. 179.

[98] Messner, Dirk/ Nuscheler, Franz [1997]: Global Governance – Herausforderungen an der Schwelle zum 21. Jahrhundert/ In: Senghaas, Dieter (ed.) [1997]: Frieden machen. Frankfurt (Main). Another article by one of the co-authors exploring more the linkages between globalization, global governance and development is Messner, Dirk [1999]: Globalisierung, Global Governance und Entwicklungspolitik/ In: Internationale Politik und Gesellschaft 1.

pacts of advanced globalization on the diminishing power potential of the state and summarize:

> *"Global Governance bedeutet ... weder die hierarchische Steuerung der Welt-Gesellschaft durch eine Weltregierung noch einfach die Summe der Aktivitäten von Nationalstaaten. Sie erfordert zwar eine Stärkung der Vereinten Natinen und anderer internationaler Organisationen, erschöpft sich aber nicht in einem Mehr an Multilateralismus und in einer global orientierten Außenpolitik; sie meint vielmehr das Zusammenwirken von staatlichen und nicht-staatlichen Akteuren von der lokalen bis zur globalen Ebene."*[99]

They continue:

> *"Global Governance bedeutet erstens die Neudefinition von Souveränität, die – verstanden als selbstbestimmte Herrschaftsgewalt nach innen und außen – durch die Globalisierungsprozesse unterminiert wird... Global Governance bedeutet zweitens die Verdichtung der internationalen Zusammenarbeit durch internationale Regime mit verbindlichen Kooperationsregeln, also eine Verrechtlichung dieser Beziehungen... Global Governance meint drittens das Bewußtwerden gemeinsamer Überlebensinteressen und steht für eine Außenpolitik, die sich normativ an einem Weltgemeinwohl orientiert... Global Governance meint ... einen 'breit angelegten, dynamischen und komplexen Prozeß interaktiver Entscheidungsfindung', an dem viele Akteure beteiligt sind."*[100]

In conclusion, the authors develop what they call the *archticture of global governance*, a scheme comprising all structures and policy levels that are constitutive for global governance. Those are: nation-states, international regimes and organizations, national and global civil society, regional integration projects, business/ TNCs and the local level.[101] These action levels interplay on the basis of an ongoing process of international legislation. Finally, global governance is perceived as a cultural phenomenon of a normative nature.

No need to underscore that Messner's and Nuscheler's approach is – just as most of the contributions dealing with global governance – in itself normative rather than merely descriptive[102], but it is able to provide us with valuable material so as to grasp the notion

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[99] Op. cit., p. 342.

[100] Op. cit., p. 342-344. The authors refer to a definition set out by the *Commission on Global Governance*. Reference is provided in the article.

[101] Op. cit., p. 346.

[102] In Messner, Dirk [1998a]: Architektur der Weltordnung. Strategien zur Lösung globaler Probleme/ In: Internationale Politik Vol. 11, the author further elaborates on his architecture of global governance, providing six so-called dimensions of global governance, i.e. normative desiderata towards progress in

of global governance as an expression of postmodernity. I therefore deliberatley choose their definitory framework for further reference in this study.[103]

The present chapter aimed at preparing the ground for the core elaborations I am going to outline in the following chapters. I wanted to explore the semantic field of the modernity/postmodernity discourse in international relations theory, providing a broad idea on the respective notions and implications of the postmodern or post-Westphalian paradigm for contemporary international order, in contrast to the premodern and modern ones, respectively. Terms such as sovereignty, territoriatlity, balance of power, and the functional dimension of international law on one handside, and the concepts of post-nationalism or denationalization, international institutions and global governance on the other, provided the backdrop in front of which the examination of UNCCD will be undertaken.

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this field. An update is provided in Messner, Dirk/ Nuscheler, Franz [2003]: Das Konzept Global Governance. Stand und Perspektiven. Duisburg.

[103] While Messner and Nuscheler stand for a normative exploration of the field, and Menzel chooses a more analytical approach, a huge multitude of scholars have contributed substantially to the debate within the past decade, highlighting other aspects such as the institutional and legal dimension, and others. For our purpose it is sufficient to have been provided with somewhat like a conceptual framework that allows us to understand the notions, dimensions and analytical impacts of global governance, and to relate these with the notions and dimensions of postmodernity in international relations. For further reference, I would like to mention Brozus, Lars/ Zürn, Michael [2003]: Regieren im Weltmaßstab/ In: Globalisierung – Informationen zur politischen Bildung 280 (published by Bundeszentrale für politische Bildung), 3. Quartal. Bonn, Finger, Matthias [2003]: Global governance as an institutional phenomenon/ In: Lederer, Markus/ Müller, Philipp (eds.) [2003]: Challenging the social democratic vision of globalization. Hamburg (forthcoming), Brunnengräber, Achim/ Stock, Christian [1999]: Global Governance: Ein neues Jahrhundertprojekt?/ In: PROKLA 116/29 Nr.3, and Risse, Thomas [1999]: Democratic Global Governance in the 21st Century/ In: Progressice Governance for the XXI Century (Conference Proceedings 20th and 21st November). Florence.

CHAPTER TWO
Rio as locus classicus for postmodernity

Global environmental governance

Indeed, much has been said and written on globalization, global governance and, more specifically, on global environmental governance within the past decade. Significantly enough, the terms *globalization* and *global governance* are relatively new: statitics show that their use in literature, science and rhethorics has basically started to become somewhat trendy only in the early Nineties.[104] While it is not my undertaking here to write about the effects of globalization, it is evident that there are close links between this phenomenon and others commonly referred to as global environmental problems.

Hans-Joachim Schellnhuber and Frank Biermann state in this context:

> *"Fest steht aber, daß alle skizzierten Globalisierungsprozesse ganz wesentlich zur Veränderung der planetarischen Umwelt beitragen – indem sie ein hochkonsumtives, auf kurzfristiges Denken angelegtes Zivilisationsmuster weltweit etablieren helfen und die kommerzielle Ausbeutung der Naturressourcen der Erde grenzüberschreitend optimieren."[105]*

The International Monetary Fund (IMF) defines globalization as follows:

> *"Economic "globalization" is a historical process, the result of human innovation and technological progress. It refers to the increasing integration of economies around the world, particularly through trade and financial flows. The term sometimes also refers to the movement of people (labour) and knowledge (technology) across international borders. There are also broader cultural, political and environmental dimensions of globalization."[106]*

Markets promote efficiency through competition and the division of labour - the specialization that allows people and economies to focus on what they do best. Global markets offer greater opportunity for people to tap into more and larger markets around the world. It means that they can have access to more capital flows, technology, cheaper imports, and larger export markets. But markets do not necessarily ensure that the benefits of increased efficiency are shared by all. Thus the issue of globalization cannot be simplified as a phenomenon of 'free trade' agreements, or the policies of the World

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[104] A detailed statistical examination of the issue is contained in Altvater, Elmar/ Mahnkopf, Birgit [1999]. (p. 20-21)

[105] Schellnhuber, Hans-Joachim/ Biermann, Frank [2000]: Eine ökologische Weltordnungspolitik. Globales Umweltmanagement statt Untergangskultur/ In: Internationale Politik 12 (Dezember). (here p. 9)

[106] See the website <www.imf.org>.

Bank. It needs to be understood more systemically, as being a global process. A thorough reorganization of the world's economic and political activity is underway, with takeover tendencies of governance patterns by transnational corporations and the international trade bureaucracies that they established.

In conformity with a comprehensive classification established by the German Advisory Council on Global Change (Wissenschaftlicher Beirat der Bundesregierung Globale Umweltfragen/ WBGU), Udo E. Simonis names global environmental problems "changes in the atmosphere, in the oceans, and on land the causes of which can be attributed, directly or indirectly, to human activities; these changes affect the natural metabolic cycles, the aquatic and terrestrial ecological systems, as well as economy and society..."[107].

Environmental problems can be categorized along three levels of appearance. *Local phenomena* are limited to the spatial dimension of states, e.g. emmissions in industrial zones, air pollution caused by traffic in urban areas, or the locally limited contamination of a river through chemical waste. *Regional phenomena* are of a transboundary, but regionally limited nature, e.g. intoxication of transborder water basins, or drought periods. *Global phenomena* affect world-wide shared resources and sinks, e.g. climate change and global warming, the pollution of the oceans, or loss of genetic diversity.
Although definitory considerations suggest that, following this classification, only global phenomena are of international concern, emphasis has to be laid on the fact that also local or regional problems may, and sometimes do, culminate to an extent of a global dimension. To give just one example: a regional drought catastrophe may trigger chain reactions such as agriculture production loss, famine and poverty, migration or social unrest[108].

On the interplay of globalization and environment, it is obvious that not all globally known environmental problems are due to or inter-related with globalization effects.[109] However, it is worthwhile to discriminate two different types of interaction: firstly, we know of grave environmental problems that are caused or increased by globalization-related phenomena. These are issues such as land degradation caused by unsustainable

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[107] Simonis, Udo E. [1999]: Global Environmental Problems – Searching for Adequate Solutions (WZB Policy Paper). Berlin (here: p. 3) – referring to German Advisory Council on Global Change (WBGU) [1994]: World in Transition: Basic Structure of Global People-Environment Interactions. 1993 Annual Report. Bonn.

[108] A detailed examinitaion of the issue along with a number of case analysis is contained in Rechkemmer, Andreas [2000]: Environmental refugees and environmental migration. The very special case of desertification/ In: Gate 3/2000.

[109] A more detailed outline of this subject is provided in Rechkemmer, Andreas [2003b]: Lösungsansätze für globale Umweltprobleme/ In: Globalisierung – Informationen zur politischen Bildung 280 (published by Bundeszentrale für politische Bildung), 3. Quartal. Bonn.

landuse and production patterns due to world market forces, the climate and energy dilemma - CO² emmisions, the greenhouse effect - due to world wide industrialization processes and 'exported' unsound technologies, or unsustainable energy consumption triggered by enhanced global mobilty.

Secondly, we should also mention intermediate consequences such as the erosion of environmental safety standards due to competition pressure – reference can be made, for example, to the deforestation of rain forests, or textile production patterns in Asian countries.[110] The interrelatedness of such issues as mentioned above is as obvious as are the mutual linkages between the said levels of ocurrance: the local, regional and global ones.[111]

After three decades of intense data collection, research and analysis, there is broad consensus in contemporary natural as well as social science as far as the identification of a number of environmental problems that are usually referred to as global is concerned. In this context, I would like to recall here: the cluster of climate change phenomena including ozone layer depletion and global warming, loss of genetic (or biological) diversity, deforestation, soil erosion, land degradation and desertification, the contamination and other critical impacts on the world's oceans and other international waters, scarcity of international freshwater resources, problems with waste and chemicals, and the use of non-renewable energies.[112]

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[110] For further reference and empirical case studies, refer to Altvater, Elmar/ Mahnkopf, Birgit [1999], and Altvater, Elmar/ Mahnkopf, Birgit [2002].

[111] Further reommended articles on the interplay of globalization, environment and global public policies are Altvater, Elmar [1992]: Der Preis des Wohlstands oder Umweltplünderung und neue Welt(un)ordnung. Münster, Hirst, Paul [1997]: The global economy – myth and realities/ In: International Affairs 73, 3, and Esser, Klaus [1998]: Nationalstaatliches Handeln im Übergang von der Industrie- zur Informationsökonomie/ In: Messner, Dirk (ed.) [1998b]: Die Zukunft des Staates und der Politik. Bonn.

[112] See also Rechkemmer, Andreas [2003b], p. 72-74. I will not further elaborate on a detailed description and exploration of this important matter, apart from the ten points flagged out in the next para, since a huge number of scientific contributions is available addressing these major global environmental problems. For the purpose of this book, it is sufficient to have named them. For further reference, please refer to Simonis, Udo E. [1996]: Globale Umweltpolitik: Ansätze und Perspektiven. Mannheim etc., Wöhlke, Manfred [1996]: Sicherheitsrisiken aus Umweltveränderungen (SWP-Arbeitspapier 2977). Ebenhausen (Isar), Jänicke, Martin/ Weidner, Helmut [1997]: Zum aktuellen Stand der Umweltpolitik im internationalen Vergleich – Tendenzen zu einer globalen Konvergenz?/ In: Aus Politik und Zeitgeschichte B27/97, Jänicke, Martin [1998]: Umweltpolitik: Global am Ende oder am Ende global?/ In: Beck, Ulrich (ed.) [1998]: Perspektiven der Weltgesellschaft. Frankfurt, Graßl, Hartmut [2000]: Globale und allgegenwärtige Umweltprobleme: Bestandsaufnahme und qualitative Einschätzung, and Jänicke, Martin [2000]: Profile globaler Umweltveränderungen – both in: Kreibich, Rolf/ Simonis, Udo E. (eds.) [2000]: Global Change - Globaler Wandel. Berlin, and Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) (ed.) [2002]: Von Rio nach Johannesburg. BMZ Spezial Nr. 54. Bonn.

In his article *The Global Environmental Agenda:Origins and Prospects*, James Gustave Speth[113] provides his own account for the ten most pressing global environmental issues of our time:

- Loss of crop and grazing land due to desertification, erosion, conversion of land to non-farm uses, and other factors;
- Depletion of the world 's tropical forests, leading to loss of forest resources, serious watershed damage (erosion, flooding, and siltation), and other adverse consequences;
- Mass extinction of species, principally from the global loss of wildlife habitat, and the associated loss of genetic resources;
- Rapid population growth, burgeoning Third World cities, and ecological refugees;
- Mismanagement and shortages of freshwater resources;
- Overfishing, habitat destruction, and pollution in the marine environment;
- Threats to human health from mismanagement of pesticides and persistent organic pollutants;
- Climate change due to the increase in greenhouse gases in the atmosphere;
- Acid rain and, more generally, the effects of a complex mix of air pollutants on forests and crops;
- Depletion of the stratospheric ozone layer by CFCs and other gases.

However, global environmental issues did not really play a significant role on the international political stage – as far as the UN and other formal negotiation settings are concerned – until the early 1970s. The consciousness of the necessity for a sustainable use of the planet's natural resources was basically, if at all, limited to national initiatives. At the time of the United Nations' inauguration in 1945, environmental issues did not matter - there is no reference made within the provisions of the UN Charter.[114] The Organization first focused on the issues of peace and security, international cooperation and human rights.

In the same context, the *Worldwatch Institute* states:

> "*When the United Nations was created a half-century ago, such events would have been difficult to imagine. Environmental degradation was not even considered much of a national threat at that time, let alone a pressing global problem that could provoke international conflict and undermine human health, economic well-being, and social stability. Accordingly, the U.N. Charter does not even mention the word 'environment'. In 1945, as large parts of Europe and Asia lay in ru-*

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[113] Speth, James Gustave [2002]: The Global Environmental Agenda: Origins and Prospects/ In: Esty, Daniel C./ Ivanova, Maria H. (eds.) [2002]: Global Environmental Governance: Options & Opportunities. New Haven, Ct. (Quoted items are taken from the executive summary.)

[114] See also Rechkemmer, Andreas [2003b], p. 74-75.

ins, ensuring that no world war would ever again break out was viewed as the most urgent task before the world community."[115]

As a result of the emerging process of de-colonialization and thus of the growing number of UN member states especially in the 1960s, however, new issues like development as well as economic and social affairs made it on the international agenda. Finally, also environment was recognized generally as a global issue to be dealt with by the international community and in particular by the United Nations and its specialized agencies.

It was in 1968 that the United Nations General Assembly first recognized the need to engage into international environmental issues. Resolution GA 23/198 states that greater attention should be given to human environment as a basis for sustainable economic and social development. Furthermore, the General Assembly expressed the hope that donors would assist developing countries through the means of enhanced cooperation to find appropriate solutions for their environmental problems. It was the first time that a link had been established between environment and development. The same resolution called for the organization of the United Nations Conference on the Human Environment (UNCHE), the first world conference on environment.

In 1972, the UN organized this conference in Stockholm. Its opening day, 5 June, is still celebrated globally as world environment day. Imke Keil calls UNCHE a first pragmatic step towards environmental politics.[116] Although the 113 participating countries insisted on their national prerogatives throughout the conference and seemed unlikely to sacrifice those to some extent so as to ensure a common denominator as a platform for substantial improvements, two remarkable results came out of UNCHE: the main concluding document, the *Declaration on Human Environment* (Stockholm Declaration), which basically consists of a thorough listing of environmental problems of global concern known at the time, and, in accordance with the notable provisions of resolution GA 23/198, the call for the foundation of the United Nations Environment Programme (UNEP), headquartered in Nairobi, Kenya, to be confirmed by the following General Assembly session.[117]

UNCHE was a bold step forward, in the sense that for the first time ever, global players and stakeholders could refer to an international document addressing the full range of known environmental issues of global concern. Also, the declaration addressed all the pertaining issues highlighted in resolution GA 23/198, notably the linkage created be-

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[115] Worldwatch Institute [1995]: Partnership for the Planet: An Environmental Agenda for the United Nations. Washington DC.
[116] Keil, Imke [1994]: Die Umweltpolitik der Vereinten Nationen/ In: Hüfner, Klaus (ed.) [1994]: Die Reform der Vereinten Nationen. Opladen.
[117] A comprehensive review of UNCHE is given in Keil, Imke [1994].

tween environment and development. Furthermore, other important issues such as international liability and the polluter pays principle, the decision to raise the official development assistance (ODA) of OECD countries to 0.7% of their GNP, and the foundation of Earthwatch, a global satellite-based monitoring system, were addressed and established first through the Stockholm Declaration.

However, since there was neither a legally binding status attached to this document nor a clear mechanism for arbitration and enforcement created, the Declaration did not have sufficient power, and just reflected a Westphalian symptom: states were ready to address global issues globally, but rather dwelled on their national authority in handling environmental affairs.[118]

The second important multilateral achievement concerning global environment was the foundation of UNEP, whose onset functions consisted mainly in the collection, systematization and dissemination of state-of-the art knowledge, the coordination of national and inter-agency efforts, mainstreaming the most pertaining problems of global environment into existing inter-governmental processes and conferences, and the facilitation of conferences, meetings and workshops. However, UNEP - obviously exceeding the tied nature of its original mandate - soon started to play a more pro-active role in providing leadership and catalytical support to the invocation of new conventions and regimes such as the Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the MARPOL convention restricting intentional discharges by ships (both 1973), the Convention on the Law of the Sea (1982), the Vienna Convention (1985) respective the Montreal Protocol on Substances that Deplete the Ozone Layer (1987), and the Basel Convention on controlling transboundary movement of hazardous wastes (1989). UNEP also established the International Panel on Climate Change (IPCC) in October 1990.[119] But like UNCHE, apart from the pro-active promotion measures sketched out above, the initial organizational matrix of UNEP can be considered as rather weak: no enforcement, no controlling, no initiative for international legally binding arrangements.[120] Its budget comes from the regular UN core budget, fund raising for programming and project design and administration is, as a rule, depending on voluntary contibutions by member states, trust funds and even by non-governmental entities - a 'humiliating' perspective. Despite all this, UNEP in its history has proved to be somewhat creative: apart from Earthwatch, the GRID/GPS satellite imaging project has been set up, input to a multitude of international, regional and

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[118] See op. cit., p. 82.

[119] Thorough evaluations of most of the named regimes are contained in Gehring, Thomas/ Oberthür, Sebastian (eds.) [1997a]: Internationale Umweltregime: Unweltschutz durch Verhandlungen und Verträge. Opladen.

[120] See Keil, Imke [1994], p. 83.

national conferences has been provided, HABITAT, and a series of international treaties have been promoted and inaugurated by UNEP.

Since resolution GA 23/198 and 1972's UNCHE, global environmental issues had thus been tackled multilaterally at first, but much according to the principle of non-binding resolutions and political committments, apart from some of the aforementioned particular regimes, and without challenging the tradtional sovereignty concept of the states involved.

Ultimately, the break-through for global environmental governance came in the Eighties.[121] Following an initiative by UNEP, the United Nations General Assembly in 1984 established the World Commision on Environment and Development (WCED), the so-called *Brundtland Commission*[122]. Its members were independant experts who were supposed to come up with substantive proposals for enhanced exploration of the nexus environment-development. The commision's final report *Our common future*, or *Brundtland-Report*[123], became the locus classicus for the term *sustainable development*, its definition became a paradigm:

> *"Humanity has the ability to make development sustainable – to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs."*[124]

The Brundtland report further defines sustainable development as "...a process of change in which exploitation of resources, the direction of investment, the orientation of technological development, and institutional change are made consistent with future as well as present needs"[125]. For Udo E. Simonis, sustainable development thus deals with "two fundamental issues, i.e. inter-generational equity and comprehensive structural adjustment"[126]. It has to be recalled that the term sustainable development was promoted and functionalized by the Brundtland Commission, yet not invented. It was first introduced in 1980 as part of the World Conservation Strategy published jointly by The

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[121] The notion of *global environmental governance* is distinct from the one of *global environmental politics*, which is an adequate description for the multilateral efforts of the period before 1984/87. *Global environmental governance* implies the concept of global governance, postmodern in itself, as outlined in the previous chapter. Further attention to this matter is provided further down this chapter.

[122] This name followed the commission's chairwoman, the former Prime Minister of Norway, Mrs Gro Harlem Brundtland.

[123] World Commision on Environment and Development [1987]: Our common future. Oxford. *German Version: Hauff, Volker (ed.) [1987]: Unsere gemeinsame Zukunft. Weltkommission für Umwelt und Entwicklung. Greven.*

[124] World Commision on Environment and Development [1987], p. 8-9.

[125] Op. cit.

[126] Simonis, Udo E. [1998a]: How to lead world society towards sustainable development? (WZB Policy Paper). Berlin. (here p. 1)

World Conservation Union (IUCN), the World Wildlife Fund (WWF) and UNEP[127].
The core concept foresees that economic growth is on the long run not possible without
maintaining functional ecosystems, and that revenue generation by simple exploitation of
natural resources is possible only for a short while.

Petra Stephan[128] says:

> *"Keine andere Leitvision für die Gestaltung der Weltgesellschaft hat in den ver-
> gangenen zehn Jahren eine auch nur annähernd große Verbreitung gefunden."*

The Brundtland report became influential by creating a strong link between the policy
fields, or sectors, of environment and development, highlighting that poverty, under-
development and depletion of natural resources are closely linked and mutually interac-
tive. The concept of sustainable development became the new paradigm for global envi-
ronmental governance. The publication and dissemination of the Brundtland Report
coincided with the ongoing erosion process in the Eastern political hemisphere and the
end of the Cold War. It thus benefited in its outlook from a newly created historical
momentum, in which states, all over sudden, were ready and eager to revive the princi-
ple of collective action and yield the establishment of multilateral agreements under the
aegis of the United Nations.

It was the time of an important series of world conferences, invoking new forms of in-
ternational agreements, in which genuine collective goals were identified and supposed
to be tackled. Nation-states showed readiness to sacrifice national interests and tradi-
tional sovereignty considerations to a large extent for the desired benefit of global con-
cerns. This phase reached its climax in the early Nineties and was reflected in a number
of 'historical' addresses invoking a *new world order*[129]. Being a so-called soft policy
area, global environmental issues benefited from this momentum, given that heads of
states and governments obviously perceived it as one of the preferred testing grounds
for the newly identified approach. Thus, the spirit of postmodernity was given a gener-
ous platform to infiltrate international relations.

In this context, and following the suggestions of the Brundtland Report, the General
Assembly passed resolution 44/228 on 22 March 1989, which decided on the organiza-
tion of the *United Nations Conference on Environment and Development* (UNCED), to

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[127] IUCN/UNEP/WWF [1991]: World Conservation Strategy – Living Resource Conservation for Sus-
tainable Development. Gland.

[128] Stephan, Petra [2002]: Nachhaltigkeit: ein semantisches Chamäleon. In: E+Z – Entwicklung und Zu-
sammenarbeit 4/ April. (here p. 112)

[129] This term is usually identified with President George Bush sen.'s speech to the U.S. Congress. 6
March 1991. This speech has often been cited as the administration's principal policy statement on the
postwar order in the Middle East.

be held from 3 to 14 June 1992 in Rio de Janeiro, Brazil. The foreseen mandate for UNCED was originally to review and to take stock of the development made on the respective sectors of environment and development since the Stockholm Conference of 1972, and to identify new strategies for enhanced collective action at both global and regional levels. It was foreseen to further merge the two sectors into the field of sustainable development.

UNCED is regarded as incomparable and the most important event to date in global environmental politics. The conference represented a watershed due to comprehensive calls for linking environmental and development issues as stated above. Expectations of the representatives from the 180 participating countries ran high, and the concept of sustainable development, which had become a sort of slogan, introduced a new quality in international cooperation. A number of key multilateral resolutions and agreements were agreed on at UNCED, above all »Agenda 21«. Expectations were even higher for the next decade regarding prevention of environmental catastrophes, a just organization of global markets and the fight against poverty and famine. The Nineties were supposed to bring about a worldwide change in awareness.[130]

While the term *global environmental politics* refers to a specialized thematic target field as a sub-category of international politics and implies states as principal actors yielding inter-governmental agreements, I would like to raise the question: What defines *global environmental governance*? Enlightening for the understanding of the concept in question, Maria Ivanova contributed the following elaborations to the discourse:

> „*Two traditional forms of governance have dominated world affairs until recently - national governance through governmental regulation and international governance through collective action facilitated by international organizations and international regimes. However, governing human relations has become a complicated endeavor that has transcended the national and interstate scale and moved to a global level involving multiple actors across national borders and multiple levels of regulatory authority - from subnational to supranational. In this context, institutional arrangements for cooperation are beginning to take shape more systematically and have now been recognized as critical to the effective tackling of any global problem. Public-private partnerships, multi-stakeholder processes, global public policy networks, and issue networks are regarded as important tools for global governance.*“[131] „*International organizations are the traditional facili-*

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[130] UNCED, its main objectives, contents and outcomes are discussed more thoroughly in the following sub-chapter.

[131] Ivanova, Maria H. [2003]: Partnerships, International, Organizations, and Global Environmental Governance/ In: Witte, Jan Martin/ Streck, Charlotte/ Benner, Thorsten (eds.) [2003]: Progress or Peril? The Post-Johannesburg Agenda. Wahington DC, Berlin, p.9.

*tators of collective action at the international and global level and provide a par-
ticularly interesting analytical lens for partnership arrangements. International
organizations may perform a range of roles in a partnership context - enabler, fa-
cilitator, supporter, or active participant - and influence the shape, form, and
function of the collaborative arrangements."[132]*

UNCED became the first playground on which these concepts were brought in and
tested, and subsequently reflected in UNCED's conference outcomes as well as in the
entire Rio follow-up process. Charlotte Streck highlights the networking character of
global environmental governance. She provides her own vision in the article
Umweltpolitik in globalen Netzen[133]:

*„Netzwerkorientierte Strukturen können an vielen Stellen Lösungen anbieten, an
denen müde, langsame Bürokratien nicht in der Lage sind, innovativ und flexibel
zu reagieren. Trisektorale Politiknetzwerke zwischen Vertretern von Nationalstaa-
ten, Unternehmen sowie der Zivilgesellschaft eröffnen eine Möglichkeit, den
Netzwerken der NROs und der Privatwirtschaft ein politisches Gegenüber anzu-
bieten. Globale Politiknetzwerke bringen in dynamischer, nicht-hierarchischer
Form die von grenzüberschreitenden Problemen betroffenen Akteure zusammen,
um auf der Basis von Interessen- und Wissensdifferenzen in einem ergebnisoffenen
Prozess nach tragfähigen Regelungsformen zu suchen."*

The author continues stating that such trisectoral networks are poorly formalized struc-
tures. Their tasks are the identification of certain problems that require collective regu-
lation, global agenda setting, the implementation of taken decisions, the generation and
collecton of knowledge, the discussion and setting of standards, and creative negotiation
processes.[134] I would like to use this definitory phrase to characterize what is commonly
meant nowadays by global environmental governance, as a first systematic approach,
and on a rather phenomenological basis. Yet one addition seems necessary: the role of
international organizations, particularly the organs, programmes and agencies of the UN
system, and also the system of world conferences, should not be underestimated in their
significance as platforms as well as mediators.

Multilateral cooperation experiences a re-definition of its genuine connotation: through
the incorporation of non-state actors, the scientific community and non-hierarchical
regulatory patterns, the referred to networks surface as truly multilateral in the real
sense of the word. However, we should not neglect that formal and inter-state negotia-

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[132] Op. cit., p. 10.
[133] Streck, Charlotte [2001]: Umweltpolitik in globalen Netzen/ In: Ökologisches Wirtschaften, Vol. 3-4.
     (here p. 3)
[134] Op. cit.

tion processes, under UN aegis and yielding classical legal agreements or single re-gimes[135], are still part and parcel of global environmental governance structures, as are the states as important, if not principal, actors among many others. Hans-Joachim Schellnhuber and Frank Biermann[136] add that the regulation of global environmental problems cannot be based on decentral mechanics of the market alone, they require effective and efficient international institutions and global legislation. Since both factors are nowadays still founded on the principles of inter-statehood, a fundamental dilemma emerges:

> *„Die Herausforderungen des 21. Jahrhunderts sollen mit etatistischen Strukturen bewältigt werden, die bestenfalls dem 19. Jahrhundert entstammen und dem virtuellen Schrumpfen des Planeten in keiner Weise gerecht werden können.“*[137]

An idealtype analogous structure to a globalized world would consist of a global federative constitutive-executive zone, i.e. a world government, which is out of sight.[138] Therefore, the authors promote the formula ,*global governance instead of global government*' for the environmental field. Other scholars highlight the role of NGOs and the need for a more formalized participatory legitimicy for the same. In their article *The Role of NGOs and Civil Society in Global Environmental Governance*, Barbara Gemmill and Bimbola Bamidele-Izu[139] state:

> *„International decisionmaking processes seek legitimacy through the involvement of civil society, yet formal mechanisms for NGO participation within the UN system remain limited. Ad-hoc civil society participation should be replaced by a strengthened,more formalized institutional structure for engagement.“*[140]

The authors identify five major roles that civil society can play, i.e. collecting, disseminating, and analyzing information, providing input to agenda-setting and policy devel-

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[135] More on regimes, and particular reference to regime theory findings is provided in Gehring, Thomas/ Oberthür, Sebastian [1997b]: Internationale Regime als Steuerungsinstrumente der Umweltpolitik/ In: Gehring, Thomas/ Oberthür, Sebastian (eds.) [1997a]. The authors refer to classical definitions such as the one given by Stephen Krasner, and define regimes as „Zusammenhänge von impliziten oder expli-ziten Prinzipien, Normen, Regeln und Entscheidungsverfahren, an denen sich die Erwartungen von Akteuren in einem gegebenen Problemfeld der internationalen Beziehungen ausrichten". (see p. 10)

[136] Schellnhuber, Hans-Joachim/ Biermann, Frank [2000], p. 10-11.

[137] Op. cit.

[138] More on the fascinating concept of a world government can be found in Albrecht, Ulrich [1998b]: Völkerbundsprojekte der frühen Humanisten – Von Erasmus zu Kant/ In: Albrecht, Ulrich (ed.) [1998a]: Die Vereinten Nationen am Scheideweg. Von der Staatenorganisation zur internationalen Gemeinschaftswelt? Hamburg, and Beck, Ulrich (ed.) [1998].

[139] Gemmill, Barbara/ Bamidele-Izu, Bimbola [2002]: The Role of NGOs and Civil Society in Global Environmental Governance/ In: Esty, Daniel C./ Ivanova, Maria H. (eds.) [2002]: Global Environmental Governance: Options & Opportunities. New Haven, Ct.

[140] Op. cit., p. 1.

opment processes, performing operational functions, assessing environmental conditions and monitoring compliance with environmental agreements, and advocating environmental justice. The German *Institute for International and European Environmental Policy* (Ecologic) summarizes, on the same account, the roles that NGOs play in the context of global environmental governance, according to their analysis:

- Enhancing the knowledge base;
- Advocacy and lobbying;
- Membership in national delegations;
- Contribution to compliance review and enforcement as well as dispute settlement procedures;
- Ensuring transparency;
- Supporting international secretariats;
- Networking, including integrating levels of governance;
- ‚Globalization' of values and preferences.[141]

Rounding up the definitory framework provided for the term in question, I would like to mention, last but not least, Richard Stewart, who writes[142]:

> *„The coming decades pose an enormous challenge of governance for the global community: preserving the planet's ecosystems and protecting the world's common environment while meeting the aspirations of all peoples for higher personal and societal levels of economic welfare. Meeting this challenge will require newly developed and developing countries and public/private international partnerships for sustainable development; wider adoption of economic instruments for environmental and resource protection; improved international mecha-nisms for risk assessment and resolution of trade/environment controversies; and more focused and effective international environ-mental laws and institutions...“*

All aforementioned aspects and elaboratory contributions may serve as a conceptual quilt to grasp the notion of global environmental governance, always keeping in mind what has been said on the postmodern paradigm for IR, and, more precisely, on the no-

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[141] Ecologic [w/o year]: Participation of Non-Governmental Organisations in International Environmental Governance: Legal Basis and Practical Experience (Report). Berlin, p. 6. Other articles are Buschor Graciela [1996]: NGOs advocacy for environmental diplomacy to effect global environmental change/ In: Transnational Associations Vol. 2, Willetts, Peter [1996]: From Stockholm to Rio and beyond: the impact of the environmental movement on the United Nations consultative arrangements for NGOs/ In: Review of International Studies, 22, and Martens, Jens [1998]: Reformchancen und Reformhindernisse in den Beziehungen zwischen UNO und NGOs/ In: Albrecht, Ulrich (ed.) [1998].
[142] Stewart, Richard [1999]: Global Governance for Sustainable Development/ In: Progressice Governance for the XXI Century (Conference Proceedings 20th and 21st November). Florence.

tions of global governance. In the following sub-chapter, UNCED will be discussed, and thus a first empirical approach to this field will be undertaken.[143]

What is so postmodern about Rio?

Benefiting from a historical momentum, and surfing on the wave of the post-cold-war new world order philosophy, the UN Conference on Environment and Development, commonly also called the *Earth Summit*, became *the* platform for the aforementioned notions and implications of postmodernity. UNCED was prepared by four committee sessions, so-called PrepComs, taking place mutually shifting between New York and Geneva, and involving member states representatives as well as inter-governmental and non-governmental organizations. Great expectations and hopes were raised in the forefront, and intense scientific preparation and media coverage seconded the deliberations. A multitude of NGOs had engaged into promotion measures. Probably the PrepComs' most important activity was the elaboration of the draft Agenda 21, the later major conference output. Understanding had been reached among delegates that general and specific goals were to be mentioned along with accompanying financial, institutional and economic measures. Nevertheless, tension emerged between developed and developing countries, the latter insisting not to be instructed on how these countries should solve their environmental problems. Developing countries also dwelled on the fact that the by far larger share of global pollution is caused by the North. They asked for compensation, while, probably as a reaction, Northern countries did not agree on broad technology transfer.[144]

During the PrepComs, the impression emerged at times that supranational concepts would have a difficult standing versus established traditional sovereignty-based ideas about international cooperation. However, hot issues such as balancing out economic growth and free trade, but also the question of optimal means for financial transfer measures for the sake of environmental improvements still made it into the drafts.

In the following, I am not going to focus on the conference proceedings as such. Instead, the focus is laid on the outcomes of Rio. There are official documents and treaties, institutional changes, and an officially agreed upon follow-up process. More inter-

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[143] A recommended article on the tensions between global environmental governance and the globalization of economic structures, featuring the case of climate politics, is Flavin, Christopher [2002]: Die Erfahrungen der Klimapolitik und die internationalen Governance-Strukturen/ In: Flavin, Christopher/ Young, Brigitte et al. (eds.) [2002]: Global Governance. Hamburg. See also Brozus, Lars [2002]: Globale Konflikte oder Global Governance? Wiesbaden. Other recommended articles on global environmental governance are Knoepfel Peter [1994]: La Portée et les Limites du Principe de Coopération en Politique Environnementale. Lausanne, and Wapner, Paul [1995]: Politics Beyond the State. Environmental Activism and World Civic Politics/ In: World Politics 47 (April).

[144] For broader exploration of UNCED and its preparatory phase, refer to Keil, Imke [1994].

esting are structural and substantive re-orientations within existing or newly founded institutional bodies and so-called informal consequences, i.e. shifts in the way multilateral cooperation in the field of sustainable development has been perceived and incorporated after Rio. We will therefore take a look at the formal as well as informal Rio outputs.

UNCED's well-known outcomes, the Rio Declaration, Agenda 21, the three Rio Conventions, the Forest Declaration, the Commission on Sustainable Development and the Rio process including the Rio +5 conference and a new system of world conferences, will be summarized first as follows.

The *Rio Declaration* contains 27 basic governance guidelines for environment and development policies, and was the result of PrepCom 4 (New York, 2 March to 4 April 1992). It is legally not binding and „definiert die wesentlichen Grundsätze, die das Verhältnis Staat und Bürger im Themenbereich Umwelt und Entwicklung bestimmen sollen"[145]. It identifies general rights, e.g. for development and democratic participation in decision-making processes, and also obligations, e.g. integrating environmental concerns in national policies and strategies, the introduction of a comprehensive legislation, public participation, the polluter pace principle, prevention measures, poverty eradication, moderate population-growth politics, and the principle of North-South solidarity. Industrialized countries are supposed to assume particular responsbility as the world's major polluters. Furthermore, guidelines on how to sustainably steer national economics are part of the Declaration.[146]

The second and most important and influential conference output is *Agenda 21*, which reflects a global consensus and political committment towards environmental and development cooperation. In 40 chapters, summing up to some 800 pages, it features and spells out the entire repertoire of identified policy fields for sustainable development. The Agenda names international conditions for partnership, particularly on trade, technological cooperation, and financial support for developing countries. It further comprises central topics such as poverty eradication and sustainable use of natural resources as well as socio-economic issues such as participation of major groups in implementation processes. Altogether, 115 sustainable development topics for the 21st century are addressed.

Imke Keil states: „Es sollte ein Aktionsprogramm sein, das allgemeine und spezielle Ziele sowie finanzielle, institutionelle und ökonomische Bedürfnisse und Pläne en-

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[145] Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) (ed.) [2002], (p. 5).
[146] See Keil, Imke [1994], p. 86-88.

thält...“[147], naming a huge amount of political guidelines of global concern and address-
ing all environmental issues known at the time – just sparing problems of the Antarctic
circle.[148] The Agenda thus provided detailed proposals so as to turn around the overall
direction, to improve standards and empirical findings valid for the year 1992. Agenda
21 contains scientific analysis, action plans as well as detailed budgets and cost esti-
mates.[149]

Martin Jänicke calls the Agenda 21 a strategic steering model as a consequence of gen-
eral reform tendencies in the public sector of developed countries, reflected in the con-
cepts of 'public management'. The central aspects of this steering model are consensual
target identification, integration of environmental concerns into the pollution pace sec-
tors, participation, monitoring, and coordinated multi-level implementation from global
to local.[150]

> *„Der durch die Agenda 21 strukturierte „Rio-Prozess" hat insgesamt eine beacht-
> liche Wirkung entfaltet: In den neunziger Jahren haben mehr als 130 Länder der
> Welt Umweltministerien bzw. zentrale Umweltbehörden eingerichtet. Fast alle
> Länder haben einen nationalen Umweltplan oder eine nationale Nachhaltigkeits-
> strategie entwickelt... Der Ministerrat der OECD verabschiedete 2001 eine Nach-
> haltigkeitsstrategie für die Mitgliedsländer. Rund 6.400 Prozesse einer „lokalen
> Agenda 21" in 113 Ländern wurden abgeschlossen oder eingeleitet... Eine grosse
> Zahl industrieller Selbstverpflichtungen bzw. freiwilliger Vereinbarungen zum
> Umweltschutz wurde abgeschlossen. Der Rio-Prozess hat weltweit auf allen
> Handlungsebenen und in zentralen Verursachersektoren wichtige Lernprozesse
> ausgelöst."[151]*

The third outcome of UNCED are the so-called *Rio Conventions*: firstly, the United
Nations Framework Convention on Climate Change (UNFCCC), which entered into
force on 21 March 1994 and yields to stabilize the climatic effects of anthropogenic
greenhouse gas emmissions – seconded by the Kyoto Protocol adopted in 1997. Sec-
ondly, the Convention on Biodiversity (CBD), which entered into force on 29 Decem-
ber 1993. Both were opened for signature at UNCED. The third Rio Convention, the

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[147] Op. cit., p. 87.
[148] See Volger, Helmut [1998], p. 301.
[149] The initially foreseen Eath Charter was neither part of the Agenda nor adopted separately at Rio. In
this context, refer to Unmüssig, Barbara [1992]: Zwischen Hoffnung und Enttäuschung. Die Konfe-
renz der Vereinten Nationen über Umwelt und Entwicklung (UNCED)/ In: Vereinte Nationen 40/4.
(p. 118)
[150] Jänicke, Martin [2003b]: Reformbedürftig, doch alternativlos - das Steuerungsmodell des „Rio-
Prozesses"/ In: Altner, Günter et al. (eds.) [2003]: Jahrbuch Ökologie 2004. München. (here p. 34)
[151] Op. cit., p. 35.

United Nations Convention to Combat Desertification (UNCCD) received a negotiation mandate in Rio.

At the Third Session of the Conference of the Parties to UNFCCC (COP 3) in December 1993 in Kyoto, Japan, industrial countries committed themselves in the Kyoto Protocol to reduce or stabilize their greenhouse gas emmissions. No committments are foreseen for developing countries. At and after COP 3, further agreements on the implementation mode of Kyoto, the so-called Kyoto mechanisms were agreed upon: emmission rights trading through certificates, joint implementation of climate programmes between developed countries, and the Clean Development Mechansism (CDM) with developing countries.

These mechanisms are market based, involving the private sector and science. They aim at creating economic incentives for investment and technological change, so as to render the implementation of Kyoto as cheap as possible, also foreseeing indirect investment to developing countries. Further provisions are enhanced multilateral assistance for climate protection programmes in developing countries through the Global Environment Facility (GEF) and through bilateral channels, transfer of sound technologies, capacity bulding, and the submission of periodical national communications containing detailed overviews on sources and sinks for greenhouse gas emmisions along with national strategies for their reduction.[152]

The CBD promotes overall protection of biodiversity and sustainable use of biological and genetical resources along with a just and balanced distribution of advantages emerging from this use. It also contains restrictions and guidelines for access to genetical resources and their use, technology transfer, and biosafety. The focus is on national activities including an obligation for regular reporting. Developed countries function as financing entities together with the GEF. Important to name is also the corresponding Cartagena Protocol on Biosafety, which addresses dangers deriving from transboundary trade of genetically altered organisms.[153]

Two further important outcomes of Rio were the *Declaration on Forests* and the related Forest Principles, and later the foundation of the United Forum on Forests (UNFF) in October 2000, and the establishment of the *Commission on Sustainable Development* (CSD), which was finally confirmed and adopted on 22.12.1992 by the UN General Assembly.

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[152] See Bundesministerium für wirtschaftliche Entwicklung und Zusammenarbeit (BMZ) (ed.) [2002], p. 13-17. See also Biermann, Frank [2000a]: Stand und Fortentwicklung der internationalen Klimapolitik/ In: Kreibich, Rolf/ Simonis, Udo E. (eds.) [2000].

[153] See Bundesministerium für wirtschaftliche Entwicklung und Zusammenarbeit (BMZ) (ed.) [2002], p. 13-17. See also Suplie, Jessica [2000]: Stand und Fortentwicklung der internationalen Biodiversitätspolitik/ In: Kreibich, Rolf/ Simonis, Udo E. (eds.) [2000].

The CSD was made responsible for promoting the Rio follow-up process, i.e. the coordination, catalyzation and monitoring of the implementation of UNCED's results and outcomes, and to elaborate further recommendations and policy guidelines for enhanced governance in the field of sustainable development. It was also entrusted with controlling payment of 0.7 % of OECD countries' GDP as Official Development Assistance, and thorough collaboration with the Global Environment Facility.

> *„Sie ist so etwas wie das 'Gewissen von Rio' und ein zentrales Forum geworden, auf dem Industrie- und Entwicklungsländer auf hoher politischer Ebene Querschnittsfragen der Umwelt- und Entwicklungspolitik sowie Hindernisse bzw. Fortschritte zu einem insgesamt nachhaltigen Politikpfad diskutieren und Lösungsvorschläge erarbeiten.“[154]*

The CSD organizes its work since 1993 in yearly sessions. It has 53 member countries. The CSD is mandated to elaborate proposals for the Economic and Social Council (ECOSOC) to influence and guide the UN's and its member countries' policies in the fields of environment and development. ECOSOC is the central coordinating body in this context within the UN system, also including agencies such as the World Bank.

Until 1997, i.e. the Special Session of the United Nations General Assembly known as *Rio +5*, the Commission observed and monitored globally the progess made on the implementation of the Rio documents and treaties, and reported accordingly to the General Assembly. After Rio +5, the CSD followed up on thematic topics such as industrial development, sound tourism, sustainable agriculture, transport, or energy, and specific problems such as transfer of appropriate technologies or capacity building. The CSD spells out recommendations, e.g. concerning the internalization of environmental costs, the changing of production and consumption patterns, free trade for developing countries, mainstreaming of sustainable development issues into national policies. It also follows up on ODA matters.[155]

The Rio +5 conference of 1997 concluded in the assessment that the so far implemented measures in support of UNCED's outcomes were not sufficient. It therefore passed resolutions stressing the need for the following desired improvements: enhanced investment into human capital, clean technologies, and the reform of price systems in order to tackle unsustainable production and consumption patterns. Delegates from more

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[154] Op. cit., p. 17.
[155] See op. cit.

than 165 countries met in New York to this end. The finally adopted document was called *Programme for the Implementation of Agenda 21*.[156]

Another important Rio outcome, being part of the so-called Rio process, or Rio follow-up process, is the *system of world conferences* such as Conferences of the Parties to the three Conventions (COPs), follow-up and governing bodies' meetings of other environmental regimes, single world conferences yielding a specific thematic goal, and the Special Sessions of the General Assembly:

- *Rio +5*, 1997, New York
- *Kairo +5*, 1999, New York, on world population
- *Kopenhagen +5*, 2000, Geneva, on social development
- *Beijing +5*, 2000, New York, on women's rights
- *Istanbul +5*, 2001, New York, on housing and HABITAT II

As part of the official, or formal, outcomes, Rio also brought up the so-called development goals, being summed up in the paper *Shaping the 21st Century* in 1996 by the development co-operation department of OECD, DAC, naming seven global goals for sustainable development. They were later, at the UN Millennium Summit, in September 2000 in New York, further elaborated and adopted as the *Millennium Development Goals*, following consultations among international agencies, including the World Bank, the IMF, the OECD, and the specialized agencies of the United Nations.[157] For each goal one or more targets have been set, most for 2015, using 1990 as a benchmark:

1. Eradicate extreme poverty and hunger.
2. Achieve universal primary education.
3. Promote gender equality and empower women.
4. Reduce child mortality.
5. Improve maternal health.
6. Combat HIV/AIDS, malaria and other diseases.
7. Ensure environmental sustainability.
8. Develop a global partnership for development.[158]

For the formal outcomes, I would like to mention, last but not least, the post-Rio *strategies on sustainable development*, which were and are supposed to be adopted and implemented by all UN member states:

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[156] See op. cit., p. 17-18, and Merkel, Angela [1997]: Fünf Jahre nach Rio - Ergebnisse der VN-Sondergeneralversammlung/ In: Umwelt Nr. 9.
[157] See <www.developmentgoals.org>.
[158] Source: UNDP.

> *„Wirtschaftliche Effizienz, soziale Gerechtigkeit und der Erhalt der natürlichen Umwelt hängen wechselseitig voneinander ab und ergänzen sich als gleichwertige, fürs Überleben wichtige Interessen. Dies ist die zentrale Erkenntnis, die hinter dem Leitbild der Nachhaltigen Entwicklung steht. Nur strategische Ansätze mit langfristiger Perspektive werden diesem Leitbild in der Praxis gerecht. Nachhaltigkeitsstrategien erfüllen diesen Anspruch. Sie verknüpfen unterschiedliche Sektorpolitiken und richten sie aus auf vorrangige Problemfelder eines Landes. Ihr gemeinsames Kennzeichen ist die auf lange Sicht gleichgewichtige Berücksichtigung wirtschaftlicher, sozialer und ökologischer Aspekte und die Qualität ihres Entstehungsprozesses."*[159]

As has been stated above, Agenda 21 featured the scientific state of the art and introduced a vast collection of action plans, including detailed cost plans. It consisted of a huge environmental respective sustainable development governance compendium für governments and non-governmental organizations addressing the national, regional and global levels likewise. But due to a certain clash of interest, according to some critics, some themes are not at all or only weakly reflected, e.g. biotechnology, the contamination of the oceans, or export of wastes.[160]

Imke Keil, for instance, critizes that the calling for obligations was one-sidedly directed towards the Third World, while the North not really claimed its adequate responsabilities and thus did not fully define its own necessary obligations. For example, the 0,7% of GNP ODA was promised but never generally implemented by OECD countries. The North also pushed the enlargement of the Global Environment Facility (GEF) - which had been founded in 1990 as a major environmental credit programme, and was administered jointly by the World Bank, UNEP, and UNDP - while developing countries wanted to create a new United Nations environmental fund.[161]

As far as the Rio Conventions are concerned, Keil laments that UNFCCC is binding but only a framework without a clear time plan. CBD is also binding but lacking control procedures and sanctions as well as a balance of interests between economic use and conservation of genetical diversity, or the participation of the South in matters pertaining to biotechnology. She also critizices that the forests did not receive a convention of their own, only a rather general declaration on their sustainable use. Furthermore, despite great public interest, intense research by science, and significant NGO participation, the clash of interests between North and South, governments, industries, and the civil society could not be avoided. For Keil, UNCED provided great findings and good

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[159] Gesellschaft für technische Zusammenarbeit (GTZ) [2002]: Rio Konventionen: Vor einer neuen Dekade/ In: Akzente Spezial (Sonderausgabe), März, p. 10.
[160] See Keil, Imke [1994] and Unmüßig, Barbara [1992].
[161] See Keil, Imke [1994].

plans but too many declarations and conventions without sharper enforcement mechanisms.[162]

However, the question of whether or not Rio has been succesful, or, more precisely, has truely met all the needs of environment and development concerns, is not the purpose of this book. Rather, I would like to follow the traces that give us the impression that the Earth Summit has been *the* locus in recent political history when and where postmodern concepts of international relations have had a significantly strong performance and impact on the newly designed and agreed upon treaties, programmes and regimes, and ultimately found their probably consequentmost implication within the conceptual design of the UN Convention to Combat Desertification.

To illustrate the idea of Rio as locus classicus for a postmodern understanding of international relations, I will identify and name *seven phenomena of postmodernity* that are characteristic for Rio and its outcomes. Explanatory text is provided in the following paras.

We recall that the Westphalian system is perceived as locus classicus for modernity in international relations, featuring the concepts of sovereignty and territoriality as underlying principles for inter-statehood: states aim to preserve both sovereignty as well as their territorial identity, reflected in national legislation and enforcement procedures, and are the sole dominant actors in the international society. The state, a spatial unit, results in the fundamental ordering of international relations through a central reliance on dominium-based conceptions according to the notions of Roman law.

Yet, UNCED stands for significant change in conceptualizing international relations, i.e. the migration from modernity, or Westphalian order, to postmodernity, or post-Westphalian order. At this point, it has to be recalled that ‚postmodernity in IR' should be understood as a conceptualization in itself, and subsequently has to be taken as a condensed mental construct drawn from empirical observations of evident changes in the way global actors cooperate both in structural as well as in normative terms.

The Earth Summit centralized cooperative activities of environmental and development targets, and largely displaced formerly established and notoriously repeated state-sovereignty-oriented patterns and procedures in environmental politics, i.e. national policy and legislation frameworks following internationally agreed upon not binding standards, through the community-oriented procedures featured in the legally binding Rio Conventions and further conference outcomes. Subsequently, environment and sustainable development became major subjects to international law.

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[162] See op. cit.

In the light of Friedrich Kratochwil's elaborations on sovereignty as a social institution, the conceptual shift to postmodernity, or post-Westphalian order in international relations can be understood as a process of desired structural, or institutional change due to a gradually transformed shared understanding of the underlying normative terms of reference, institutional rules and/or functional settings of the international society.

Adding the findings of Alexander Wendt – like Kratochwil featured in the previous chapter – we may understand Rio as a case of *international state formation* that does not mean formal cession of sovereignty to supranational institutions, but rather relocates individual state actors' de facto sovereignty to transnational authorities, whose result is the emergence of a new governing system, which breaks down the spatial coincidence between state-as-actor and state-as-structure.[163]

(1) We therefore may identify the *first phenomenon of postmodernity* with the enhanced political readiness of conference Parties to widely sacrifice the classical prerogative of individual, national sovereignty considerations for the sake of collective state formation and a multilateral understanding of sovereignty, i.e. *the construction of collective regulatory regimes supreme to the national policy-making level*. This first phenomenon is of a political nature and can further be explained within the context of the process of identity-formation among states.[164] In the Rio case, the rather newly emerged awareness of *global public goods* served as a reference point for collective policy formulation in the sense of the afore-mentioned.[165]

If we recall further findings of Chapter Two, namely that, contradictory to a realist/positivist perception, international law is not to be seen as constitutive for political order, but rather coincides with socio-historical, extra-legal patterns that reflect and reshape the political reality, the step ahead to turn scientific research results and political desiderata concerning the global environment into an extensive framework of supranational treaties and agreements of a binding nature including instruments of monitoring, evaluation, and dispute settlement reflects another transformatory quality, more precisely vis-à-vis classical legal concepts underlying Westphalia.

As has been said by William Coplin, law is a primary tool in the socialization of the individual, providing an image of both factual and normative aspects. International law

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[163] Reference is made to the sub-chapter *Elements of a classical debate* of Chapter One.

[164] See Wendt, Alexander [1996] as referred to in sub-chapter *Elements of a classical debate*.

[165] More substance on global public goods and their constructing role for policy formulation and collective action in international politics can be found in Brunnengräber, Achim (ed.) [2003]: Globale Öffentliche Güter unter Privatisierungsdruck. Münster, and Albin, Cecilia [2003]: Negotiating international cooperation: global public goods and fairness/ In: Review of International Studies Vol. 29, No. 3 (July).

functions in such a manner, as an institutional device for communicating to the policy-makers of states a consensus on the nature of the international system.

(2) We therefore can identify the *second phenomenon of postmodernity* at Rio with *the state community's readiness to sacrifice the concept of a dominium-like understanding of territoriality in environmental politics for the sake of yielded supremacy of a supra-national process of legislation*. This second phenomenon is of a truely legal nature, and may have been triggered by the insight of the inter-wovenness of global issues.[166]

Rolf Kreibich states in this context[167]:

> *"Wenn die UN-Konferenz für Umwelt und Entwicklung... etwas verdeutlicht hat, dann ist es die unauflösbare ökologische und technologische Interdependenz der internationalen Staatengemeinschaft. Dazu gehört in erster Linie die enge Vernetzung der 185 Teilnehmerstaaten über den stofflichen Ressourcenverbrauch und die Schadstoffströme, die Menge des Energieverbrauchs und die Art der Energienutzung sowie deren direkte und indirekte Folgen, insbesondere auch der Klimafolgen."*

(3) This leads us to the *third phenomenon of postmodernity* flagging out at UNCED: *the constructing role of knowledge in international relations, and its coefficient, the learning capacity of institutions*. Referring back to the conceptual elaborations of Ernst B. Haas and Alexander Wendt in the 'Modernity/Postmodernity debate' chapter of this book, and in analogy to the findings of main stream regime theory, within the world of a postmodern understanding of international relations, the factors of knowledge and information are at times rated higher than genuine political will as a result of national interest of hunger for power. This spirit highly influenced Rio, where, as never before, the epistemic community had not only a big say but also significant influence on the substantive conference outputs.[168]

(4) The *fourth phenomenon of postmodernity* is of a conceptual nature, and refers to *the semantics promoted at Rio*. Its most prominent notion is the nexus created between environment and development – expressed in the concept of sustainable development. This term is a typically postmodern cross-over of two formerly autonomous concepts,

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[166] I recall to perceive the shift to postmodern paradigms as gradual and complementary, i.e. while basic elements of modernity remain vaild – e.g. the state as a principal actor in international relations -, others are sacrificed for the sake of a new conceptual reality, rating community-oriented values higher.

[167] Kreibich, Rolf [1998]: Nach den Gipfeln von Rio und Berlin – Was taugen die UN zur Bekämpfung der weltweiten Umweltschädigung?/ In: Albrecht, Ulrich (ed.) [1998a]. (p. 91)

[168] See Haas, Peter M./ Haas, Ernst B. [1993], Wendt, Alexander [1996], as well as Nielson, Daniel L./ Tierney, Michael J. [2003]: Delegation to International Organizations: Agency Theory and World Bank Environmental Reform/ In: International Organization Vol. 57, No. 2 (Spring).

whose merger constructed a whole new field of semantic reference, which influenced strategic, structural and scientific re-orientation processes alike, and thus proved to construct new realities:[169]

> *„Agenda 21 and the Rio Declaration modified an international understanding of development that went back to the end of World War II. Essentially, development in this context is an international term of art encompassing four basic elements that are necessary to ensure and improve human quality of life and opportunity. These are 1) peace and security, 2) economic development, 3) social development or human rights, and 4) supportive national governance. For more than half a century, we have measured human progress in these terms, and there has been a great deal of progress. Environmental degradation has been considered a price that we necessarily pay for this progress. The concept of sustainable development changed this definition of progress by incorporating environmental protection and even restoration into the definition of development. Instead of making progress in conventional development at the environment's expense, or protecting only the environment, the idea is to work toward both conventional development and environmental protection at the same time. That concept is the irreducible core of Agenda 21 and the Rio Declaration."[170]*

But there's more to say. Rio also brought about the so-called *sustainability triangle*, a conceptual matrix in which productive economic growth is linked with social justice and ecological sustainability, and thus forms a holistic framework for perceiving development cooperation, environmental protection and good governance as a unity. This concept resulted in the buzzword 'combat poverty - promote private economy - preserve natural resources'. It refers to developing countries as well as developed countries, and rates environment, social and economic affairs as equally valuable components of post-Rio policy.[171] In the aftermath of UNCED, a forth dimension was added to the triangle, and this one thus turned into a square: participation and with it explicit reference to good governance as a political means rounded up the concept of holistic sustainability.[172]

(5) The strategic and structural downstream consequences of the aforementioned semantics, or conceptual achievements, mark the *fifth phenomenon of postmodernity*: the

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[169] Refer to the foregoing sub-chapter on global environmental governance and the elaborations on the Brundtland Commission and the concept of sustainable development.

[170] Dernbach, John/ Feldman, Ira [2003]: After Johannesburg: Sustainable Development Begins at Home. Washington. <www.sustainabledc.org>

[171] See Stephan, Petra [2002], and Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) [2002].

[172] See Commission on Sustainable Development (CSD) [1996]: Indicators of sustainable development: Framework and methodologies. New York, NY.

process of *reshaping and re-structuring policies and strategies as well as institutional settings by national governmental bodies and international agencies* alike. Rio resulted in the formulation of cross-sectoral, integrated policies and strategies, both at national and international levels, such as national strategies fo sustainability, or the new international development frameworks of the World Bank (Poverty Reduction Strategy Papers, PRSP) or the European Union (New Cotonou Agreement).

Moreover, institutional reform was an important agenda item. Administration entities created according to the notions of functionalism were told to be out. In were new, small, smart and highly decentralized secretariats for facilitation management, e.g. the Convention Secretariats. Operations were to be carried out in a network manner, i.e. while the Rio Secretariats were to manage negotiations and facilitate policy formulation, a system of agencies present in the field, i.e. UNEP, UNDP, WMO, UNESCO, IFAD, FAO, The World Bank Group and others, were expected to jointly implement the treaties and programmes with state governments. Also, UN institutions adopted their internal policy guidelines in accordance with the cross-sectoral outcomes of Rio. For instance, UNDP reformed their policy unit, and created the Sustainable Energy & Environment Division (SEED), which was designed to reflect the integrated nature of Agenda 21 and the Rio Conventions.[173] Another example for post-Westphalian institutional design is the already mentioned Global Environment Facility (GEF) – a multi-agency fund of a truely cross-sectoral nature.[174]

(6) The *sixth phenomenon of postmodernity* can be identified with *the emergence of the concept of global governance*, more specifically of global environmental governance, that had high season at UNCED, or principally started to become fashionable there. In particular, global public policy networks, the involvement of NGOs and other civil society actors, transnational as well as local corporations and the scientific community were prominent issues in Rio, and subsequently found their way into the newly developed cooperation frameworks and treaties.[175]

(7) The *seventh phenomenon of postmodernity* can be identified with *the characteristic mix of progressive governance tools* that had been elaborated for UNCED and were meant to render the implementation process of Agenda 21 and the Conventions more effective. Strategy fragments such as the so-called bottom-up-approach, participatory

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[173] A detailed description of its organigramme and responsabilities is given in United Nations Development Programme (UNDP) [1997]: Implementing the Rio Agreements. A Guide to UNDP's Sustainable Energy & Environment Division. New York, NY.

[174] More on the GEF, within the given context, can be found in Streck, Charlotte [2001].

[175] Reference is made to the sub-chapters on global governance and global environmental governance contained in this book. For the latest update on global governance research, refer to Messner, Dirk [2003]: Herausforderungen für die zukünftige Global Governance-Forschung/ In: Brunnengräber, Achim (ed.) [2003].

aspects of policy formulation and implementation, a decentralized logic of intervention, or the new ‚partnership agreements' - meant to replace traditional development financing concepts -, but also even more informal tools such as the type II outcomes are to be mentioned in this context.[176]

There may be more such post-Westphalian phenomena that can be traced at UNCED and its follow-up process. However, the seven mentioned above are characteristic and cover a wide range of policy formulation and state formation aspects, as they relate to political, legal, epistemic, semantic, structural, organizational and strategic notions.

In the following two chapters, my focus will be laid mostly on the fifth, sixth and seventh phenomenon as these are persistantly reflected in the conceptual matrix of UNCCD, which features an inter-sectoral approach - as an instrument of a socio-economic, developmental and environmental nature alike -, follows many of the normative notions commonly connotated with the concept of global governance, and tries to construct new implementation avenues providing a whole mix of post-Westphalian governance tools. In my view, the desertification convention is, among UNCED's outcomes, the one featuring the farmost reaching post-Westphalian approach, as will be outlined in Chapter Three, which deals with its *conceptual framework*. Chapter Four will then provide a number of examples from UNCCD's implementation *practice*.

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[176] The more participation-related tools are thoroughly discussed in Lazarev, Grigori [1994]: People, Power and Ecology. Towards participatory eco-development. London. Altogether, further references and explanations on the tools mentioned here are provided in the following chapters. See also Biermann, Frank [1998]: Weltumweltpolitik zwischen Nord und Süd. Die neue Verhandlungsmacht der Entwicklungsländer. Baden-Baden.

CHAPTER THREE

The conceptual matrix of the United Nations Convention to Combat Desertification (UNCCD)

Historical milestones and terms of reference

Desertification touches most gravely the life conditions of rural people in the poorest developing countries, particularly in Africa. Drought causes severe economic and social problems for those whose income and nutrition depends on agricultural gains. Natural, reoccuring drought periods are often aggraved by anthropogenic causes and factors such as deforestation, overgrazing, unsustainable landuse practises, and result in the loss of top soil fertility.[177]

Udo E. Simonis states that soils are not only "der Degradation ihrer Qualität ausgesetzt, sondern zusätzlich noch der Gefahr des irreversiblen Verlustes durch Erosion, die bei den fruchtbaren Böden, die als land- und fortwirtschaftliche Produktionsgrundlage die Welternährung sicherstellen sollen, besonders gravierend sein kann."[178]

Desertification became an issue on the international agenda in the 1970s only. After a long and devastating drought period in Sub-Saharan Africa, more precisely in the Sahel, during the late 1960s and early 1970s, which caused the death of over 200 million people and several millions of animals, the Inter-State Permanent Committee on Drought Control in the Sahel (CILSS) was established by nine Sahelian countries in September 1973 in Ouagadougou, Burkina Faso, as a first inter-governmental institutional step. CILSS seeked, among others, to enhance awareness among governments world-wide.

Subsequently, in August and September 1977, the UN organized the so-called United Nations Conference on Desertification (UNCOD) in Nairobi, Kenya. There, desertification was addressed as a global problem for the first time. UNCOD resulted in the adoption of the first international agreement on the issue, the Plan of Action to Combat Desertification (PACD). Among its provisions was a complete stopping of degradation processes of formerly fertile soils until the turn of the century, and, if possible, the reversion of desertified areas into fertile land.

The Sahel drought period of the 1970s is mostly connotated with famine and humanitarian desaster. However, it is the corresponding ecological desaster that is, strictly speaking, identified with desertification. This term does not refer to the spreading of natural, existing deserts. It rather points to the conversion of previously ‚normal' land into de-

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[177] See United Nations [1977]: Desertification: Its Causes and Consequences. Oxford etc.
[178] Simonis, Udo E. [1996], p. 61.

sertified areas. The concept ‚desertification' reverts back to the works of the French researcher Aubreville, who, in 1949, introduced it for the process of loss of vegetation cover.

Although quite some research on the ecology and economy of dryland zones had been undertaken by UNESCO, WMO and FAO in the 1960s, the term desertification was first applied politically during the Sahel crisis in the 70s, and mentioned as a terminus technicus in 1974 as part of the UN General Assembly's resolution 29/337, initiated by Burkina Faso, which called for the convocation of UNCOD.[179]

The General Assembly mandated UNEP to collect exisiting knowledge and consult with other UN bodies, so as to come up with proposals for solutions to be tabled at UNCOD. During the preparatory phase for the conference, thorough scientific research on the phenomenon of desertification was undertaken. Distinguished from the natural pulsations of the Sahara and other deserts, and from some popular ideas, profound findings on the causes and effects of drought, land degradation and desertification were collected, and UNCOD was expected to, on the basis of these findings, elaborate solutions.

UNCOD comprised 94 states and 65 NGOs, and was held from 29 August to 9 September 1977. The expected outcome was the elaboration and adoption of the PACD. Extensive background documentation was provided to this end: listings of existing scientific findings, mostly on the impact of climate, as well as on ecological and social change and technology, elaborated by an inter-disciplinary group of international experts. Furthermore, a collection of case studies and a world map on desertification were provided. UNEP tabled some feasibility studies to explore possible intervention means and measures of a transnational nature. UNCOD took place upon high scientific input and great contributions from of the epistemic comunity: it seemed that by far sufficient knowledge was available for succesful political deliberations. UNCOD was a case of consensual knowledge, and no major political dispute emerged during the conference.[180]

The documents state:

> „Deserts themselves are not the sources from which desertification springs... Desertification breaks out, usually at times of drought stress, in areas of naturally vulnerable land subject to pressures of land use."[181]

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[179] See Ehlers, Maximilian [1996]: Die Rolle von Wissen in der internationalen Politik. Magisterarbeit. München, p. 27, Odingo, Richard S. [1990]: The definition of desertification: Its programmatic consequences for UNEP and the international community/ In: Desertification Control Bulletin Vol. 18, and Spooner, Brian [1989]: Desertification: The Historical Significance/ In: Huss-Ashmore, Rebecca/ Katz, Salomon H. (eds.) [1989]: African Food Systems in Crisis. New York.
[180] See Ehlers, Maximilian [1996], p. 30-31.
[181] United Nations [1977], p. 15.

Officially, desertification was defined as follows:

> *„Desertification is the diminution or destruction of the biological potential of the*
> *land, and can lead ultimately to desert-like conditions. It is an aspect of the wide-*
> *spread deterioration of ecosystems, and has diminished or destroyed the biologi-*
> *cal potential, i.e. plant and animal production, for multiple use purposes at a time*
> *when increased productivity is needed to support growing populations in quest of*
> *development...“[182]*

Yet, no reference to the climatic zones in which desertification occurs was provided.
Implicitely, however, the definition referred to desert margins and dryland ecosystems.
Desertification was thus officially defined as a loss of biological productivity with
socio-economic consequences. The international community's goal was set as to pre-
serve food supply of growing populations and their economic development. In 1977,
more than a third of the world's surface was recognized as desertic or semi-arid, while
some 9,115,000 sq kilometers were called as desertified due to man-made causes. Some
30 million sq kilometres, or 19 percent of the surface, were said to be at risk - distrib-
uted among two thirds of the world's countries. For the first time ever, desertification
was thus acknowledged as a global problem.[183]

The PACD defined as its goal:

> *„The immediate goal of the Plan of Action to Combat Desertification is to prevent*
> *and to arrest the advance of desertification and, where possible, to reclaim deser-*
> *tified land for productivity use. The ultimate objective is to sustain and promote,*
> *within ecological limits, the productivity of arid, semi-arid, sub-humid and other*
> *areas vulnerable to desertification in order to improve the quality of life of their*
> *inhabitants.“[184]*

Immediate measures were decided upon to be implemented until 1984, while the overall
goals were set to be achieved until 2000. All these measures were not legally binding,
and no clear consensus on regulatory means was defined. The treaty's 28 recommenda-
tions, mostly calling on national measures, included issues such as knowledge bases,
capacity building, and national action plans. Little emphasis was laid on the need for
international cooperation - only financial and technical support was promised to be pro-
vided to affected countries. To this end, a special account at the UN was created, and

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[182] United Nations Conference to Combat Desertification (UNCOD) [1978]: Round-up, plan of action
and resolutions. New York, NY. (here: PACD, Part II, Para 7).
[183] See Op cit: Part A/ Round-up of the Conference.
[184] PACD, Art. 10.

reference to a desired new international economic order was given in Article 100. Yet no additional means or resources for development cooperation were created.

The PACD was a purely declarative paper not only without any legally binding status, but also without benchmarks, indicators or monitoring and evaluation scenarios. It proved to be least effective and finally failed. UNEP, which was mandated to implement the PACD, provided detailed reports on the progess made since UNCOD in 1984 and 1992 respectively, unveiling that desertification and land degradation had worsened rapidly by then – made impressively evident through GPS monitoring systems. Moreover, few countries had ever shown deeper interest to commit themselves to support the implementation process of the PACD.[185]

By the time the convocation of UNCED was decided upon, the PACD was already commonly regarded as an insufficient instrument, and subsequently de facto abandoned. Yet, the issue of desertification, and with it related phenomena such as drought and various forms of land degradation, were still on the top of a number of national governments' agendas, particularly on those of African and other developing countries.

During UNCED's PrepComs, the desertification portfolio was supposed to be dedicated a chapter in Agenda 21, while negotations among G 77 countries started aiming at making it even a convention issue. So, UNCCD has its origins in UNCED and, more specifically, in Chapter 12 of Agenda 21 – as the result of tough bargaining efforts of the group of African countries and the G 77.

Edith Kürzinger and Hans-Peter Schipulle name some of the main provisions contained in Chapter 12 of UNCCD:

> *"Eine breite Palette von Aktivitäten wird darin vorgeschlagen: Sie reichen von der Verbesserung der Daten- und Informationsbasis durch nationale Umweltinformationssysteme über Maßnahmen zur Sicherung der Bodenfruchtbarkeit und des Wasserhaushalts (durch Erhaltung und Wiederherstellung einer schützenden Vegetationsdecke), die Einführung nachhaltiger Landnutzungssysteme, die Erschließung zusätzlicher Einkommensmöglichkeiten außerhalb der Land-, Forst- und Viehwirtschaft ... bis hin zur Schaffung wirksamer Planungs- und Koordinationsstrukturen für die institutionalisierte Beteiligung aller gesellschaftlicher Kräfte an nationalen Aktionsprogrammen."[186]*

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[185] See Ehlers, Maximilian [1996], p. 4.

[186] Kürzinger, Edith/ Schipulle, Hans-Peter [1996]: Desertifikationskonvention – Ein Lehrstück für den Rio-Folgeprozeß?/ In: E+Z Jg. 37 (1). (here p. 8) Another interesting articles that highlights the negotiations and the overall background of UNCCD is Lührs, Georg [1995]: Leben und Überleben in

On the bargaining about UNCCD, Maximilian Ehlers writes:

> *„Eher überraschend konnten sich ... Entwicklungsländer mit ihrer Forderung nach einer Desertifikationskonvention gegen den Widerstand der Industrieländer durchsetzen. Die Konvention scheint ein diplomatischer Erfolg der ärmsten und schwächsten Staaten der Welt zu sein. Mit ihr wird ein vor allem für die Sahelstaaten Afrikas wichtiges Problem der Schädigung natürlicher Ressourcen internationalisiert, das für sie bedrohlicher und unmittelbarer wirkt als andere, neuere Umweltprobleme wie der anthropogene Klimawandel und die Ausdünnung der Ozonschicht, die von den Industrieländern als internationale Umweltprobleme gesehen werden.“*[187]

He continues:

> *„Die Desertifikationskonvention wirft für die Theorie der internationalen Beziehungen interessante Fragen auf: Wie kommt es, daß sich ausgerechnet die politisch und wirtschaftlich schwachen afrikanischen Entwicklungsländer mit ihrem Anliegen international durchsetzen konnten?... Für die dominanten Theorien der internationalen Politik, die Macht und nationales Interesse als zentrale Analyseeinheit betrachten, ist die Ausweitung des Völkerrechts auf Initiative schwacher Staaten ... schwer zu erklären.“*[188]

The Earth Summit, in Chapter 12 of Agenda 21, called on the UN General Assembly to set up an inter-governmental committee to prepare for a legally binding instrument that addresses the problem of desertification, which was confirmed by the 47th Session of the General Assembly in December 1992 in New York through resolution 47/188. The drafting process of UNCCD was thus part and parcel of UNCED's official follow up process, and was charged to an inter-governmental panel (INCD).

Udo E. Simonis writes in this context:

> *"Im Dezember 1992 war ein Verhandlungskomitee (International Negotiating Committee for the Elaboration of an International Convention to Combat Desertification, INCD) eingesetzt worden, zu dem neben Vertretern der beteiligten Staaten auch zahlreiche Nichtregierungsorganisationen (NROs) als Beobachter zugelassen wurden."*[189]

Trockengebieten. Das Übereinkommen der Vereinten Nationen zur Bekämpfung der Wüstenbildung/ In: Vereinte Nationen 43/2 (April).

[187] Op. cit., p. 4-5.
[188] Op. cit., p. 5.
[189] Simonis, Udo E. [1996], p. 69-70.

The INCD convened ten times altogether. At session one (INCD-1, 24 May to 3 June 1993, Nairobi) the delegates exchanged existing information and background knowledge on major problems to be tackled by the convention. They also discussed the principal goals of UNCCD, highlighting the particular emphasis on Africa for the first time. The following three sessions were dedicated to the elaboration of a draft convention and regional implementation annexes. An important issue was the partnership between North and South and South and South. At INCD-5, taking place from 6 to 17 June 1994 in Paris, the final draft of UNCCD including four regional implementation annexes passed. Five further INCD sessions were organized to prepare for the first session of the Conference of the Parties (COP).[190]

The United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD) was adopted on 17 June 1994 and openend for signature at UNESCO Headquarters in Paris, France from October 1994 to October 1995, during which period it received 115 signatures. The signature ceremony took place from 14 to 15 October 1994 in Paris, and 85 states signed UNCCD at this occasion, and became the first Parties to the Convention. June 17 became the world day to combat desertification.

The UN General Assembly welcomed this new convention and its signatory process through resolution 49/234, adopted on 23 December 1994. UNCCD entered into force on 26 December 1996, 90 days after the 50th instrument of ratification was deposited. For a party acceding the Convention after this date the Convention enters into force 90 days after this party has deposited its instrument of ratification, accession or acceptance. To date, it has been signed and ratified by more than 190 states. Developing countries as well as developed countries, including such countries not affected by drought or desertification are Parties to the Convention. This mode follows the principle of international partnership.

In October 1997, the first session of the Conference of the Parties (COP 1) was organized in Rome, Italy. Rules governing the COP and its subsidiary bodies were established, the functions of the Global Mechanism, the financial mechanism of UNCCD, was set forth, and the permanent secretariat of the Convention (UNCCD Secretariat) was designated. COP 2, taking place in December 1998 in Senegal, Dakar, concentrated on medium-term strategies of the secretariat. A declaration on the convocation of the first round table of Members of Parliaments on desertification was decided upon. In January 1999, the Permanent Secretariat of the UNCCD was established in Bonn, Germany – after having served as an interim secretariat based in Geneva. COP 3, which convened in November 1999 in Recife, Brazil, brought forth a first review of policies,

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[190] See Op. cit., p. 71, and <www.unccd.int>.

operational modalities and activities of the Global Mechanism as finance broking institution. Consultations took place on the "Recife Initiative" to enhance the implementation of the obligations of the Parties to UNCCD.

In December 2000, COP 4 in Bonn, Germany established a fifth implementation annex for Central and Eastern Europe (Annex V), and adopted the "Recife Initiative".[191] An inter-governmental ad-hoc working group (AHWG) started an in-depth review of country reports on the implementation of the Convention in March and April 2001 at an intersessional meeting in Bonn, Germany. A comprehensive report, including conclusions and recommendations on further steps in the implementation of the Convention, was adopted and submitted to COP 5 in October 2001 in Geneva, Switzerland.

At COP 5, a Committee for the Review of the Implementation of the Convention (CRIC) was established as a second subsidiary body of the COP. Furthermore, Parties agreed on the reform of the Committee on Science and Technology (CST), the scientific and first subsidiary body of the COP, and a Group of Experts was established. In August and September 2002, at the World Summit on Sustainable Development (WSSD) taking place in Johannesburg, South Africa, governments called on the Global Environment Facility (GEF) to become a financial mechanism of the UNCCD. Subsequently, in October 2002 the Second Assembly of the GEF convened in Beijing, China, and adopted a decision to designate land degradation as its fifth focal area, and to establish the GEF as a financial mechanism of the UNCCD.

In November 2002, the first meeting of the Group of Experts to the UNCCD took place in Hamburg, Germany. Also in November 2002, the first session of the newly established CRIC (CRIC 1) was organized in Rome, Italy. Innovative solutions to combat desertification were identified and shared by country Parties and inter-governmental bodies, based on update reports on UNCCD implementation received by countries. A report was adopted and submitted to COP 6, which was organized in September 2003 in Havana, Cuba.

On the first session of the Committe to Review the Implementation of the Convention (CRIC), the *Earth Negotiations Bulletin* (ENB) writes:

> *„The first meeting of the CRIC was held at the Food and Agriculture Organization (FAO) headquarters in Rome, Italy, from 11-22 November 2002. The CRIC was established in accordance with decision 1/COP.5 to regularly review the implementation of the CCD, draw conclusions, and propose concrete recommenda-*

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[191] More on the Bonn COP can be obtained in Meyer, Reinhold [2001]: Conférence des Parties à la UNCCD à Bonn/ In: Développement et coopération (mars-avril).

tions to the COP on further implementation steps. CRIC-1 considered presenta-
tions from the five CCD regions, addressing the seven thematic issues under re-
view: participatory processes involving civil society, NGOs and community-based
organizations; legislative and institutional frameworks or arrangements; linkages
and synergies with other environmental conventions and, as appropriate, with na-
tional development strategies; measures for the rehabilitation of degraded land,
drought and desertification monitoring and assessment; early warning systems for
mitigating the effects of drought; access by affected country Parties, particularly
affected developing country Parties, to appropriate technology, knowledge and
know-how; and resource mobilization and coordination, both domestic and inter-
national, including conclusions of partnership agreements. The meeting also con-
sidered information on financial mechanisms in support of the CCD's implemen-
tation, advice provided by the CST and the GM, and the Secretariat's report on
actions aimed at strengthening the relationships with other relevant conventions
and organizations."[192]

On the sixth session of the COP, held in September 2003 in Havana, Cuba, the follow-
ing valuable assessment has been provided by the ENB:

„The sixth Conference of the Parties (COP-6) marked the transition from aware-
ness raising to implementation... There certainly was scope to scale a critical
threshold by finally taking important and overdue steps. These included designat-
ing the GEF as a financial mechanism for the CCD and identifying CRIC criteria
for the COP-7 review. Two factors served as an additional impetus to making sig-
nificant progress: the presence of Cuban President Fidel Castro, known for his
ability to do "much with very little," and the first anniversary of the WSSD, which
identified combating desertification as a tool for eradicating poverty. The Havana
Declaration, which resulted from the two days' discussions among the 13 Heads
of State and Government and was appended to the more substantial COP deci-
sions, while falling short of addressing the specific objectives of COP-6, reaffirms
a strong political commitment to combating desertification. Looking at the two
weeks of negotiations, several items merit particular attention. Clearly, the most
controversial issue was the programme and budget, and little headway was made
on the regional coordination units (RCUs). In contrast, the designation of the
GEF as the CCD's financial mechanism was the biggest success of COP-6. Pro-
gress was also made with regard to synergies with other conventions. With con-
cern being voiced in the corridors, over the lack of transparency, the Secretariat's
role must also be examined. Finally, it is important to gauge the impact of the

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[192] Op. cit.

high-level segment on the future operation of the CCD, and the role of emerging regional groups.

Agreement on the GEF's new role was clearly a high point of COP-6, marking the beginning of a new era for the CCD. Although the GEF will make available US$500 million over three years to land degradation and desertification programmes, much less than for its other four focal areas (climate change, biodiversity, international waters and ozone depletion), this resource will nonetheless make a long-awaited difference for developing country Parties in implementing the CCD...

Several agenda items were of direct relevance to speeding up the transition to the implementation phase, including synergies between conventions, the CST's Group of Experts, benchmarks and indicators, the CRIC's new programme of work, and RCUs. With the linkages between climate change, desertification and biodiversity, Parties to the three Rio conventions have been working on developing synergies and drawing on experiences gained in each other's processes, while trying to avoid duplication of work... Discussions on the Group of Experts, benchmarks and indicators, and on the new CRIC programme of work illustrated the negotiators' awareness of inadequacies in institution-building, and their willingness to address them. On the Group of Experts, progress was made towards prioritizing its work to maximize its scientific impact. The CST also made headway in developing benchmarks and indicators, which will lead to translating the abundant existing scientific information into policy-relevant advice...

COP-6 was also noted by the emergence of several regional interest groups that made themselves heard and can be expected to play a growing role in future negotiations. The Annex V (Central and Eastern European) countries are expected to have an impact on CCD implementation but are presently going through a difficult period of adjustment, tinged by a conflict of interests. Several EU- acceding members are driven by divided group loyalties, adding confusion to the process: some countries are donors, some are affected countries, yet others are undecided about their final status. Their current goal is to set common priorities and elaborate a regional coordination agenda. They are unlikely to compete with the other annexes for funds, requiring some seed money for developing NAPs. They may open new avenues of capacity building and technology transfer, especially on advanced space monitoring...

Apart from the high-level segment, COP-6 will most likely be remembered for finalizing the decision that opened the GEF to funding desertification programmes.

This achievement, along with bringing order to the CCD structures can be expected to bring the CCD closer to breaching the implementation gap. On the other hand, the CCD Secretariat faces new challenges, such as a down-sized budget and the need to build credibility. The new focus on implementation, rather than on awareness raising, places a great responsibility on the Secretariat... Despite the COPs' repeated decisions, less than a third of the Parties have submitted their NAPs. If the CCD does not address the new challenges it faces, in particular the reality of reduced financial contributions and wavering political commitment from some donor Parties, the future of the only developing countries' Convention may be bleak indeed."[193]

On the socio-economic aspects of desertification: environmental migration and environmental refugees[194]

So far, environmental refugees do not belong to the well-defined "refugees" as of the 1951 Geneva Convention. They are a dramatically growing group, mostly migrating from rural areas to cities, which has not been mentioned in UNHCR's statistics so far as they do not belong to the criteria of the convention. Also in the annual World Refugee Survey (USCR) they are not mentioned. They are not officially counted, therefore, only approximate figures are available. But they already have numberwise surpassed all other kinds of refugees and will most probably become the largest group of refugees.

There have always been people migrating from natural changes or catastrophes. But yet the group of environmental refugees is a completely new phenomenon. It is hardly older than 20 years, since degradation of natural resources has dramatically increased. During the last decades, overexploitation of natural resources like land and fresh waters has exponentially shifted to a severe problem in a totally unknown rate of expansion. These circumstances created a new kind of migration: the environmentally induced migration. The causes for this kind of migration are mostly anthropogenic: transformations like degradation of soil or vegetation, fresh waters and fresh air.

As far as land degradation and desertification are concerned, there are about four groups of different kinds of countries where we experience different causes but similar results: the very heterogene group of the developing countries with their fast overexploitation of land because of growing populations and international trade patterns without chances for coping mechanisms; the group of industrializing countries in Asia and South Amer-

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[193] Op. cit.

[194] This sub-chapter is based upon Rechkemmer, Andreas [2000] and Rechkemmer, Andreas [1997]: Social Impacts of desertification: migration, urbanization and conflict. Geneva. Further references are given therein. A standard reference is also Myers, Norman [1993]: Ultimate Security – the environmental basis of political stability. New York, NY.

ica with their strong extension of food production and population growth, foremost in urban areas; the group of fuel exporting countries like OPEC with there own kind of overexploitation and desertification phenomena; and east-european countries with their chemically and agriculturally induced land degradation. They all have to face similar results as loss of ground, desertification and its impacts.

Environmental migration is, however, happening chiefly in developing countries. In northern countries, it is analytically not separated from "normal" movements to cities and industrial complexes (although there have been cases like the Dust Bowl in the US in the 80s when people had to move because of desertification). But surely it becomes a problem also of developed countries as migrating poor people from the South are pushing toward the North, and there mostly to the cities. The reasons that force human beings to leave their land are diverse; mostly there is a combination of interacting factors which lead to migration. But, in many cases, desertification plays a strong role: rapid population growth rates stress traditional land use and coping mechanisms and lead to overexploitation and land degradation in dryland areas; modern ways of land use including new technologies to exploit the land often lead to a rapid exploitation. It leaves back a totally exhausted land, which is expected to desertify within a short time. The people who have lost not only their traditional occupations as farmers but also the land itself are now forced to move, mostly to more or less industrialized cities; increasing use of fresh water supplies does the rest... Depletion of vegetal cover, water and erosion of farm- and grazing-land is today in fact creating the majoruty of the environmental refugees.

In extreme situations, land degradation can remove the economic foundation of a community or society. To survive, they must move. Others move before the situation gives them no other choice. Refugees are often treated without respect, have often to face a hopeless situation and do not have the chance to prepare themselves much for a new life. For refugees and migrants alike, often, cultural alienation follows.

Experience from recent decades has been interpreted as showing that land degradation and desertification have been a major driving force behind the displacement of people. In this century, Africa has witnessed a whole set of drought-driven migrations to neighboring countries. As shown in a recent study in Niger, land degradation due to population-driven reduction of fallow periods, not compensated by additional nutrient input to the soil, tends to be one clear component of such migration. In a long term perspective, the intercontinental migration, that has already started from North Africa to Europe, can be expected to escalate dramatically as a result of rapidly growing water scarcity.

Reinhard Lohrmann established a typology of international migration and mentioned pull factors as well as push factors that cause migration. The pull factors are permanent settler movement, temporary worker migration, professional transient movements, refugee migration including asylum-seeking, student migration and cultural exchanges and irregular or clandestine migration. This kind of classification looks on migration from the receiving end. But migration today is more and more caused by the push factors as there are: survival migrants, mobility migrants, refugees including asylum seekers and environmental migrants.

Desertification appears most severely in the Sub-Saharan Africa, the Sahel and the Horn of Africa, where already we have to face by far the largest number of environmental refugees. It has already triggered some of the most broadscale migrations in recent decades. The author Norman Myers mentions the number of at least 10 million people who had become environmental refugees in semi-arid lands and expects a by far greater number for the time ahead as regarding the one billion people at risk and their population growing rate of sometimes about three percent per year. A special problem of desertification or land degradation is increasing landlessness in overpopulated areas, where the productive value of scarce land resources is diminished because of the often enormous population pressure. Therefore, people are increasingly forced to abandon their homelands.

Another cause for desertification is deforestation in combination with soil erosion, which caused already largescale involuntary migrations. But also soil erosion itself - 500 billion tons of topsoil have been eroded away during the past 20 years -, salinization and water deficits are accelerating desertification patterns and do their own to create mass migration.

Desertification reduces the land's resilience to natural climatic variations and thus undermines food production, contributes to famine and affects obviously the local socio-economic conditions. It thereby triggers a vicious circle of poverty, ecological degradation, migration and conflict. Desertification-induced migration and urbanization may worsen foreign living conditions by overcrowding, unemployment, environmental pollution and overstressing of natural and infrastructural resources, and by social tension, conflicts and vices such as crime and prostitution in the destination centres. These adverse effects are increasing owing, in no small measure, to environmental degradation. One of the tragedies of desertification is that it affects mainly those who can least afford it: people living in low-income developing countries, particularly in areas that are already climatically and economically disadvantaged. Because agriculture in these countries is the main source of jobs, income and GNP, the effects of desertification are often

disastrous, leading to famine and political turmoil. As result of the early 1970's drought, governments fell in the affected Sahel countries.

Those affected are mainly the rural poor. With small income, little or no land and scant political power, survival depends on the success of a few crops or the sale of a few animals. As desertification increases, productivity falls: crops fail, domestic animals die, water sources dry up and fuelwood becomes difficult to obtain: the prospects for survival dwindle. At least, drought and land degradation finally trigger a crisis that has already occurred in areas suffering from poverty, starvation, civil unrest or war. Then the first steps of migration start: farmers are forced to move first to areas previously considered too infertile for cultivation. They soon become infertile, too: this is the way the wasteland spreads. Normally, dryland's people are used to hardship: they have evolved traditional coping mechanisms. But when overcultivation and overgrazing lead to permanent and increasing losses in yield, the traditional means of dealing with crisis fail. Then, the typical chain starts: crop yields fall rapidly and animals die from lack of fodder. Industries based on crop and animal products fail, unemployment rises and people get poorer or even reach the state of severe famine. When food production falls, food imports often rise, and economic chaos ensues so that governments even may fall. For those people affected, there is in the end only one choice: to move.

The United Nations Convention to Combat Desertification (UNCCD) stressed in its preamble the significant affectation of sustainable development through desertification-induced displacement and migration. At the "International Symposium on environmentally induced population displacements and environmental impacts resulting from mass migration", organized by IOM, RPG and UNHCR from April 22-24 1996 in Switzerland, it was estimated that more than 135 million people are at risk of being displaced mostly as a consequence of severe desertification. Migration to cities and other countries is a common result of desertification. The number of those who have already had to leave runs into millions and continues to increase by about 3 million each year. In total, the livelihoods of more than a billion people now risk to be degraded because of desertification. For example, one-sixth of the population of Mali and Burkina Faso has already been uprooted. This makes urban slums swelling.

From Habitat II we know that urbanization will be one of the most severe challenges for sustainable development in the new millennium. Desertification populates the cities. For example, there is a long-term flow from Sahelian regions to coastal cities, as we now learn from several studies. Urban population would there reach 271 million people in 2020, which is 3.5 times the present numbers. Also it is estimated that about 60 million people from desertified areas will push into North African countries and to European shores. As another example, the victims of desertification in Central America fill the

cities of the United States; in India, they swell the already teeming cities of the Punjab; and in Brazil, where in the north-east of the country desertification threatens an area the size of Western Europe, they flock to already overcrowded cities such as Rio de Janeiro and Sao Paulo. Between 1965 and 1988, the proportion of Mauritania's people living in Nouakchott, the capital, rose from 9 percent to 41 percent, while the proportion of nomads fell from 73 to 7 percent.

Areas and countries far distant are affected by migrating people from desertified areas. For example, desertification is at least one of the factors pushing Mexican immigrants over the border into the US; about 40 percent of the people of the upper and middle regions of the Senegal Valley have already emigrated: there are more people from the Bakel region now living in France than there are in the villages they left behind. Thus, the poverty of developing countries can impact the social stability of developed countries, chiefly by shifting into their cities.

Desertification exacerbates political instability. As it contributes to internal displacement, migration and social breakdown, it is a recipe for political instability, for tensions between neighbouring countries, and even for armed conflict. Studies presented at the Almeria Symposium on Desertification and Migrations, organized by the Government of Spain and the CCD Secretariat in 1994, found dryland-environmental causal factors in almost half of the about 50 armed conflicts at that time. Specially in African countries, marginalized arid areas are highly prone to conflict and develop severe security challenges for the central governments.[195]

Another impact of desertification is food insecurity. As Jacques Diouf, secretary general of FAO says, "world food production will have to increase by more than 75 percent over the next 30 years to keep pace with population growth. We must prepare now to feed about 9 billion people by 2030". In a recent study on population change-environment linkages in the Arab States region, FAO considers population growth to play an unquestionable role in land degradation's impact on food insecurity: "land degradation ... has much to do with accelerated agricultural intensification and the pressure of an increasing population combined with the scarcity of cultivable land, leading farmers to ask more of the land than it can yield. And the pressure increases all the more rapidly as the spatial growth of human settlements, especially cities, takes a direct toll on the surrounding land resources."

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[195] See also Oberthür, Sebastian [1998]: Prävention umweltinduzierter Konflikte durch Entwicklungspolitik und internationale Umweltpolitik/ In: Carius, Alexander/ Lietzmann, Kurt M. (eds.) [1998]: Umwelt und Sicherheit. Herausforderungen für die internationale Politik. Berlin.

UNCCD as a tool for sustainable development

Sustainable development is about improving the quality of life for all of the Earth's citizens without increasing the use of natural resources and sinks beyond the capacity of the environment to supply them indefinitely. It underlies an understanding that action has consequences and that humanity must find innovative ways to change institutional structures and influence individual behaviour. It is about taking action, changing policy and practice at all levels, from the individual to the general or collective. Sustainable development is not a new idea. Many cultures over the course of human history have recognized the need for harmony between the environment, society and economy. What is new is an articulation of these ideas in the context of a global industrial and information society. The Brundtland definition also implies a very important shift from an idea of sustainability, as primarily ecological, to a framework that also emphasizes the economic and social context of development.

In this regard, since UNCED, more responsibilities have been placed on states and civil society to protect local, national, subregional, regional and global environment, especially those shared by whole communities such as climate change, loss of biodiversity, land degradation, desertification and deforestation. In other words, there was conceptualization of a need for more effective implementation of conventions on environment and development,   through an integration with domestic law and policy. A number of examples clearly point out the human concerns and need for meaningful incentives for communities and individuals to achieve sustainable development, including in the framework of UNCCD, sustainable land use.

It is commonly recognized that global environmental threats such as climate change and global warming are mainly produced in developed countries, and are thus part of the epiphenomena of globalization, but have significant and often disastrous impact on developing countries. Loss of biodiversity, deforestation and desertification are among the most prominent ones, since rainfall patterns change significantly in arid, semi-arid and dry subhumid areas. But this is not yet the end of the story. Desertification itself is a driving force for further downstream problems of severe magnitude, such as marginalization of rural areas, economic disaster and poverty, migration, urbanization, and social conflict, just to name some.

There is, as has been mentioned above, a clear link between sustainable development, and more particular, environmental issues, and globalization. It has thus been important to study and understand the multiple effects of economic globalization in relation with global development, environment and questions of participation of people. The term 'sustainable development' itself implies an explicit normative call to balance the effects

of globalization in a way that environmental and socio-economic disasters in developing countries are addressed, managed and sustainably mitigated and prevented by the global community. The UNCCD aims to play a significant role in this context. It further aims to contribute concepts and activities which are expected to revitalize local economies and communities, and ensure long term ecological stability. The items were foreseen by the INCD deliberations.

The UNCCD logic of intervention thus contains typical elements of sustainable development principles: enhanced productivity of the agricultural sector instead of one-sided industrialization, resolution of injust land tenure structures, the role of education of rural people and appropriate technology- traditional as well as modern-, selected moderate measures of subvention and protection, enhanced participation of grassroot people.[196]

Desertification has its greatest impact in Africa because two thirds of the continent are deserts or drylands, which are concentrated in the Sahelian region, the Horn of Africa and the Kalahari in the south. Not only is the region afflicted by frequent and severe droughts, but many African countries are land-locked, have widespread poverty and depend heavily on natural resources for subsistence. Their difficult socio-economic conditions, insufficient institutional and legal frameworks, incomplete infrastructure and weak scientific, technical, and educational capacities have bred the conditions for deforestation and overexploitation of land that lead to land degradation, loss of fertile soil and desertification as a result. When people live in poverty they have little choice but to overexploit the land. There is a high correlation between poverty and environmental degradation as a result of poor people's dependence on exploitation of the environment for survival.[197]

For example, in Mali, as in other countries in the Sahel such as Niger and Chad that suffer from persistent severe droughts, not only are unfavourable climatic conditions propelling the process of desertification, but the heavy dependence on land for their subsistence. 80% of the 9 million people in Mali, one of the poorest countries in the world, are agro-pastoralists. They produce 40% of the GNP and three quarters of the country's exports, inducing farmers to overexploit the land, accelerating land degradation and desertification. In Zambia, where the percentage households living below the poverty line rose from 68% in 1991 to 78% in 1996, 72% of energy sources come from wood fuel. In 1998, it was reported that households consumed 88% of firewood and 96% of charcoal, with 85% of urban households using charcoal for cooking and heating. Consequently, 250,000 to 300,000 ha of land per annum are deforested on the average

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[196] See Senghaas, Dieter [2001]: Wider den entwicklungstheoretischen Gedächtnischwund/ In: Thiel, Reinhold E. (ed.) [2001]: Neue Ansätze zur Entwicklungstheorie. 2. Auflage. Bonn.

[197] According to UNDP's Zambia Human Development Report, 1998.

and cultivable land dropped by 30% from 1,004,300 ha in 1989-90 to 701,500 in 1997/98. The demographic and livestock stress on the land have ruptured the environmental equilibrium.

This is true not only of the drylands in the Sahel and Kalahari, but of the greener countries such as Ghana, Cameroon, Congo, the Democratic Republic of Congo and Uganda, which are as threatened by desertification. Overgrazing and deforestation, which exacerbate land degradation and soil erosion, plague these countries. In Uganda, for instance, where 90% of the population lives in rural areas and directly depends on land for cultivation and grazing, forestland shrank from 45% of the country's surface area to 21% between 1890 and 2000. As a result of overgrazing in its drylands known as the "cattle corridor," soil compaction, erosion and the emergence of low-value grass species and vegetation have subdued the land's productive capacity, leading to desertification. Inappropriate farming systems further aggravate the process.

The majority of farmers are not knowledgeable or exposed to improved farming methods such as crop rotation. In Ghana, where the population density has reached 77 persons per km², 70% of the firewood and charcoal needed for domestic purposes comes from the savannah zones, destroying 20,000 ha of woodland per annum. About 40% of Ghana's land mass is subject to desertification, which further exacerbates poverty. Many African countries are afflicted by a vicious cycle between poverty and desertification.[198]

It was of utmost importance at UNCED to understand what are the linkages, underlying forces, causes and effects between globalization and natural disasters, or, in other words, to find an answer to the question: how can sustainable development (and in this context: combating desertification and mitigating the effects of drought) be obtained in the age of globalization? And how can the structures, trends and effects of a globalizing world be utilized to serve the needs of those affected by environmental and socio-economic disaster such as desertification? The answer identified in Rio lies in the principle of collective action.

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[198] Information taken from national reports submitted to the UNCCD Secretariat. They are featured at the Secretariat's webiste <www.unccd.int>. An interesting country study on desertification and CCD implementation, highlighting its difficulties, in Namibia is Böhm, Nicole [2002]: Desertifikation: Zu den Schwierigkeiten der Implementation der UN-Konvention. Fallstudie Namibia. WZB Studie. Berlin. Another study on Namibia, focusing on the bottom-up approach and the role of CBOs is Brandt, Hartmut [2001]: Role and potential of community based organisations in the implementation of the national programme to combat desertification in Namibia. Berlin. A similar study for Kenya, focusing on NGO participation, is Kamps, Ortrud [2000]: Die Rolle von NGOs in der Entwicklungspolitik. Am Beispiel der Desertifikationsbekämpfung in Kenia. Münster. On geographic studies see also Babaev, Agadžan G. (ed.) [1999]: Desert problems and desertification in Central Asia. Berlin. More in Toulmin, Camilla [2001]: La Convention sur la lutte contre la désertification. Un code de bonnes pratiques/ In: Développement et coopération (mars-avril).

The bottom-up approach as UNCCD's post-Westphalian threshold

The Convention defines desertification as „land degradation in arid, semi-arid and dry sub-humid areas resulting from various factors, including climatic
variations and human activities". It states that combating desertification includes activities aimed at the prevention and/or reduction of land degradation, the rehabilitation of partly degraded land, and the reclamation of desertified land. Drought in terms of UNCCD means the „naturally occurring phenomenon that exists when precipitation has been significantly below normal recorded levels, causing serious hydrological imbalances that adversely affect land resource production systems".[199]

In particular, Article 2, UNCCD, states:

> *„1. The objective of this Convention is to combat desertification and mitigate the effects of drought in countries experiencing serious drought and/or desertification, particularly in Africa, through effective action at all levels, supported by international cooperation and partnership arrangements, in the framework of an integrated approach which is consistent with Agenda 21, with a view to contributing to the achievement of sustainable development in affected areas.*

> *2. Achieving this objective will involve long-term integrated strategies that focus simultaneously, in affected areas, on improved productivity of land, and the rehabilitation, conservation and sustainable management of land and water resources, leading to improved living conditions, in particular at the community level. "[200]*

The socio-economic aspects of desertification[201] have found a strong base within the provisional outlines of UNCCD, together with its ecological implications. For a number of reasons, UNCCD is thus often regarded more as a developmental treaty than an environmental one. But such a kind of distinction would not exatly reflect the nature of this Convention, since its origins are truely cross-sectoral and within the framework of sustainable development policies. Yet, while the Climate Change Convention and the Biodiversity Convention mostly aim to protect the natural environment from economic impacts, UNCCD aims at addressing the socio-economic conditions of rural developing

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[199] Definitions taken from the Convention, Art.1 (UN Doc. A/AC.241/27). See further details in Lean, Geoffrey [1998]: Down to earth. A simplified guide to the Convention to Combat Desertification. Bonn.
[200] Op. cit.
[201] The aforementioned phenomena of migration, urbanization and conflict may serve as examples in this context. Further socio-economic aspects of desertification are poverty, income generation loss or heath issues. In this context refer also to Katyal, Jagdish/ Vlek, Paul [2000]: Desertification - causes and amelioration. Bonn, Reynolds, James F. (ed.) [2002]: Global desertification. Do humans cause deserts? Report of the 88th Dahlem Workshop, 2001. Berlin, and Mainguet, Monique [1991]: Desertification. Natural background and human mismanagement. Berlin.

country people. However, desertification has to be seen as both cause as well as result of socio-economic disorder.

We have learnt further above that the Convention is a case of postmodern conceptualization of IR. UNCCD fits indeed the first two phenomena of postmodernity seen at Rio and described in the previous chapter: it can easily be identified as a process of regime building, and its legally binding nature matches with the legal criteria provided.[202]

Also the third phenomenon, the role of knowledge, can be traced and made evident easily since the political aspirations for this new agreement as well as the drafting process thoroughly took into consideration the history of the PACD, and subsequently subscribed to an approach of 'lessons learnt'. Following the example of the IPCC, UNCCD has furthermore as its first subsidiary body, the Committee on Science and Technology (CST), whose experts provided a substantive and knowledge-reflecting base for the content-driven interventions under this Convention.

One of the chief drafters of UNCCD, Ambassador Robert Ryan, on the scientific context of UNCCD, but also reveiling other crucial aspects, stated:

> „*Ambassador Bo Kjellén well describes the important role that the international scientific community played in the negotiation of the Convention to Combat Desertification (CCD). In this connection, two points bear repeating here as background to discussing scientific challenges in CCD implementation. At its first substantive session in 1993, the Intergovernmental Negotiating Committee for Desertification (INCD) spent a week exchanging scientific information. This was crucial to developing a broad consensus on the integrated, bottom-up approach that the CCD would take to sustainable development in drylands. The International Panel of Experts on Desertification (IPED), which had broad geographic and disciplinary representation, directly assisted the Secretariat and potential parties in fleshing out this overall approach throughout the CCD and its regional implementation annexes. The IPED's imprint is particularly evident in the definitions in article 1 and in the articles on information collection, analysis and exchange; on research and development; on transfer, acquisition, adaptation and development of technology; and on capacity building.*
>
> *The CCD's integrated, bottom-up approach has two basic facets: It clearly recognizes that economic and social factors cause desertification as much as physical factors. One condition for combating land degradation ... is, therefore, reversing the vicious circle of poverty in which most dryland communities of developing na-*

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[202] Refer to the *historical milestones and terms of reference* sub-chapter.

tions, particularly those in Africa, find themselves. It centers attention on partici-patory, community action as the basis for combating desertification and mitigat-ing the effects of drought. Merely consulting local people is not enough. Real par-ticipation means empowering them to decide for themselves how to use their re-sources and how to protect the fragile environment in which they live. The same overall approach pervades the scientific provisions of the CCD. In essence, the Convention challenges the scientific community — social scientists as much as physical scientists — to put itself at the service of dryland communities.

"Demand-driven" science is a daunting challenge requiring a change in mindset. A new philosophy of technology cooperation needs to replace the traditional top-down paradigm of technology transfer, which is increasingly seen as the main reason why past efforts at desertification control did not get the job done. The sci-entific provisions of the CCD are broad and detailed. The following, in no par-ticular order, are just some of the key tasks in crafting a truly demand-driven sci-entific agenda...:

· *To develop benchmarks and indicators of progress in combating desertification that encompass both traditional physical variables and measures of success at the community level;*
· *To encourage information-exchange networks that include not only governments and intergovernmental organizations but also non-governmental organizations (NGOs), local communities and scientific institutions;*
· *To inventory and disseminate local technology, knowledge and know-how and integrate them with modern technology;*
· *To ensure that collection and analysis of scientific information address the needs of local communities with a view to resolving specific problems and that local communities are involved in those activities;*
· *To support research activities that respond to well defined objectives, meet the needs of local populations and lead to improved living standards for people in affected areas;*
· *To develop and strengthen local, national, subregional and regional research capacities in developing countries affected by desertification;*
· *To extend technology cooperation among affected developing countries, particu-larly in sectors that foster alternative livelihoods for dryland communities; and*
· *To reorient extension services in affected developing countries toward participa-tory approaches for the conservation and sustainable use of natural resources at the community level.*

Structuring and carrying out a sound scientific agenda will make a major contribution to the success of ... action programs that are the centerpieces of CCD implementation. It is important to recognize, however, as the CCD makes clear, that these action programs should be closely linked to other efforts aimed at sustainable development, particularly to implementation of related environmental conventions. Article 8 of the CCD specifically encourages joint programs with related conventions, notably the Climate Change and Biodiversity Conventions, in the fields of research, training and systematic observation, as well as information collection and exchange. The Conference of the Parties and the Permanent Secretariat have already moved strongly to develop such coordination.

One of the main prerequisites for successful coordination with sister conventions is a deeper understanding of the scientific factors that link desertification and drought to climate change and loss of biodiversity. Special working groups of the IPED concentrated on refining knowledge of these linkages. The World Bank, the Global Environment Facility (GEF), the International Panel on Climate Change (IPCC) and other organizations have also done considerable work on the subject. Given the importance of the linkages, there is room for more extensive and more systematic research about them, particularly regarding the positive effects of desertification control on the mitigation of climate change and on the conservation of biodiversity.

On the climate side, among other things, desertification control involves reduction of slash-and-burn agriculture and of the use of wood for fuel, both of which contribute significantly to greenhouse gas emissions. Also dryland soils may be significant carbon sinks and dryland reforestation, if widespread enough, can increase carbon sequestration. Reducing land degradation, by definition, conserves important dryland habitats for large mammals, migratory birds, key races of domestic crops and plant sources of commercial and industrial products. Land degradation is also associated with pollution of fresh water ecosystems and with land-based pollution of the oceans. Greater understanding of such phenomena will have an important side effect in building public and political support for the CCD, which currently receives less attention than its sister conventions. Science can thus play both a direct and indirect role in the Convention's successful implementation."[203]

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[203] Ambassador Robert J. Ryan is an international consultant based in Rome. After his retirement from the Foreign Service, he served from 1993 to 1997 as Special Adviser in the Interim Secretariat of the Convention to Combat Desertification and concurrently as Chairman of the International Panel of Experts on Desertification. His full statement can be found at <www.earthinstitute.columbia.edu>.

The fourth phenomenon, the semantics of sustainability, and further semantic epiphe-
nomena such as the sustainability triangle/square and other concepts, have, according to
the above-mentioned notions of UNCCD as a technical means of sustainable dvelop-
ment policy, strongly influenced its outlines, and are replicated in its holistic, integrated
approach as a cross-sctoral, multi-level framework of comprehension. Furthermore, the
Convention's conceptual matrix contains the fifth, sixth and seventh postmodern phe-
nomena, i.e. those of cross-sectoral strategic/ structural reform, global governance ori-
entation and post-Westphalian tools. Yet, UNCCD's very threshold lies in the so-called
bottom-up approach, which combines all of these three phenomena in itself.

The Convention foresees that affected countries, i.e. developing countries, some devel-
oped countries, Central and Eastern Europe, some Central Asian countries, give a com-
mittment to prioritize combatting desertfication as a national policy and as a part of their
national strategies for sustainable development. This process is called *mainstreaming*,
and corresponds with the postmodern principle of cross-sectoral strategy orentation.
Developed countries through their signature bind themselves to support these measures
through substantial financial resources within existing cooperation frameworks of a bi-
lateral as well as multilateral nature. At the outset, UNCCD achieved no multilateral
financial mecanism, but the *Global Mechanism (GM)*, which is understood as a broker
or clearing house body, and also acts as consultancy and training providing entity.

UNCCD's main target area are the African drylands with some 40 priority countries.
The Convention's main policy instrument are *National Action Programmes (NAPs)*,
delivering frameworks for all activities undertaken in affected countries for its imple-
mentation, such as measures for improving the economic circumstances, of poverty
eliviation, protection of natural resources, capacity building, empowerment of locals
and women, or on awareness raising. NAPs work according to a cross- or inter-sectoral
scheme. These NAPs are, as the prime product of mainstreaming efforts, supposed to
integrate all previously sectoral target efforts.

A key mechanism of the Convention's implementation process are the *partnership
agreemens*. Bilateral and multilateral donors present in affected developing countries
are, according to this approach, supposed to bundle themselves and their engagements,
and thus become integral part in the implementation of NAPs through their consultative,
technical and financial assistance, always corresponding to a country-driven process.

However, achieving sustainable development without seriously involving the civil soci-
ety at all stages and levels, particularly at national and local levels, is impossible and
probably doomed to fail. The drafters of UNCCD took this insight into account and
tried to declinate it through the Convention's text to a maximum. They had recognized

that development is made sustainable through the participation of those concerned. It is exactly at this level, where globalization and its epiphenomena need to be met. Creating a global village cannot be only left with corporations and shareholders nor with politicians. It is the primordial role of the global civil society to counterbalance and complement, through their voice and effort, the trends and tendencies currently underway. This normative understanding of global governance has underpinned the drafting process of the Convention.

However, one should not forget that there is also a process of globalization of NGOs going on, with a tendency to strengthen those of the North, and weakening their 'sister' organizations in developing countries. In other words: Is it really fair to equate the emergence of an international civil society with the advancement of democracy? The emergence of an international civil society does not really modify the global balance of power - it merely expresses it differently. The influential "civil societies" and thus NGOs are almost necessarily those of the most powerful countries. Thus, it is the civil societies and the NGOs from the rich, media-driven countries that usually exercise influence in the world. They are the ones with the means to communicate - and thus the power to impose their views. It is developed countries influence, not that of Niger, Bolivia, or Bangladesh. It is not Nigerian NGOs that are going to intervene in Northern Ireland or demonstrate in Seattle, it is European and American NGOs most likely.

The former French Minister of Foreign Affairs, Hubert Vétrine, said:

> *"Democracy is not like instant coffee, where you can just add water and stir. It doesn't result from a conversion, but from a process. The development of civil society is a fact. We should make it more responsible and support its most useful aspects, but for states to abdicate their roles would mean progress neither for democracy nor for what we in French call the management of globalization."[204]*

When speaking about partnership, we must as well refer to partnership within the network of NGOs, and examine, if it is the civil society of *developing* countries whose voice is heard, and whose efforts are meaningful. Exactly this normative goal was implied by the drafters of UNCCD. Probably the most interesting point acording to the notions of post-Westphalian governance are UNCCD's guiding principles and normative provisions on participion, making it a piece of inscribed global governance, since the Convention is legally binding and thus international law: UNCCD foresees throughout participation of concerned populations at all levels in the planning, implementation and evaluation of the Convention. The latter is also understood as mobilizing subsidiar-

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[204] Internet source, unknown.

ity, utilizing existing knowledge and technology including traditional knowledge where appropriate, local experience and best practises.

This concept is called the *bottom-up approach*, and follows the idea of *participatory eco-development* as a process of decentral decison making. It finds its complement in the above-described partnership principle: developing as well developed countries, affected and non-affected countries are supposed to jointly implement UNCCD, including all intra-state levels of administration and decision making, and also including various actors of civil society: NGOs, community-based organizations (CBOs), associations, rural people, especially women, business, and the scientific community.[205]

> *„Die Untersuchung der Desertifikationskonvention zeigt..., daß Desertifikationsbekämpfung in ihr anders als im Rahmen des Bemühungen der 70er Jahre als Ziel in der Hintergrund tritt. Vielmehr dient die Konvention in erster Linie dazu, die Bedingungen erfolgreicher nationaler und internationaler Entwicklungsbemühungen für alle Parteien verbindlich festzuschreiben: Die Konvention soll zur nachhaltigen Bodennutzung in Trockengebieten beitragen, indem betroffene Staaten ebenso wie Geberländer auf einen neuartigen „Bottom-up"-Ansatz verpflichtet werden, der der lokalen Bevölkerung und Nichtregierungsorganisationen (NGOs) eine zentrale Rolle bei der Desertifikationsbekämpfung zuweist."[206]*

In 2002, the Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) states:

> *„Bei der Desertifikationsbekämpfung geht es dabei auf der lokalen Ebene um die partizipative Entwicklung und Anwendung von Methoden zur Stabilisierung, Wiederherstellung und Verbesserung der Bodenqualität, z. B. durch Erosionsschutz und Aufforstung... Im Politikdialog mit den Partnerländern setzt sich die deutsche Entwicklungszusammenarbeit für eine Verbesserung der nationalen Rahmenbedingungen für einen wirksamen Bodenschutz ein. Im internationalen Raum unterstützt sie die Umsetzung der internationalen Konvention zur Bekämpfung der Desertifikation (CCD). Dabei spielt die Politik- und Prozessberatung eine immer größere Rolle. Neben der Unterstützung zahlreicher Länder bei der Erstellung sogenannter Nationaler Aktionsprogramme zur Desertifikationsbekämpfung (NAP) werden Länder, die von grenzüberschreitenden Desertifikationsproblemen betrof-*

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[205] The concept of participatory eco-development is thoroughly developed and described in Lazarev, Grigori [1994]. More on NGO influence of the outline of UNCCD is found in Carr, Susan/ Mpande, Roger [1996]: Does the definition of the issue matter? NGO influence and the International Convention to Combat Desertification in Africa/ In: The Journal of Commonwealth and Comparative Politics, 34/ 1.

[206] Ehlers, Maximilian [1996], p. 7.

fen sind, bei der Erarbeitung und Umsetzung subregionaler und regionaler Akti-onsprogramme zur Desertifikationsbekämpfung beraten.“[207]

The bottom-up approach is a new concept of policy implementation, which reverses the traditional logic of intervention, the declination of hierarchically generated policy for-mulation and decision making results to the 'lower levels' of intra-state societal order, i.e. the so-called top-down approach. This conceptual change, brought up as a discus-sion base by the United Nations themwelves, and transformed into international law by state delegates during the INCD sessions, may have been motivated and triggered by the impression of growing erosion tendencies of nation-state capabilities, particularly in the fields of environment and development politics in developing countries. I doubt that the bottom-up approach is truely of an abstract normative nature, i.e. yielding the empow-erment of people just for the sake of democracy.

I think that this new and radically altered methodology was expected to render the im-plementation process of the Convention way more effective than any other previous attempt. As such, we can speak of a case of learning institutions: the failure of the PACD certainly inluenced the drafting process of UNCCD. Enhanced effectivity of the new instrument was thus supposed to be provided by meaningful participation of non-state actors, of local and regional structures, by a more holistic perception of interna-tional relations as a complex of global governance, and enhanced synergies between existing conventions, regimes and national policies. The bottom-up approach is one of the most radical conceptual results of post-Westphalian politics and as such a phenome-non of the postmodern paradigm.

UNCCD features the strongest focus on postmodern governance concepts among the Rio treaties, since bottom-up is, conceptually, nowhere else so strongly implied. The bottom-up approach is linked with the epiphenomens or sub-concepts of participatory eco-development and partnership agreements within given multi-actor-networks, as described above.

One of the key questions that the drafting fathers of the Convention undertook to reflect upon was: How can UN agencies link up with civil society? The background for this both conceptual and strategic scenario was evident, i.e. the ongoing crisis of multilateral organizations backed from the functionalist matrix of post-World War II politics. Look-ing at the major significance of development issues for the desired success of UNCCD, it had seemed before Rio that the new generation of OECD representatives was not any more interested in North-South solidarity, as a consequence of which lack of political will, interest and funding had to be admitted.

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[207] Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) [2002], p. 43.

In the light of the aforementioned, the designers of UNCCD, encouraged through the wave of new world order and global governance concepts emerging by the time of Rio, and the strong focus on civil sector engagement during UNCED, chose a participatory approach for their conceptual framework, linking the logic of intervention directly with the local level and civil society.

CHAPTER FOUR
Examples from the implementation process of UNCCD

Introduction

In this Chapter a number of empirical examples from the Convention's implementation process shall be presented. They relate to the following topics:

- Cross-sectoral strategies
- Bottom-up approach
- (National) Policy formulation
- (National) Policy evaluation
- Partnership agreements: North-South Cooperation, South-South Cooperation, Multilateral Assistance

The selection of examples comprises strategic blueprints elaborated by the UNCCD Secretariat as well as reports and/or proceedings from conferences. The blueprints aim at putting the Convention's provisions, along with other concepts of sustainable development, into practice. These are a concept to facilitate the elaboration of national reports on implementation of UNCCD, a blueprint for the organization of national forums on synergetic implementation of environmental conventions, one for the organization of consultative forums for the sake of partnership agreements, the design of an African thematic network as a means of South-South cooperation, and a concept for an international conference preparatory to the Johannesburg Summit in 2002.

This chapter also contains summaries and assessments of crucial meetings targetting the evaluation of national reports, a national synergy forum in Uganda, a workshop on the EU Cotonou Agreement, the launching meeting of the said regional network, and the UNCCD WSSD PrepCom. Furthermore, a country case study is provided, featuring Uganda's NAP elaboration process, and also, a GEF initiated cross-sectoral funding programme is introduced. The selection featured here aims to represent a broad empirical spectrum.

Item 1: Cross-sectoral strategies/ National policy formulation

1.1   Elaboration of a National Action Programme (NAP): Uganda

A brief history of Uganda[208]

Some time before the 15th century, Nilotic and Nilo-Hamitic tribes had already been migrating southward into the geographical area of Lake Victoria, where they more and more merged with the locally settled Bantu tribes. Later, during the 15th century, fair-skinned cattle keepers moved into what is now Western Uganda and became the 'over-lords' of that area. This migratory movement was soon followed by another one, this time of Nilotes from around the Al-Ghazal River in Sudan. This latter wave, as it crossed the Nile, pushed the earlier invaders before it. Their advance guard settled in Western Uganda and established the state of Bunyoro-Kitara.

In the southeast of Bunyoro-Kitara, the smaller state of Buganda grew up as an off-spring of its larger neighbour. By the end of the 18th century, the boundaries of Buny-oro-Kitara had been stretched so far that the authority of the ruler began to crumble, when the smaller, more compact state of Buganda enjoyed a succession of effective Kabakas, or rulers, and began to expand at the expense of Bunyoro-Kitara. It was during this period of Buganda's rise that the first Arab traders reached the country in the 1840s. Mutesa I, who took office around 1856, admitted the first European explorer, Captain John Hanning Speke, who entered into the Kabaka's territory in 1862. Later, the *Imperial British East Africa Company* was instructed to administer the region on behalf of the British government, and, for strategic reasons, the British government itself declared a protectorate over Buganda in 1894.

A so-called agreement between the British authorities and the Kabaka, known as the *Buganda Agreement* of 1900, formed the basis of British rule in Buganda for more than 50 years. Under its terms the Kabaka was recognized as ruler of Buganda as long as he remained faithful to the protecting authority. His council of chiefs, the Lukiko, was given statutory recognition.

Early in the 20th century the British authorities laid the foundations of a peasant economy by encouraging the cultivation of cotton, which had been introduced into the country as an economic crop in 1904. It was mainly owing to the wealth derived from cotton that Uganda became independent of a grant-in-aid from the British Treasury in 1914. The part played by Europeans as well as Asians was mainly on the commercial and processing side of the protectorate's agricultural industry. When an additional crop was

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[208] Compiled from The World Factbook 2001, published as public domain by the U.S. Government. Washington DC, and <www.newafrica.com>.

sought in order to widen the basis of the economy, it was African-grown coffee that the agricultural department encouraged. In 1921 a Legislative Council was instituted, but its membership was so small that it made little impact.

In 1961, at the first countrywide election to the legislative council, the Democratic Party (DP) won a majority of seats. Benedicto Kiwanuka was appointed chief minister, but he proved to be unacceptable to the ruling elite of Buganda. At pre-independence elections to the national assembly, held in April 1962, the opposing UPC (Uganda's People Congress) won a majority of seats and formed a government, led by Milton Obote. Uganda was granted self-government in 1962, with Obote as Prime Minister. The new constitution provided for a federation of four regions -Buganda, Ankole, Bunyoro and Toro- each with considerable autonomy. In October 1962, Uganda became independent with Mutesa II, the Kabaka (king) of Buganda, as non-executive president.

In February 1966 Obote led a coup against his opponents. The constitution was suspended, the president was deposed and all executive powers were transferred to Obote. In April an interim constitution was introduced, withdrawing regional autonomy and introducing an executive presidency. Obote became head of state. In May, when the Lukiiko demanded the restoration of Buganda's autonomy, government troops, commanded by Col. Idi Amin, seized the palace of the Kabaka, and a state of emergency was imposed in Buganda. A new constitution was adopted in September 1967, establishing a unitary republic and abolishing traditional rulers and legislatures.

In January 1971, Amin seized power and declared himself head of state promising a return to civilian rule within five years. Soon after taking power Amin suspended political activity and most civil rights. The national assembly was dissolved, and Amin ruled by decree. The jurisdiction of military tribunals was extended to cover the entire population, and several agencies were established to enforce state security. In August 1972 Amin announced the expulsion of all non-citizen Asians. Most went to the United Kingdom, which severed diplomatic relations and imposed a trade embargo against Uganda and by the end of 1972 virtually all Western aid had ceased. No coherent economic development policy existed, and the country's infrastructure was allowed to deteriorate.

Political exiles in Tanzania and elsewhere, including Obote, were encouraged by President Nyerere of Tanzania to form a united political front to remove Amin. In January 1979 the Tanzanian armed forces invaded Uganda, assisted by the Uganda National Liberation Army (UNLA). They captured Kampala in April. Amin fled the country, eventually taking refuge in Saudi Arabia. A provisional government was established in April 1979. The elections held in December 1980 were contested by four parties and

Obote was proclaimed president for the second time. But the election did not bring military or political stability to Uganda.

In July 1985 Obote was overthrown in a military coup, led by Brig. Tito Okello. By the end of August 1985, however, the Okello government was facing serious difficulties. The National Resistance Army (NRA) under Museveni took control in January 1986. Yoweri Museveni was sworn in as president and formed a National Resistance Council (NRC), with both civilian and military members. Museveni announced a policy of national reconciliation, established a commission to investigate breaches of human rights during the regimes of Amin, Obote and Okello, under whom, up to 800,000 Ugandans had been killed. In February 1989 the first national election since 1980 was held.

In May 1991 president Museveni formally invited all Ugandan Asians, who had been expelled during the Amin regime, to return. This gesture was intended to attract both international approval and investment in the Ugandan economy by expelled Asians who had prospered since leaving Uganda. Elections to the 288-member constituent assembly took place in March 1994, and were accepted by a majority of Ugandans to have been conducted fairly. Museveni and the NRM won overwhelming support. The first presidential election in Uganda was held on 9 May 1996, Museveni won with 74.2% of the votes. Nation-wide local elections took place in November 1997. Direct presidential and parliamentary elections were held in March (presidential) and June 2001 (parliamentary) respectively.

Relief and Aspects of Drainage[209]

The relief features of Uganda fall under four categories as outlined below. Generally, the altitude ranges from 620 – 5,110 meters above sea level.

Plateau: Most of Uganda forms part of an interior high plateau of Africa. It is characterized by several stages of truncation, resulting from long continued sub-aerial denudation. This plateau is lower in the north and center of the country and higher in the south and south-west. The relative relief of the lower elevations seldom rises more than 2.1-3.0 meters. The landscape is of open plains except where inselbergs rise to punctuate the plains, especially around Soroti, Nakasongola, and Labwor hills. South-wards from the northern plains, which range between 750-1,110 meters, the plateau rise towards the Lake Victoria water-shed. The flat-topped hills rise too much the same height along the water-shed generally at 1,260-1,320 meters. In Ankole, however, the hill-top level con-

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[209] Compiled from Uganda's national report submitted to the Conference of the Parties to the United Nations Convention to Combat Desertification (UNCCD) in 1999, Uganda's National Action Programme to Combat Desertification (NAP), submitted to the UNCCD Secretariat in 2000 – both to be found at the UNCCD website <www.unccd.int>.

tinues to rise to over 1,800 meters. The arena levels in Ankole are generally at 1,140 meters. The plateau reaches its highest elevation to the south-west of the country, with summits rising to above 2,100 meters in Kigezi. Other highest points are found in Karamoja and west Nile.

Mountains: The prominent mountain features of Uganda are found along the international border. These include: the Bufumbira volcanic mountains and Rwenzori mountains in the west and south-west; volcanic centers of the Karamoja region which include Moroto, Kadam, Napak, Toror, Morungole mountains; and Mount Elgon and Tororo plug in eastern Uganda. The biggest point of the country is Mount Stanley, which is at 5,109 meters above sea level, while the lowest point is at Nimule close to the Sudan border, where the valley of Albert Nile drops at about 600 meters above sea level. The major volcanoes of the west in Kigezi consist of conical hills rising to a maximum of over 4,050 meters above sea level. Permanent ice and snow is found on Rwenzori and Elgon mountain peaks; while the summits of Napak, Moroto and Kadam have been scoured by erosion. The peaks, which have almost been destroyed by denudation processes, include that of Tororo plug, Toror Hills and Napak mountain.

Rivers: The pattern exhibited by the flow of rivers in the general direction of Lake Victoria (drainage into this Lake), represents a recent geological re-adjustments that include, as earlier mentioned, up-warping and faulting along the western rift. This resulted in the reversal of the direction of flow of the existing rivers and ponding-up of waters in relatively down-ward zone to the east, which now forms the Lake Victoria basin. The Kagera, Katonga, and Kafu rivers allrise at present in swamp-filled gaps in the upward rift rim and flow sluggishly east to the lake. To the west of the present head-waters of these major rivers, steep stream course descend abruptly to the floor of the rift. The shatter zone parallel to Aswa zone influenced the breaching of the basin rim in the north. Associated with this zone an aggressive rift scrap, which captures escaping waters, which drain into Lake Albert; through a narrow cleft under 6 meters. Overall, due to the influence of warping process, many of the perennial streams of the country, many of the water-courses are only seasonal, and some carry water for only a few hours after rain.

Lakes: Lake Victoria (the second largest in the world) has an intricate submerged northern coastline and elevated western plains of sand-bar and lagoon. Similar to this is the back-tilted Lake Kyoga system and Koki lakes of Ankole. The smaller lake of Kigezi resulted from volcanic damming by lava flows or craters. The crater lakes of the Western Rift Valley and the tarns on Rwenzori mountains are of different origin; the former resulting from gaseous explosions, and the latter from glacial erosion.

Climate[210]

There are at least five major climatic zones in Uganda, based mainly on similarities of rainfall distribution rather than volume, namely: (i) Lake Victoria Zone; (ii) Karamoja (iii) Western Uganda; (iv) Acholi-Kyoga; and (v) Ankole-soutern Uganda. The mean annual rainfall for the country ranges from less than 500mm in parts of the north and north-east, to over 2000mm over Lake Victoria, the Rwenzori and Elgon mountains. Most parts of the country receive mean annual rainfall totals varying from 1000-1500mm. Generally, the southern half experiences two distinct rainy seasons. The northern half experiences two rainy periods, which coalesce into a single rainy season, with a single long and dry season. The central part of the country, however, receives rainfall virtually every month, but the peaks are poorly defined.

How desertification and land degradation threaten natural landscapes and sustainable development in Uganda[211]

Land is by far the most important natural resource in the country supporting about 90% of the country's population that lives in rural areas and directly depends on it for cultivation and grazing. The country is also endowed with a great diversity of animals and plant species due to its geographical location in the zone that overlaps community characteristics of the dry east African savannah and those of West African rain forests. About 70% of the livestock in the country is owned by cattle keepers with only 30% of the cattle found on commercial ranches and modern farms while 94% of all the crops output comes from about 2.5 million small holders each cultivating less than 2 ha p.a.

Food security is a serious problem in the country with 5 to12% of the human population consuming less than the national daily. The districts of Moroto, Kotido, Moyo, Bundibugyo, Nakasongola and Luwero are chronically deficient in all staple and major food stuffs while the Districts of Soroti, Kumi, Tororo, Nebbi, Kabarole, Kasese, Bushenyi, Masaka, Mpigi and Mubende are said to be in transitory food security. All these districts experience persistent droughts and some of them have started showing desert-like conditions which, if not checked, will result into serious land degradation.

According to the UNCCD, desertification is defined as land degradation in arid, semi-arid and dry sub-humid areas resulting from various factors including climatic variation and human activities; while drought is described as the naturally occurring phenomenon that exists when precipitation has been significantly below normal recorded levels, causing serious hydrological imbalances that adversely affect the land resource production systems.

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[210] See ops. cit.
[211] See ops. cit.

Uganda's dry lands occupy what is referred to as the "cattle corridor", an area stretching from the North–East through Central to the South–West of the country. The areas mainly rangelands cover approximately 84,000 sq.km of the total land area. In these areas semi arid and dry sub humid conditions prevail. They also experience erratic rainfall patterns, receive rainfall ranging between 500-800mm/ annum where drought is a common recurrent phenomenon. Some other parts in the country particularly the Northern region experience similar conditions. In Uganda drought conditions are mainly experienced in the North- Eastern districts, where serious crop failure has been noted to occur in every 5 years.

The main factors contributing to desertification in the country include drought, soil erosion, over grazing, deforestation, and inappropriate farming practices. Poverty as well as the increasing population pressure on the land exacerbate these factors. This scenario has intensified land and environmental degradation leading to loss of the productive potential of the land, famines, low household incomes and increased social unrest in the affected areas, particularly in the North East of the country.

Drought - Widespread reliance on rain fed agriculture, subsistence farming and pastoralism, poor crop and animal husbandry practices, water scarcity and population pressure contributes to vulnerability to drought. Drought affects Uganda, mainly in or near the Karamoja region. This region experiences serious crop failure every five years. For example, drought occurred in 1979-80, and 1984-85 in Karamoja, and in 1988-89 affecting West Nile, Lira, Kitgum, Gulu and Apac. The 1993-94 drought was the most extensive and affected 16 districts. In 1999, drought seriously hit the districts of Mbarara, Ntungamo, Rakai and Bushenyi. Areas characterised by low rainfall and high temperatures, heavy land use and lack of conservation measures are vulnerable to desertification. Some areas in the districts of Kotido, Nakasongola and Rakai already exhibit desert-like conditions.

Soil erosion - Is the single most important form of land degradation and a large part of the country has been affected in one way or another. While the steep slopes of Kabale, Kisoro, Bundibugyo, Mbale, and Kapchorwa districts are the most seriously affected, even in the relatively flat areas such as Iganga, Kamuli, Tororo and Kumi, soil erosion has occurred at an alarming rate largely through rill and sheet erosion and thus leading to gradual but steadily increasing loss in soil productivity. Many of the drier areas, particularly rangelands have also been seriously affected. Apart from the rapid decline in fertility and productivity of the original land, soil erosion has also led to the saltation of lakes, rivers and streams.

Overgrazing - Overgrazing is a serious problem in the rangelands. Particular areas affected are the pastoral counties of Ruhaama, Nyabushozi, Kazo of Mbarara District, and the whole of Nakasongola district and Karamoja region. The resulting effects of overgrazing include soil compaction, erosion (particularly gully erosion) and the emergence of low-value grass species and vegetation with subsequent declines in carrying capacity of the land and
therefore low productivity.

Deforestation - At the beginning of the 20 th century, 45% of the country's surface area (108,450sq.km) was under forest cover. The present level of forestland is only 21% of its value in 1890 as a result of deforestation. The major causes of deforestation are provision of wood fuel and clearing of land for agricultural activities. Ninety percent of the total population who live in rural areas directly depend on firewood for their energy needs, and a big fraction of the urban dwellers depend on charcoal. All in all, 92 percent of Uganda's source of energy is wood fuel, while only 7 percent are supplied by petroleum and 1 percent by electricity. The 1986 World Bank Report estimates production of wood fuel as 15.6 million cubic meters per annum while consumption is about 18.3 million cubic meters which puts demand in excess of the supply by 2.7 million cubic metres.

Inappropriate farming practices - There are at least seven different farming systems in the country each with its own soil degradation problems. The actual magnitude of degradation in each system depends largely on population pressure, vulnerability of the soil to erosion, rainfall amounts and the general relief of the area. The most critical problem, however, is that the majority of farmers have inadequate knowledge of or few opportunities to learn about improved farming methods. For example, crop rotation is often not practised; with most farmers growing the same crop types on the same piece of land year after year, a situation which leads to serious soil degradation. Improved agroforestry systems, capable of renewing and regenerating the soil, are also lacking in most farming systems.

UNCCD as an integrated tool to restoring landscapes and achieving sustainability – Uganda's National Action Programme to Combat Desertification[212]

Taking recognition of the above issues, the Government of Uganda actively participated in negotiations of the Convention to Combat Desertification (UNCCD) and demonstrated its commitment to implementation of the Convention by signing and ratifying it in 1994 and 1997, respectively.

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[212] See ops. cit.

The Convention emphasises and gives particular attention to preventive measures for areas whose lands are not yet or are just slightly degraded; development of national capacity to provide early warning against drought; irrigation programmes; sustainable agricultural practices; increase in availability of the water resource and integrated plans for sustainable management of all the natural resources. The Convention also recognises the need to integrate strategies for combating desertification with measures designed to eradicate poverty. Under this Convention, parties are called upon to elaborate, adopt and implement action programmes, develop and strengthen institutional frameworks, establish and strengthen food security systems and establish appropriate financial mechanisms.

The UNCCD calls upon parties to formulate and implement National Action Programmes (NAPs) as the central element in a strategy to combat desertification and mitigate the effects of drought. Thus, NAPs should be designed through a participatory locally driven process involving all key stakeholders at all levels and give particular attention to local communities in the affected areas. In Uganda, the NAP was elaborated within the broad framework of the country's National Environment Action Plan (NEAP) which aims at integrating concerns into the overall socio-economic development strategy of the country.

In 1995, a National Awareness Workshop on the UNCCD and the NAP process for high-level Government policy and decision makers and NGOs recommended that funds be sought to create awareness of the UNCCD and carry out broader consultations on the NAP involving NGOs, donors, local communities in more districts. It was also appreciated that addressing issues of desertification and drought will not be an easy undertaking if financial resources to support local community actions are not in place. Thus the need to establish a Uganda National Fund to Combat Desertification was emphasised.

The overall strategy in implementing the first phase of the NAP process was to encourage the participation of all stakeholders at all levels in awareness and consultation activities of the NAP process. Emphasis was put at district and lower levels focussing mainly on strengthening the capacity of local authorities and NGOs to ensure their active involvement in awareness raising, training and consultation of local communities. The NAP consultation process involved mainly local communities, civil leaders at all levels, NGOs, government departments, local authorities, and legislators, among others. Participatition of the private sector and donor agiencies was rather limited.

The main output of the first phase of the NAP process was the First National Forum aimed at bringing together stake holders at all levels to establish a national consensus on the objectives, scope and priority programme areas for the NAP the contributions, roles

and responsibilities of the various stakeholders in the implementation of the NAP process and necessary measures, needed for co-ordination, financing and technical support to the NAP process. The First National Forum took place in 1998 and was attended by a total of 160 participants. These were mainly stakeholders from the national level, the "cattle corridor districts" and other districts affected by desertification and drought. The other participants included heads or representatives of key government departments and institutions, academic and research institutions, international and national NGOs, private sector organizations, donor representatives, legislators and the press. It laid the foundation for the elaboration of Uganda's National Action Programme to Combat Desertification, which was finally validated at a Second National Forum and subsequently adopted by the government in 2000.

In its NAP, Uganda has decided to focus on the following key projects so as to combat desertification and land degradation and thus contribute to sustainable development and protection of it's natural landscapes and the livelihoods of people living therein:

- Promote awareness raising on desertification;
- Support to local level community initiatives;
- Development of appropriate technologies for combating desrtification;
- Water development and management;
- Improve soil management by training farmers and pastoral communities in soil fertility conservation and range management;
- Promote afforestation programmes;
- Development of alternative energy sources;
- Harmonize the National Action Programme to Combat Desertification with other existing national programmes and policies for environment and sustainable development;
- Organize a national conference that will define, in a spirit of partnership, the modalities for financing important activities under the NAP;
- Work towards more synergetic implementation of the conventions on desertification, climate change, biodiversity and wetlands, fully realizing their interdependence.

Uganda has put poverty alleviation at the forefront of its development objectives. The Poverty Eradication Action Plan (PEAP) has guided the formulation of government policy since its inception in 1997. Under this plan, Uganda is being transformed into a modern economy in which agents in all sectors can participate in economic growth. The poor are also to be enabled to participate in this process, both by expanding smallholder agriculture and employment in industry and services.

Agriculture being the main engine of growth, food security as well as improved incomes for the poor makes it the lead sector for modernizing the economy. In this regard, a Plan for the Modernization of Agriculture (PMA) has been elaborated. The PMA is a sector wide strategic plan whose overall goal is to improve the quality of life of the people of Uganda through increased household incomes, food security and nutrition, gainful employment and sustainable use of the natural resource base. The NAP is expected to re-enforce the implementation of the PEAP and PMA as it seeks to address issues of land degradation and drought, which have direct effect on agricultural production and poverty. [213]

Item 2: Cross-sectoral strategies/ National policy evaluation

2.1   Elaboration of national reports: Institutional support to African countries to facilitate submission of their reports at COP 3

Activities

By its decisions 5/COP.2 and 11/COP.1 on procedures for the communication of information regarding measures taken for implementation of the Convention and provisions for the review of the status of implementation, the Conference of the Parties requested the UNCCD Secretariat to report to it during the third session on activities undertaken in assisting developing country Parties in the preparation of reports on the implementation of the Convention. The UNCCD Secretariat received requests from various African countries for assistance to enable them to meet their obligations with respect to reporting to the COP at its third session on the status of implementation of the Convention. Similar requests were received from the Permanent Inter-State Committee for Drought Control in the Sahel (CILSS), the Intergovernmental Authority on Development (IGAD), the Southern African Development Community (SADC) and the Arab Maghreb Union (AMU), seeking technical and financial support for the preparation of reports on implementation of the Convention by their respective member States.

The Secretariat consequently convened a consultative planning meeting with representatives of these subregional organizations in Geneva on 25-26 January 1999, aiming at articulating the needs, be they financial, technical or otherwise, of the African countries in assessing the progress of implementation of the Convention since its adoption. An added advantage of this analytical process of evaluating the progress of CCD implementation was that it helped to strengthen the capacity of the national coordinating bod-

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[213] The Uganda case study may be complemented by an examination of Zimbabwian policies on drought shocks: Owens, Trudy/ Hoddinott, John/ Kinsey, Bill [2003]: Ex-Ante Actions and Ex-Pot Public Responses to Drought Shocks: Evidence and Simulations from Zimbabwe/ In: World Development Vol. 31, No. 7.

ies so as to enable them to fulfil their respective mandates. The overall goal was to prepare comprehensive reports from the African countries affected by drought and desertification, and to provide the COP with sufficient information for them to make concrete recommendations as appropriate. It was also expected that the process set in motion would contribute to the establishment of mechanisms for participatory assessment of the implementation of the Convention within the national action programme process.

The Secretariat sought the collaboration of the United Nations Institute for Training and Research (UNITAR), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the Observatory of the Sahara and Sahel (OSS), and experts from the African subregional organizations, in preparing a help guide to be used by the affected countries in compiling their national reports (ICCD/COP(3)/INF.3). The purpose of this help guide was to assist the Parties to the Convention in preparing their first national reports on implementation of the Convention. The help guide was designed to provide the UNCCD national focal points who would coordinate the preparation of the national reports, as well as others involved in the process, with useful information to assist them in the collection, compilation, analysis and presentation of data and information, in line with decision 11/COP.1.

The help guide contained background information and explained the procedures for the communication of information and review of implementation of the Convention, a proposed methodology and possible process to follow which would be adapted to suit the particular needs of each country Party, as well as an outline and explanation of the specific guidelines provided by decision 11/COP.1. The help guide was therefore expected to be adapted by the national coordinating bodies to the particularities and requirements of each national context. It could also serve as a tool for monitoring and evaluating progress made in combating land degradation within the broad context of achieving sustainable development.

To reinforce this process, the Secretariat in collaboration with the United Nations Environment Programme supported the convening of a consultative meeting of the subregional organization representatives in Nairobi on 22-23 February 1999, with the objective of charting out the ways and means to provide technical and catalytic financial support to the affected countries in preparing their national reports on implementation of the Convention. On this occasion, moreover, the experts from the subregional organizations also reviewed and refined the help guide.

The subregional organizations embarked on coordination of the preparation of national reports of their respective member States. They requested the Secretariat to facilitate the organization of planning workshops where the national focal points would be involved

in designing the process of elaboration of the national reports. Consequently, the Secretariat, in collaboration with UNITAR, UNEP, UNDP, OSS, CILSS and ECOWAS, IGAD, SADC and AMU, organized a series of planning and briefing workshops on the formulation of the national reports. These consultative brainstorming sessions were held with the various UNCCD national focal points, the subregional organization representatives and the consultants who had been selected to assist with the preparation of reports, with the following schedule: on 15-16 March 1999, for the southern Africa subregion; on 18-19 March 1999 for the eastern Africa subregion; on 18-19 March for the northern Africa subregion, and on 22-23 March 1999 for the western Africa subregion. The aim of these planning and briefing consultations was to help broaden the constituency of actors in this process, and to sharpen the focus of a cadre of officials who were to be directly involved in report preparation, while at the same time strengthening the capacity of the national coordinating bodies to respond to the issues pertaining to the requirements of the Conference of the Parties in this respect.

Upon request from the countries, the organization of national workshops was supported. In these workshops, draft national reports were presented to the members of the national coordinating body, to be enlarged if needed by officials of the government and other interested actors. Similar support was also extended to countries that are not members of the subregional organizations but that requested assistance from the secretariat, including Burundi, Cameroon, the Central African Republic, the Democratic Republic of the Congo, Equatorial Guinea, Madagascar, Rwanda, and Sao Tome and Principe. Consultants were also engaged to assist the national coordinating bodies in these country Parties to draft their national reports.

The approach used, to prepare a help guide and work with the subregional organizations and the national focal points, has proven to be well adapted to the African context and has resulted in the preparation and submission of 41 national reports from affected African country Parties within a short period of time.

From 27 September to 1 October 1999, a Regional Conference was held in Nairobi and hosted by UNEP. At this meeting, the African country Parties, among others, discussed and exchanged views concerning experiences and lessons learnt from the national report elaboration exercise.

Assessment

Out of 52 African country parties to the Convention, 41 submitted their National Reports on CCD implementation before COP 3, as required by relevant decisions of COP 1 and 2. This represents over 80%, which can be as far more than expected and a great success. The question remains as to why 11 African country parties did not submit their reports. The sub-region representatives during COP 3 stated in this context that in nearly all of these 11 cases, severe problems or national disasters like civil war or natu-

ral catastrophes have prevented governments from preparing their CCD reports. In no case there was a problem with funding since this had been adequately ensured and organized by the Secretariat and the sub-regional organizations, making use of the generous contributions mentioned above, amongst which is also a significant amount granted by UNEP.

Furthermore, all African country parties have ratified the Convention and established their National Coordination Bodies (NCBs). The legal framework to ensure CCD implementation, and its embeddedness within the countries' overall policies for environment and sustainable development is also reported as sufficiently done in all countries. On the other hand, many country Parties lamented that funding from bilateral and multilateral donors has been far away from sufficient, and that this severely hampers a rapid and efficient launching of even the first substantial measures to implement the Convention in the field. Moreover, it was said that participation, especially that of rural women in the national CCD process, is still much behind the expectations and needs to be strengthened significantly. Decentralization seems to be a difficult task in many African countries, but that exactly this would be needed to ensure effective implementation of the CCD. Moreover, the role of NGOs and the civil society, even the private sector, needs to be further enhanced.

2.2   *Evaluation of national reports - Ad Hoc Working Group (AHWG) session to review national reports, March/April 2001 - Wrap up session for Africa*

After a full 4 days session, and the detailed presentation and discussion of 32 African National Reports (29 + 3), a wrap up session was organized comprising delegates from African and other country Parties, inter-governmental agencies and further observers. Referring to paragraphs 3 and 4 of decision 3/ COP.4, the Ad Hoc Working Group "should fulfil its mandate in accordance with paragraph 4 of decision 1/COP.4 and should draw up conclusions and propose concrete recommendations for further steps in the implementation of the Convention". In doing this the format given for the elaboration of National Reports was followed. Discussion emerged along the following key issues:

1. Strategies and priorities established within the framework of sustainable development plans and/or policies
2. Institutional measures taken to implement the Convention
3. Participatory process in support of the preparation and implementation of the NAP
4. Consultative process in support of the preparation and implementation of national action programme and partnership agreement with developed country parties and other interested entities

5. Measures taken or planned within the framework of the NAP, including measures to improve the economic environment, to conserve national resources, to improve institutional organisation, to improve knowledge of desertification and monitor and assess the effect of drought

6. Financial allocation from national budgets in support of implementation as well as financial assistance and technical cooperation received and needed, identifying and prioritizing requirements

7. Review of benchmarks and indicators utilized to measure progress, and an assessment thereof

The following recommendations were made on a draft basis after the deliberations of the delegates:

1. Parties should pay attention to the implication the AHWG proceedings have for the work of the CST, such as the issues of indicators and early warning systems.

2. The lack of capacity building in terms of establishing adequate funds and financing channels at national level has to be solved. Particular attention is given to the possible funding thru the Global Environment Facility (GEF).

3. More attention has to be paid to the variety of existing programmes, strategies, instruments and funding mechanisms (such as poverty reduction strategies), and work is to be undertaken towards achievement of simplification, integration, streamlining and harmonization of such strategies and instruments.

4. The donor community should pay attention to the fact that economic cooperation needs to be environmentally sound.

5. Donors wish to orient their assistance to the specific priorities of the clients in economic cooperation, i.e. poverty reduction frameworks. However, the problem is that only few of those strategies are highlighting the environmental area. So, there is an urgent need for bridging the gap between implementation of sustainable development and environment conventions like the CCD and de facto priorities mentioned by developing country governments towards donors which do not refer to those conventions.

6. Synergies between Rio conventions are to be reflected in the NAPs, so that the NAPs can become part and parcel of the NEAPs and their main components.

7. Mobilisation of resources needs to be intensified and channelled thru field activities foremostly.

8. Harmonization and streamlining of national institutional entities involved in the cooperation business is yielded.

9. Alternative funds need to be identified (private sector for instance).

10. The Rio+10 proceedings may provide an important stage for enhancing those efforts with regard to synergious implementation of all Rio conventions.

11. Strengthening subregional and regional bodies to effectively participate in the CCD implementation, in particular in fund raising, I crucial.

12. Effective NAP implementation goes hand in hand with efficient implication of a Chef de file in the national process. Donor embassies are all to be implied as actors present, and they should be coordinated, which should be done by the Chef de file. It is also a PR measure for the latter.

13. NGOs' impact needs to be strengthened.

14. Developed countries are expected to bring across their experiences in development cooperation to inspire developing countries' approach towards enhanced implementation.

15. A number of NAPs have been adopted, but little feedback about their implementation is available. Has the strategic approach to be revised?

16. Solid indicators for successful implementation are needed.

17. Enhanced cooperation between the southern and the northern Mediterranean is called for.

18. The Secretariat should watch out for correct adherence to the Convention's provisions.

19. Attention is to be paid to the importance of the filed level to learn about best practises, develop indicators and inspire the work of the CST.

20. Benchmarks and indicators: little information is available in most of the country reports. Indicators must be cost effective and easy to monitor

Item 3: Cross-sectoral strategies / Synergetic implementation of multilateral agreements on environmental and sustainable development issues

3.1   Synergies among the Rio Conventions – Blueprint by the UNCCD Secretariat to hold National Coordination Forums in selected countries

Context

The challenge posed by the intricate relationships of climate change, biological diversity, drought and desertification on the social, economic and environmental fronts in many countries has been exemplified in recent times. It has also been amply demonstrated that there is a clear convergence of objectives among the three Rio Conventions as well as the Ramsar Convention on Wetlands, and that there is need for a reorientation of the strategic approaches that have hitherto been pursued by the various interested parties, particularly at the individual country level. This emerging significance of interactions and inter-linkages of the issue areas covered by these four Conventions point at a high potential for synergies in the development and implementation of activities that would help to meet the broad objectives of these treaties.

In particular, to address poverty reduction and achieve environmental security for this millennium, the international community needs to tackle land degradation in the dryland areas with a renewed determination and within a broader framework that includes reference to a complex set of elements - land management, biological diversity, climate, as well as economic and social development, population dynamics, among others. Furthermore, success in the process necessarily depends upon, and requires, the full participation and awareness of the populations involved. Article 8 of the UNCCD outlines the relationship with other conventions, and in particular with the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC) and other related environmental treaties. Article 8.1 states: "The Parties shall encourage the co-ordination of activities carried out under this Convention and, if they are Parties to them, under other relevant international agreements, particularly the CBD, UNFCCC in order to derive maximum benefit from activities under each agreement while avoiding duplication of effort. The Parties shall encourage the conduct of joint programmes, particularly in the fields of research, training, systematic observation and information collection and exchange, to the extent that such activities may contribute to achieving the objectives of the agreements concerned". Furthermore, this principle is affirmed by Article 22, paragraph 2(i), on the promotion and strengthening of relationships with other relevant conventions, as well as Article 23, paragraph 2(d) requiring the UNCCD Secretariat to co-ordinate its activities with the secretariats of other relevant international bodies and conventions.

The named Conventions share a common concern for many environmental and developmental issues, and stress the need for participation of populations. They also operate in the same ecosystems. However, they also contain numerous overlaps. In particular, they overlap in terms of standard obligations required by their Parties such as requirements for research, reporting, training and public education and awareness, as well as of the actions suggested, including the elaboration of national and regional programmes, scientific data collection, involvement of the same actors in the participatory process.

Although the specific fields of reference do not coincide, the fact that they are closely interrelated is reflected also in the similarities of obligations and prescriptions. Similarities appear, for example, in articles 4 and 5 of the UNCCD, article 3 of the UNFCCC and article 6 and many others of the CBD, related to the main obligations of Parties; or in articles 16 and 17 of the UNCCD, 5 of the UNFCCC and 12 of the CBD, on research and information collection; or in articles 19 of the UNCCD, 6 of the UNFCCC and 12 and 13 of the CBD on education, training and public awareness, among several others that serve to illustrate the inter-linkages. Such similarities are not surprising, since given the close interrelation among the phenomena that the Conventions address, and that their principles are also inevitably linked both at the level of analysis and elaboration, as

well as de facto at the implementation level, when actions taken towards one issue normally have implications on others.

Main Objective of the Forums on Developing Synergies at Country Level

Each of the named Conventions could stand on its own, with its own defined objectives and commitments, but it has been clearly demonstrated that there are linkages and inherent relationships among all of them. More often than not, countries are Parties to the three Conventions, and they have to struggle to adhere to requirements for implementation, reporting, achieving synergies at the field level, etc. This calls for joint approaches within one given country, in order to not only rationalise the use of available resources, but to also minimise duplication and to take advantage of the complementarity that the three treaties can offer. If they are implemented collaboratively, progress can be made on all fronts and results can be obtained that are greater that the sum of the three.

This proposal was developed within this background and realisation that time and again, country Parties to the four Conventions have called for support to enable them to identify possible strategic approaches in the development and implementation of joint activities that interface the key issue areas that are covered by the Conventions. This would help to avoid duplication of effort, and it is also seen as a step towards ensuring that the implementation of these Conventions can be efficient and cost-effective. The principal goal was to generate a country driven process by which policy makers and the other actors will in the intermediate term achieve synergy at the field level.

The Rationale and Possible Targeted Actions to Enhance Synergy at Local Level

In the foregoing, there was an identified need expressed to engage the key national functionaries involved in the implementation of the four Conventions, in the identification of further steps that could be taken to enhance co-operation among the various actors at the local level, and to encourage the formulation of specific actions at the national level, to further develop synergy processes that would contribute to a more effective implementation of the Conventions. There was a need identified to organise at the country level custom-tailored information exchange forums with the key decision makers and actors, that can facilitate a clearer understanding of the requirements set by these Conventions, with a view to catalysing synergistic approaches and programming actions that properly address local situations.

Decision makers need tools for understanding, and tools for action, towards the implementation of appropriate programmes. The launching of a joint programme of information exchange and awareness raising in this particular area, in the affected countries aimed at national and local decision makers would therefore enable them to approach the issues of common concern to the Conventions more effectively. It would also facili-

tate the understanding of the mechanisms that link drought and desertification, loss of biodiversity and climate change, and hopefully lead to better identification of joint activities for possible solutions at the local level.

According to the initiators of the UNCCD Secretariat, moreover, the workshops would also help clarify procedures related to the implementation mechanisms and reporting requirements set by the Conventions, and assist in launching or enhancing a broad participatory process and local consultations among the national focal points, national co-ordinating bodies and the other key actors.

The custom-tailored workshops represented a suitable and flexible response to the already identified needs. They offered a possibility for decision makers and stake-holders to share views and questions, solutions and alternatives that relate to different aspects of the same problem: the effective local level implementation of the Conventions. They would also aim at enhancing action at the local level, and in particular at highlighting those elements in the decision making process which are common to the four Conventions, such as emphasis on participatory development, integrated programming and partnership arrangements, consultative aspects of a country-driven implementation process.

The UNCCD Secretariat jointly with the CDB, UNFCCC and Ramsar Secretariats proposed to support these country level actors to enable them to brainstorm on the nature and scope of possible actions that may be taken at the national level among the various interested parties, with a view to enhancing synergy. It was envisaged that the National Focal Points and National Co-ordinating Bodies of the four Conventions would come together to identify these specific actions that bring out the synergy and best practices for joint implementation of the four Conventions. The key collaborators in this undertaking were expected to be the four Secretariats of UNCCD, CBD, UNFCCC, the Ramsar Convention as well as GEF Secretariat, UNITAR and UNDP.

Main Objectives and Expected Outputs

The UNCCD Secretariat identified the following objectives:

- To review the progress made in implementation of the (CCD, CBD, UNFCCC and Ramsar) Conventions at national level;
- To identify areas of synergy and linkages between the implementation processes of the Conventions at national level;
- To seek views of a wide cross section of actors on the methodology for integrating issues of the key environment conventions into the national planning processes;
- To elaborate concepts for future field projects and activities reflecting synergies between Conventions.

The following expected outputs were identified:

- Participants sensitized on the four Conventions and the need for a common methodology for integrating issues of the key environment conventions into the national planning processes;
- Areas of synergy between the four Conventions and measures (policy and institutional) needed to strengthen the inter -linkages between their national implementation processes identified;
- Views/ input of participants on the common methodology for integrating issues of the key environment conventions into the national planning processes obtained;
- Concepts for future project and activities reflecting synergies between the Conventions elaborated.

3.2   Synergies among the Rio Conventions – Report of the National Consultative Forum Uganda, September 2001

Introduction

The Government of Uganda has signed and ratified a number of multilateral environmental agreements which include, among others, the United Nations Convention to Combat Desertification (UNCCD), the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity (CBD) and the Convention on Wetlands (Ramsar). The implementation of these agreements at national level is spearheaded by different lead agencies. The focal point for UNCCD is in the Ministry of Agriculture, Animal Industry and Fisheries, while the focal points for CBD, UNFCCC and RAMSAR convention are in the Ministry of Water, Lands and Environment. However, the Government recognized the interdependence of these Conventions, and the need to efficiently utilize resources at its disposal to fulfill its obligations under these conventions. To that end, the Government initiated a multi-stakeholder consultative process for more effectively integrating issues of the four conventions into National planning processes. Taking into consideration the above background, Uganda's Government hosted a wide multi-stakeholder forum to elaborate the synergies among the 4 conventions as a basis for effective implementation of the conventions at national and local levels.

Objectives of the forum

The specific objectives of the National Forum were:

- To review the progress made at national level in the implementation of the conventions;
- To identify areas of synergy and linkages in the implementation of the conventions at national level;
- To seek views of a wide cross section of actors on the proposed approach for integrating issues of the 4 conventions into national planning processes;
- To elaborate concepts for future field projects and activities reflecting on synergies between the conventions.

The perceived justification of holding the forum

- Mobilisation of various stakeholders on the conventions and acclimatising them with their roles. These stakeholders include Development Agencies, politicians at all levels, implementing Ministries and Agencies and Departments.
- Creation of awareness on the conventions including obligations of the various partners.
- Development of a network of stakeholders upon which participants can rely on for synergy in implementation of the convention.
- Development of a common vision of the required interventions to address environmental and convention issues in the country

Opportunities identified for building synergies between conventions

- Existence of Conducive National development planning and legal frameworks such as the Poverty eradication action Plan, The plan for the Modernisation of Agriculture, the Decentralisation policy, National Environment Statute and District Development Plans.
- With an on-going shift from a project to sector-wide approach to planning process and resource allocation the mainstreaming or integrating of activities of the conventions in a synergised manner is most appropriate in order to reflect their multisectoral and cross-cutting nature.
- The interests of all the 4 conventions converge at field level.. Therefore, joint environment management programs that demonstrate synergy in the implementation of conventions particularly at local and community level could easily be developed, implemented, documented and disseminated or shared.
- Existence of a Multi-stakeholder task-force for integrating Conventions into the National Planning process can be used as a starting point in promoting synergies between conventions.

Main weaknesses identified

- Lack of an Environment Sector Programme at national level, which should serve as a basis for mainstreaming of environmental issues including concerns of the convention into the PEAP and Poverty Action fund (PAF).
- Lack of a well co-ordinated approach for environment and development planning at national level and the Capacity for integrated environment and development planning and implementation particularly at local government and community levels.
- Lobby, advocacy and enforcement mechanisms for environment and global conventions concerns are weak and should be strengthened at national and local levels.
- There are few examples of programs where synergies in the design and subsequent implementation have been attempted. Therefore, opportunities and benefits of synergy have not been maximised.
- Multi-media awareness programs on the conventions are very limited.
- Lack of a national multi-stakeholder forum on the environment (including conventions). Need for its establishment and institutionalisation.
- Weak Co-ordination in the implementation of the conventions. The Multi-stakeholder task force that is already in place under the National Environment Management Authority needs to be strengthened and institutionalised.
- Weakness of the regulatory framework to enhance the implementation of the conventions, particularly at local Government levels. The Local Governments Capacity to develop and enforce bye-laws, undertake surveillance on the environment should be developed.
- Failure by Government to meet its obligations with regard to annual subscriptions to the conventions, among others.
- The capacity of relevant institutions in the country to enable them access resources particularly from GEF and its initiatives is very weak.

Lesson Learnt

- The issues covered by conventions are critical for effective delivery of the Government's Poverty Eradication Action Plan (PEAP). However, environmental issues and the related concerns of the conventions need to be well articulated in the PEAP.
- The Opportunity to effectively integrate and consider conventions concerns in the Poverty Alleviation Fund would be enhances if a National Environment Sector Plan and more District Environment Action Plans are prepared.
- While there are clear benefits and opportunities for synergy in the implementation of the conventions, there is little effort made to co-ordinate these interventions at national and local level.
- At local Government and Community levels, the issues of the conventions are inseparable with livelihood needs of the people. Therefore, harmonization and synergy in implementation of these conventions is inevitable at this level.

- The level of awareness on the conventions is very limited. The conventions have limited circulation at national and local level. Besides, the language of the conventions is not easily understandable to the various stakeholders. This will negatively affect the development and implementation of synergies.

The priority interventions for synergies as agreed at the forum

- Capacity building particularly at local government level. This covers environment awareness, information exchange, infrastructure development, and training in environmental planning and issues of convention.
- Joint action planning and implementation of programs focuses on community needs and demonstrating community benefits that address issues of synergy among the conventions based on an ecosystem approach. This includes availing of appropriate resource management and adaptation technologies.
- Coordination, networking and information exchange, including a mechanism for regular consultation.
- Harmonization and improved enforcement of policies and other regulatory frameworks.

Item 4: Cross-sectoral strategies/ Multilateral assistance

4.1   Global Environment Facility (GEF) Africa Land and Water Initiative

Introduction

Recognizing the continued degradation of Africa's environment and natural resources and its resulting poverty and human suffering, the heads of the GEF and its implementing agencies (IAs) – UNDP, UNEP, and the World Bank - launched the Africa Land and Water Initiative in March 1999. The objective of the Initiative is to develop a coordinated action program to address land and water management issues in Africa in an integrated manner.

The Initiative has two dimensions – (a) the IAs would develop their own activities with their own resources; and (b) GEF activities would be developed and implemented by the IAs. It is expected that the coordinated actions of (a) and (b) will help African countries to accelerate efforts to reverse land and water degradation, with tangible results on the ground.

An inter-agency working group, chaired by the Africa Region of the World Bank, was established in July 1999 to coordinate the development and implementation of the action program. Organizations represented on the working group are the World Bank,

UNDP, UNEP, GEFSEC, FAO, IFAD, and the Global Mechanism of the Convention to Combat Desertification.

Land and Water Management Challenges in Africa

A number of activities have been supported by governments, in collaboration with international development agencies, to address land and water management issues in Africa. Although there are a few dotted successes, a majority of them have not been able to reverse land and water degradation trends largely because they were characterized by sectoral approaches, long gestation period, lack of in-country capacity to implement projects, lack of coordination among related activities, and inadequate results on the ground.

Land and water management challenges that Africa continues to face include:

(a) deforestation of watersheds with negative impacts on, for example, water flow and water quality, biodiversity, and on the lives and livelihood of people living on marginal lands who are becoming more prone to floods, landslide, etc.;

(b) pollution of waterbodies by domestic wastes, industrial effluent, and agricultural runoffs, leading to poor water quality;

(c) salinization in poorly managed irrigation areas, leading to the loss of productive farmlands; and

(d) growing conflicts in–country and among riparian countries over water rights and allocation as demand from a rapidly growing population increases.

Integrated Ecosystem Management Approach

The Initiative provides African countries opportunities, through the GEF's Operational Program on Integrated Ecosystem Management (OP#12), to address land and water management issues in a more comprehensive way. The integrated ecosystem management approach represents a paradigm shift from a single-sector approach to a more integrated and cross-sectoral approach to achieve both sustainable development goals and global environment benefits.

The integrated approach provides a framework to address economic, social, and environmental dimensions of land and water management issues within the context of sustainable development. For example, when issues related to agriculture, energy, public health, water sanitation, environment quality, etc. are addressed within a single framework, land and water degradation issues would no longer be seen only as an environmental issue, but rather as central to the sustainable development agenda of a country.

The shift to an integrated approach is necessary because the single sector approach focuses largely on technical and engineering solutions without addressing policy and institutional factors such as water pricing and tenure security that are necessary to achieve effective and sustainable management.

Unique Features of a Basin/Sub-basin Management Program

Each basin/sub-basin management program supported under the Initiative would comprise a package of interventions based on the IAs' own regular programs and a GEF element. The main program elements would include, where applicable, the following:

(a) <u>Policy and Regulatory Reforms</u> to support measures to clarify property rights, pricing structure, allocation and use of land and water resources, demand management, conflict resolution mechanisms, environmental protection, administrative structures and procedures, etc.;

(b) <u>Use of Economic Instruments</u> such as pricing water to reflect its economic value and to promote efficiency in water use; targeted subsidies to make water more accessible to poorer segments of the population; and adopting the "polluter pays" principle to minimize land and water pollution;

(c) <u>Capacity building</u> to provide land and water resource managers the skills and tools for integrated ecosystem management. This would include strengthening and harmonizing administrative structures and procedures; strengthening the management planning process; improving resource assessment; information management and dissemination; and human resource development; and

(d) <u>Develop innovative financing packages </u>for policy and regulatory reforms, and investments. These packages may comprising grants, loans, contingent financing, etc. from the IAs, GEF, governments, donors, private sectors, etc.

Complementarity with programs of the GEF Implementing Agencies

The Initiative would utilize the financial resources and comparative advantage of the GEF and its partners (World Bank, UNDP, UNEP, Global Mechanism of the CCD, FAO, etc.), in a coordinated way, to assist African countries to achieve optimum positive results from integrated management of land and water resources. Participation in the Initiative would also help the IAs to mainstream integrated land and water management approaches in their regular programs. The following are some of the complementary activities that the IAs would develop, using their own resources, to support the Initiative:

(a) <u>Work Bank:</u> (i) Analysis of the policy and the regulatory framework and of the potential use of economic incentives for integrated land and water management; (ii) policy dialogue with countries on needed reforms, for example,

through the Country Assistance Strategy process; and (iii) convening donors' meetings to mobilize funds for program activities.

(b) <u>UNDP:</u> assessing the capacity building needs of a country in integrated land and water management as part of its Country Cooperative Framework.

(c) <u>UNEP:</u> mobilize scientific and technical institutions and expertise in Africa.

Accelerating Results on the Ground

An accelerated and incremental process would be adopted to develop and implement a program of integrated land and water management interventions, emphasizing timely results on the ground (see Figure 1 and 2 for details on the process). Limited hands-on capacity building activities in integrated ecosystem management for key in-country technical staff would be built into the program development phase. This phase would be funded with GEF, PDF resources, funds from the IAs, and leveraged co-financing. This phase should take 9-12 months to complete. As part of program development, a framework outlining broad strategic directions and an incremental approach to the management of a selected sub-basin/basin would be developed. Guided by this framework, the program would initially focus on selected "hotspots" (demonstration phase), followed by expansion to other sites (expansion phase).

The IAs' own resources, GEF funds, and co-financing would be used to finance the demonstration phase. However, consistent with its role as a catalyst and having demonstrated the effectiveness of integrated land and water management approaches at the "hotspot", the GEF would not necessarily be involved in financing the expansion phase of the program. It will, however, assist countries to mobilize funds from donors, private sector, etc. for this phase of the program towards the end of the demonstration phase. The Initiative would help to optimize financial and technical support from the IAs, GEF and, other donors at all the phases by facilitating better coordination, thereby avoiding duplication or fragmented implementation.

Country Selection Criteria

Because of the urgent need to demonstrate the effectiveness and benefits of integrated land and water management approaches, the first set of countries to be selected for the Initiative (3-5 countries) must be in a position to achieve early successes. Based on this expectation, the following criteria would guide the selection of countries:

(i) countries that provide opportunities to build on existing work on sub-basin/basin management. For example, the country/countries in the basin should have already began on their own preliminary diagnostic analysis of land and water management issues;

(ii) countries should have relatively good policy and regulatory framework that needs only modest incremental strengthening to support effective integrated land and water management; and

(iii) in the case of transboundary waterbodies, there should exist a strong commitment by the riparian countries to work together to address land and water management issues. e.g. they should have a treaty on the use and management of a waterbody and/or a commission (or a similar body) established as a mechanism for making collective decisions about resource allocation and management.

Networking

To provide additional technical support and create opportunities for information exchange, the project actors, with assistance from STAP, would be linked to existing scientific and technical networks of African institutions, government agencies, NGOs, etc. on integrated land and water management. Exchange visits, electronic newsletter, workshops, etc. would also facilitate the exchange of information among the participants of the Initiative as well as with other organizations working on similar issues.

Item 5: Partnership agreements/ North-South cooperation

5.1   Blueprint by the UNCCD Secretariat to hold Consultative Forums in affected African countries

Each African country Party to the CCD is required to adopt an integrated approach addressing the physical, biological and socio-economic aspects of the processes of desertification and drought in accordance with Article 4, paragraph 2(a) of the UNCCD. A National Action Programme to Combat Desertification (NAP) is referred to as a useful policy instrument to achieve such objectives of the CCD as provided by its Article 10 and Article 4 of its Regional Annex I for Africa.

The progress made in NAP formulation and implementation has been reported through national reports submitted to the Conference of the Parties to the CCD since its third session in 1999 in Recife. These were reviewed individually at various occasions. In COP decision 8/COP.4, affected developing countries that had not yet adopted their NAPs, were invited to accelerate the process of elaboration and adoption of their National Action Programmes with a view to finalizing them no later than at the end of 2005.

In this context, the UNCCD Secretariat and the Regional Bureau for Africa of UNDP, taking into account the decision of the Executive Board of UNDP on the role and activi-

ties of UNDP in support of the UNCCD, signed a Memorandum of Understanding in April 2001 with the objective to strengthen cooperation in the context of support to African affected country Parties to the UNCCD, particularly as regards the implementation of already existing NAPs. The main objective of this exercise was to foster the implementation process of the UNCCD in Africa at national level through the facilitation of the organization of national consultative forums aiming to create partnership agreements in selected countries which were already disposing of a finalized and adopted National Action Programme.

The UNCCD Secretariat elaborated a blueprint for the organization of consultative forums. Such consultations are supposed to aim at:

▪ Creating an enabling environment for a gathering of all significantly involved partners for CCD implementation at national level; i.e. government authorities, national focal point and national coordination body (NCB), NGOs and civil society representatives, bilateral and multilateral partners;
▪ Analyzing the extent to which the NAP has been integrated in the various national sustainable development frameworks and the resource gaps that need to be funded if the NAP objectives have to be achieved;
▪ Facilitating the identification and the launching of priority activities under the NAP and other relevant programmes already adopted;
▪ Convening at a common understanding of nature and structure of NAP implementation in each selected country through the establishment of partnership agreements and resource mobilization as requested by the CCD (Annex I, Art. 18).

Furthermore, the forums are expected to contribute to:

▪ Support the implementation of NAPs at the local level to pursue socio-economic and environmental benefits through combating desertification;
▪ Mobilize the public support for the NAP process and strengthen the networks of stakeholders for this purpose thereby enhancing a broad ownership of the CCD process at all levels;
▪ Assist in main-streaming desertification control in national policy agenda, particularly in areas of the environment and sustainable development encompassing associated socio-economic and other related environmental matters in an interdisciplinary approach.

It was the idea that assistance shall be given to support the UNCCD National Focal Points (NFPs) and/or National Coordinating Bodies (NCBs) in affected countries in strengthening and improving their capacities and structures to implement the Convention, particularly through communication with development partners and participation in the organization of consultative forums. In particular, the project foresees the:

Hire of consultants to carry out the following:

- Establish the extent to which the NAP objectives and priority programme areas have been integrated in other national programmes and donor-funded projects with similar aims and objectives;
- Following from (i) above, establish resource gaps that remain and the likely partnerships that could enhance their closure;
- Develop project profiles for priority programme areas to address the identified gaps.

Furthermore is foreseen the:

- Undertaking of discussions with stakeholders on ways and means of implementing NAPs;
- Supporting of the formulation of a framework document that identifies priority activities and supporting field project proposals for possible funding by various sources;
- Organizing of consultative forums with donor countries and international agencies for the implementation of the NAP.

The Secretariat offered its facilitation service to affected countries governments. Consultative meetings would be convened by the respective governments with a view to discuss and reach a common understanding on the prospects and modalities for partnership building and resource mobilisation for the implementation of the NAP. It would bring together participants from potential bilateral and multilateral donor agencies, relevant international organizations, interested inter-governmental and non-governmental organisations, and all other stakeholders that might be able to contribute financially or technically to the NAP implementation.

The support would focus on the preparation of a framework document on the interface between the NAP and other relevant national frameworks, and on the approach to mainstream the NAP into the strategies and programmes of development partners. Assistance would also be given to sensitize the donor community on the objectives of the meeting and the organisation of the meeting itself.

The main expected results of the workshops would thus be:

- Contribution to Mainstreaming of the UNCCD process into national development strategies;
- Contribution to Linking of the UNCCD process with other existing national plans, programmes and strategies such as the Poverty Reduction Strategy Papers;
- Improved coordination of all actors involved in the process on the national level;

- Identification of priority activities for CCD/NAP implementation, preparation of a framework document, with a particular view to create synergies among environmental conventions at national level and avoid duplication;
- Conclusion of concrete partnership arrangements to foster the implementation of priority activities under the NAPs;
- Consideration of follow up activities such as project formulation and fund raising, NAP implementation as a standing item in bilateral negotiations.

5.2   Workshop on the Integration of Priority Activities Related to Combating Desertification into the Country Support Strategies under the ACP-EU Cotonou Partnership Agreement, Cotonou, Benin, 2001

Background

Country Parties to the UNCCD as well as institutional representatives from Western and Central Africa gathered for a workshop in Cotonou, Benin, on 2 and 3 May 2001, targeting the integration of priority activities elaborated under UNCCD National Action Programmes (NAPs) into the implementation procedure mechanism of the ACP-EU Cotonou Agreement, the so-called Country Support Strategies (CSSs) that were supposed to be finalised by June 2001. For this purpose, the workshop brought together UNCCD National Focal Points and National Authorising Officers responsible for the European Development Funds in the respective countries concerned, along with representatives from non-governmental, inter-governmental and scientific institutions. The major objective was to review the progress made by UNCCD country Parties as regards the integration of priority programmes elaborated for the implementation of the UNCCD into the Country Support Strategies.

In this respect, the UNCCD Secretariat, mandated at COP 4, pursued various consultations with the ACP-EU Secretariat, recognising the complementarity between the UNCCD process and the ACP-EU Partnership Agreement signed in Cotonou in June 2000. The two institutions resolved to co-operate for the benefit of ACP countries affected by the phenomena of desertification.

The main objective of the co-operation was to identify the best approaches to facilitate access to existing financial mechanisms within the framework of co-operation between affected ACP countries and the European Community. This emanated from the understanding that the "Cotonou Partnership Agreement" and the UNCCD are both committed to addressing the issues of poverty and sustainable development.

In view of the linkages between the UNCCD and the ACP-EU Partnership Agreement, it is ideal to integrate the priority activities of the UNCCD into the Country Support Strategies and the National Indicative Programmes elaborated through the ACP-EU Partnership Agreement.

Opening Proceedings

The speakers, while paying tribute to Benin as host country and for its role in the CCD process, welcomed the initiative of associating the UNCCD with the Cotonou Agreement. Many statements stressed that fighting poverty in Africa equates to combating desertification and aiming for sustainable development. Before declaring the workshop open, the Minister of Foreign Affairs identified that there is no conflict between environment and development. Therefore efforts to sustainable development require sensible sustainable use of the natural resources.

Workshop Objectives

The workshop was held under the following objectives:

1. Bringing together the UNCCD National Focal Points and the EDF National Authorising Officers of West and Central Africa;
2. Introducing the UNCCD and the ACP-EU Cotonou Partnership Agreement;
3. Highlighting the linkages between the UNCCD and the Cotonou Partnership Agreement;
4. Identifying synergies through related articles of the UNCCD and the Cotonou Partnership Agreement;
5. Discussing ways and means for possible integration of priority projects of the National Action Programmes into the Country Support Strategies and eventually into the National Indicative Programs of these countries;
6. Identifying financial needs in the context of UNCCD national and sub-regional action programmes as well as the best approach to facilitate access to the existing European Development Fund (EDF) resources within the framework of the Cotonou Agreement.

Salient Points of the ACP-EU Cotonou Partnership Agreement

The innovative aspects of the new Cotonou Partnership Agreement were examined:

- The political dimension;
- Poverty reduction;
- Participatory approach;
- Financial co-operation in the long and short term;
- Operational programming.

As regards operational programming, the innovations of the Cotonou Agreement indicate that the framework for designing, managing and reviewing EC development cooperation with individual ACP partners will be the Country Support Strategies, which are supposed to be done in consultation with a wide range of national stake-holders and must contain the following key essential elements:

1. An outline and assessment of the country's own development strategies, including the National Development Strategy as a country agenda in poverty reduction related to the medium-term development objectives;
2. The analysis of the country situation including political, economic, social and physical indicators, examining how to realise the goals set and their benefit to the poor;
3. The compilation of the country's environmental profile that supports and strengthens environmental integration in the country as defined (Art. 20 par 2 and Art. 32 of Cotonou Agreement);
4. The EU response, which should concentrate on a limited number of sectors and take into account the role and activities of other donors.

Participants were advised that the integration of the UNCCD NAPs into the CSSs and subsequently into the NIPs would be the cornerstone of securing resources from the ACP-EU development co-operation for the implementation of the UNCCD.

Presentation of Focal Areas of the UNCCD National Action Programmes (NAP)

The participants were informed that the objectives of the UNCCD demand an integrated approach that renders effective actions at all levels of social and economic endeavours in combating desertification and mitigating the effects of drought, with a view to contributing to the achievement of sustainable development. It is in this aspect that the National Action Programmes (NAP) are designed by affected countries. The workshop examined how the following NAP focal relate to the Cotonou Partnership Agreement.

- Poverty Eradication through sustainability objectives of economic growth, ecological balance and social development;
- Popular Participation stressing the full involvement of local people, local communities, women, youth, NGOs at all levels;
- Integrated Approach that takes into account, where relevant, the relationship between the land tenure, food security and the traditional knowledge;
- Partnership Arrangements, which advocate that the parties should develop, in the spirit of partnership, co-operation among all levels of government, communities, non-governmental organisations and landholders.

It was understood that the NAP is an essential implementation tool of the UNCCD as it includes measures to prepare for and mitigate the effects of drought in any particular country. Its approach, production, elaboration and implementation were identified to share linkages with the objectives and goals of the Cotonou Partnership Agreement.

Identification of Synergies between the Cotonou Agreement, the UNCCD and NAP activities that could be integrated into the Country Support Strategies (CSSs) and National Indicative Programs (NIPs)

The Cotonou Agreement and the UNCCD are both based on building partnership through the bottom-up approach, involving grass-root communities concerned, and the objective to alleviate poverty by targeting the utilisation of natural resources with the goal of contributing to the achievement of sustainable development in the ACP Countries concerned. The main articles that highlight the similarities and interrelation between the UNCCD and the new Cotonou Partnership Agreement were deliberated upon. Synergies could be integrated into the Country Support Strategies (CSSs) and the National Indicative Programs (NIPs) were identified and elaborated upon.

It was recorded that National Action Programmes designed under the UNCCD are to contain strategies (like the poverty reduction strategy paper), policies and programmes in social and economic areas, to address the many problems associated with desertification and drought. So do the CSSs and the NIPs under the Cotonou Agreement. In several African countries most of these plans or strategies have been developed or are at various stages thereof, and they in one way or another represent avenues for achieving sustainable development.

It was concluded that the bottom-up approach used in the elaboration of the NAPs goes well with the mechanism of implementing the Cotonou Agreement that advocates the fundamental principle of equality of the partners and ownership of their development strategies. The objectives, principles and goals of development strategies in both the Cotonou Partnership Agreement and the UN Convention to Combat Desertification are identical, for instance in the area of poverty alleviation or as for thematic and cross-cutting issues such as social and human development and economic development, among others.

Procedures of drawing up the National Indicative Programs (NIPs) and the integration of the UNCCD Process

The implementation of the new Cotonou Partnership Agreement demands more public dialogue and consultation among all stakeholders, be they government, non-government organisations, private sector, or non-state actors, to come up with the Country Support

Strategy. This is intended to promote the bottom-up approach, a process that has been undertaken in developing the NAPs.

Since drawing up the Country Support Strategy is a joint venture between the European Union Delegate and the National Authorising Officer in the country concerned, and since this is supposed to be done after consultation with a wide range of actors involved in the development process and in dialogue with other donors, in particular Member States of the EU, it should be based on the country's own development agenda and should constitute an analysis of its economic and social situation and policies.

It will function as a pool from which the National Indicative Programme will be fished. Thus it introduces the system of operational programming which involves a process of continuously updated programming forecasts based on a five year perspective that is extended or rolled over every year after the annual country review. An important element in the programming cycle is that it begins at the same time that the CSS preparations start. The programming cycle is a system of reviews to examine the progress of programmes and projects and to identify early where corrective action should be taken or when and where new resources will be required.

This will require an annual operational review, a mid-term review and an end of term review. The reviews will be conducted locally and jointly facilitating more objective assessment. Consequently, the National Action Programme should influence the Country Support Strategy and the operational programming because desertification is strongly linked to poverty and food security (article 10 of the UNCCD).

Combating Desertification through the Sequestration of Carbon out of the Atmosphere

At the invitation of the Secretariat of the United Nations Convention to Combat Desertification (UNCCD), the Near East Foundation's Executive Director, Mr. John Lewis, deliberated on combating desertification and mitigating global warming through the sequestration of carbon content out of the atmosphere, while protecting biodiversity at the same time. He explained how the mechanism can be used in land reclamation, by restoring soil fertility, planting trees and bushes, and improving rangelands across the desertifying (degraded) landscape. This land reclamation work requires, in addition to appropriate technology and local organisations, some rain and the sun.

However, he recognised the increasing pressure on the demand side of this growing global market for carbon sequestration offsets. Such carbon credits are already being sold internationally, mostly between North American energy concerns and Latin America. He noted that there is need to review the steps that UNCCD may have to oversee in order to ensure that its desertifying countries can meet this demand with a competitive

supply of carbon. He outlined the roles surrounding the seller, the host country, and four more roles including the ultimate buyer, the GHG-emitting industry.

He concluded by saying that the first step towards making this carbon trading work for semi-arid Africa is to engage in some demonstration pilot projects. These pilots will test the agronomic and institutional feasibility of adding several tons of carbon per hectare to the existing land use system. The Near East Foundation is looking forward to promoting this land use development possibility.

Procedures of Drawing up Regional Support Strategies (RSSs) and Regional Indicative Programs (RIPs)

Under the Cotonou Agreement the participation in regional co-operation will include two or more ACP countries. The ACP States concerned can decide on the definition of their geographical regions. So regional integration programmes should correspond to programmes of existing regional organisations with a mandate for economic integration. Regional programming shall take place at the level of each region. The programming shall be a result of an exchange of views between the European Commission, the duly mandated regional organisation(s), and the ACP States in the region concerned.

Programming for this purpose shall mean:

(a) preparation and development of a Regional Support Strategy (RSS) based on the region's own medium-term development objectives and strategies;
(b) a clear indication from the Community of the indicative resource allocation from which the region may benefit during the five year period;
(c) preparation and adoption of a Regional Indicative Programme (RIP) for implementing the RSS;
(d) review process covering the RSS, the RIP and the volume of resources allocated to each region.

The RSS shall include the following elements:

(a) an analysis of the political, economic and social context of the region;
(b) an assessment of the process and prospects of regional economic integration into the world economy;
(c) an outline of the regional strategies and priorities pursued and the expected financing requirements;
(d) an outline of relevant activities of other external partners in regional co-operation;
(e) an outline of the specific EU contribution towards achievement of the goals for regional co-operation and integration.

It is foreseen that the Regional Support Strategy process will begin in September 2001 and should be developed through the appropriate consultative processes involving the relevant stakeholders.

Lessons learnt by Sub-Regional Institutions in Integrating the SRAPs into the ACP-EU Regional Support Strategies (RSS)

Under the UNCCD, the SRAPs are designed to address areas of concern to more than one country Party. The SRAPs are therefore geared to transboundary and shared natural resources, and they harmonise and add value to solving problems from a sub-regional perspective. Country Parties that come together to develop a SRAP are expected to enter into co-operation that may include agreed joint programmes for the sustainable management of transboundary natural resources, scientific and technical co-operation, and strengthening of relevant institutions.

In the case of Western Africa, all the three sub-regional organisations, namely ECOWAS, CILSS and WAEMU had met in Lomé to harmonise the regionalisation effort among themselves in the preparation of a RSS. In their common presentation, they identified the areas of activities they recommended to the regional authorising officers for reaction. They include: investment promotion, capacity building, increase in agricultural production, trade development, technical and scientific cooperation, and democratization of the region, with an objective of regional integration of the member states and achieving the goal of human and sustainable development.

For central Africa, CEMAC had been identified by the UNCCD National Focal Points of Central African States and the Great Lakes, as a sub-regional organisation to run the UNCCD sub-regional activities. But the representative from CEMAC informed the participants that problems prevailing in the region still interfere with the implementation of any UNCCD process. However there is good will to promote areas like capacity building and human development within the sub-region.

Country Presentations on Drawing up the CSSs and the NIPs, thereby integrating UNCCD Priority Activities

Various participants presented their country situations on the various stages of the implementation of the National Action Programmes and their integration into the implementation procedure of the ACP-EU Cotonou Partnership Agreement: Benin, Burkina Faso, The Gambia, Mali, Niger, Nigeria and Senegal detailed their country positions while the rest of the countries gave a brief overview of their activities in this regard. It came to light that some of the countries had completed or were at the verge of completing their CSS, except in the case of Senegal, which was about to conclude its Poverty Reduction Strategy Paper. In many cases where the CSS had been concluded, the NAOs

had not consulted the UNCCD national focal points or the civil society at large. And focal sectors had been identified without public knowledge. However, participants were informed that environmental elements and CCD components are generally reflected in the development efforts and programmes of Sahel countries. It was also recorded that some countries had not yet drawn up their NAPs, so they wondered as to what they could include in the CSS and NIP.

Countries admitted that integrating the NAPs into the CSS as a stand-alone focal area was difficult. However, specific areas where synergies could be developed resulting in the integration of the NAPs into the CSS were identified:

- Poverty reduction
- Capacity building
- Provision of alternative livelihoods
- Food security
- Gender equity
- Rural development
- Infrastructure development

Otherwise, countries conceded that combating desertification is a poverty reduction strategy as poverty is both a cause and a result of environmental degradation. Therefore programmes elaborated in the NAPs should aim to achieve goals that include desertification and land management, drought mitigation and poverty reduction. Integrating poverty reduction and environmental protection programmes could result in sustainable development. It was concluded that achieving the integration of the priority actitivities of the UNCCD into the CSS would ensure complementarity and sustainability of the development programmes. Forging partnership between the UNCCD and the Cotonou Partnership Agreement at country level was discussed as another strategy of integrating the NAPs into the CSSs and NIPs.

The Central African countries requested that the CEMAC Secretariat may play a catalytic role in bringing the implementation of the CCD into action, particularly in developing partnership through integrated capacity building programmes and increasing public awareness in the region.[214]

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[214] This report was elaborated at the workshop.

Item 6: Partnership agreements/ South-South cooperation

6.1   Design of a Thematic Programme Network for the Integrated Management of International River, Lake and Hydrogeological Basins in Africa

During the Regional Workshop on the Promotion of a Network for the Integrated Management of International River, Lake and Hydrogeological Basins in the Context of the Regional Action Programme to Combat Desertification in Africa (RAP), held in Abidjan, 29 September - 2 October 1998, several recommendations were made to strengthen regional cooperation in this thematic area within the context of the Regional Action Programme to Combat Desertification in Africa. The workshop identified the following domains within which regional actions would be implemented: Technological; Social and Human; Environment; Institutional and Financial.

For each domain, strategies were proposed and priority actions recommended for the implementation of the RAP. The workshop agreed on the creation of a network involving the various stakeholders for this thematic area, and made several recommendations regarding the institutional arrangements needed for the efficient functioning of this network. The meeting also proposed a list of activities to be implemented by the network.

After the creation of the network and the designation of a focal point institution, a consultative meeting was held in Bonn on 23-24 March 2000, to discuss the modalities for operationalization of the network called *Thematic Programme Network (TPN) for the Integrated Management of International River, Lake and Hydrogeological Basins in Context of the Regional Action Programme to Combat Desertification in Africa*, with appropriate time frame for priority activities. This consultative meeting was the first one in the process of launching of the thematic programme networks envisaged for the RAP in Africa.

Proceedings

In outlining the objectives of the consultative meeting, the chair said that the meeting was being convened to deliberate on the next course of action with respect to the operationalization of the network. The meeting aimed to come up with plans for the launching of priority activities identified by the thematic workshop in Abidjan, and to propose a work plan for the institutional focal point, as well as to develop a work programme for this thematic area. The consultative meeting was expected to achieve the following:

- To establish a concrete work programme for the network, including priority activities of the RAP adopted at the Nairobi Preparatory Regional Conference to COP3;

- To define practical modalities for inter-institutional/inter-agency collaboration with the Regional Coordination Unit (RCU) and partners, in implementing the work programme of this thematic area;
- To develop a timetable of activities for the TPN;
- To elaborate the role of the focal point institution as well as the members of the network, and to ensure that the respective roles are clearly defined and a time frame is proposed for operationalization of the network.

Item 1: Briefing on the Background of the Network

The first part of the meeting focussed essentially on information related to the background of the Regional Action Programme to Combat Desertification in Africa. The Chairman summarized the CCD Regional Implementation Annex for Africa. He presented the objectives of the meetings held in Abidjan and Nairobi, with respect to the evolution of the RAP. He also covered the background information regarding the thematic programme networks. Some officer presented the conclusions of the meeting held in Abidjan and the main decisions of the Nairobi Conference. The consultative meeting took stock of the conclusions of the Abidjan workshop and other pertinent information which has come to light in the intervening period after Abidjan. The discussion brought the meeting up to date with all the information related to the RAP process, the other thematic programmes that are also under way, and the rationale behind the creation of the network.

Item 2: Modalities for Operationalization of the TPN

The consultative meeting consisted of pulling ideas on what is required to assure the network is in operation and functioning properly. The meeting drew extensively on the definition and the potential activities of the network. The discussion focussed essentially on the respective roles of the Thematic Programme Network, the focal point institution, the Regional Coordination Unit and the members of the network. The following are the conclusions of the deliberations.

Role of the Network

Facilitate the elaboration and implementation of the water component of the RAP; Build membership to support the work programme; Assist in formulating and implementing policies, activities and strategies within the mandate of the RAP; Facilitate information streamlining within membership constituency (sourcing information, dissemination of information, data collection; Delineate its areas of activity; Promotion of river basin management (institutional, regulatory); Contribute to the formulation of IWRM (integrated water resource management) strategies and facilitate sharing of IWRM experience and practices; Disseminating of early warning information (climate variability,

flood control, mitigation, vulnerability assessment); Sharing of experience and information in watershed management (land use, etc...); Encourage the development, of appropriate tools, technologies, etc; Identify studies to be carried out by competent institutions.

Role of the Focal Point Institution

The role to be fulfilled by the focal point institution was deliberated upon, and the following points were envisaged: Facilitate the functioning of the network (workshops, meetings, etc...); Act as the lead agency in the implementation of the programme of the thematic network; Serve as the link between the network and the CCD Secretariat through the Regional Coordination Unit; Serve as the link to other partners in the thematic programme area; Act as facilitator of the information exchange and assure that information is
disseminated to the other 5 networks of the RAP; Serve as the focal agency for capacity development within the network; Assume the work of data base management for making expertise of the membership known.

Role of the Regional Coordination Unit (RCU)

This is the link between the network and the CCD Secretariat; The RCU is responsible for the creation, the development and management of the web site for the network; Responsible for the preparation of the progress on the activities and operation of the network, evaluation and monitoring mechanisms and support for the functioning of the network; Catalyzing resource mobilization for the network.

Role of the Members of the Thematic Programme Network

Membership should be selected according to the criteria proposed by the thematic workshops. The group listed the potential role of the membership. It was suggested to contact the members at a later stage about the role they would like to play in the development of the network. The preliminary roles are: Share experience on the relevant activities of the network; Participate in information collection and dissemination within the network; Contribute and participate in the functioning of the web site for the network; Help in the identification of gaps in knowledge, and contribute to bridging them.

Item 3: Action Plan for the Thematic Programme Network

Consideration of the action plan envisaged for the thematic network was done together with the next steps that are necessary to make the network operational. It was agreed that the process of identification of programme activities would be an iterative undertaking, which will involve the other actors and members of the network. The formulation and adoption of the programme activities of the network would also be undertaken

through various means, including electronic mail, in order to achieve consensus from the members. The Regional Coordination Unit would liaise more closely and maintain constant contact with the focal point institution in order to render the necessary support.

Priority activities for the Thematic Programme Network

The meeting analyzed the priority activities suggested by the Abidjan meeting in order to select those actions that could be implemented within the next 18 months. The following were selected as the priority programme activities. The programme will encourage the establishment of participatory pilot schemes in the basins through inter-alia:

- suggesting pilot sites
- identification of site specific activities
- identification of sources of needed support
- identification of key actors
- arrangement for replication of the good results from the scheme

The network will maintain an interactive data base of available expertise and specialized centers of excellence in the thematic area that can be easily accessible to all the members. This should be used to address the capacity development issue of the thematic area. The network will develop protocols for sensitizing the public through rapid and timely dissemination of early warning information on climate variability, flood control, mitigation and vulnerability to disasters. The network will identify publications, disseminate tested and innovative research.

6.2   Launching meeting of the Thematic Programme Network for the Integrated Management of International River, Lake and Hydro-geological Basins, Accra, Ghana, November/ December 2000

Activities

The meeting was held in Accra, Ghana, from 29 November to 1 December 2000. It was jointly organized by the Secretariat of the United Nations Convention to Combat Desertification, the SADC Water Sector Coordinating Unit, and the Food and Agriculture Organization of the United Nations (FAO)/Regional Office for Africa, with the support of the United Nations Development Programme (UNDP) in Ghana and the Governments of Italy, Norway, Finland and Canada. It was hosted by the Ghana Government. Sixty-three participants attended the meeting, representing specialized African institutions, intergovernmental organizations, international development organizations and agencies, selected CCD Focal Points from Africa, and NGOs.

The workshop was organized in two parts; plenary and working group sessions. The first plenary session was divided into the opening ceremony and a series of presentations, including that of the background document. Participants discussed the issues in the working group sessions. Then, in the plenary session which followed, the outputs of the working groups were discussed. Finally, the main conclusions of the workshop were presented during the closing ceremony.

The meeting was expected to achieve the following:

- transform into concrete work programmes for the network priority activities of the RAP adopted at the Nairobi Preparatory Regional Conference to the 3rd Conference of Parties (COP3) to the CCD;
- Define practical modalities for inter-institutional / inter-agency collaboration with the Regional Coordination Unit, Focal Point and partners;
- Develop a timetable of activities for each actor of the Network;
- Propose means of financial and institutional support;
- Define the role of the main cooperation partners.

The network for the integrated management of river, lake and hydrogeological basins in the context of the regional action programme to combat desertification in Africa was launched in the presence of the Executive Secretary of the CCD, the Minister of Environment,Science and Technology of Ghana, and representatives from international, regional and national organizations concerned with the CCD.

Participants agreed to develop their activities in the following three programme areas:

1. Assessment of water resources and strengthening of water resources information systems;
2. Capacity building / utilization, institutional strengthening and technical and scientific cooperation;
3. Institutional, legislative and regulatory and cooperation aspects.

In that regard, it was recommended that the general method of work of the RAP Networks be mainly based on the support to the sub-regional action programmes (SRAP) elaborated by the sub-regional organizations. The meeting was particularly interested in related ongoing initiatives and areas of collaboration to achieve its goals. The meeting took note of the presentation made by the World Bank on the integrated Land and Water Management Initiative for Africa (ILWM) initiative. The workshop recommended that the network should discuss with other networks on how to collaborate in integrated water resources management, and encouraged network members to collaborate with NGOs and other local community groups.

The workshop also noted that hydrogeological mapping could be used as a tool to improve the knowledge base of groundwater resources within international river basins. Initiatives exist through, among others, the OACT, to map up major aquifers on the continent. The workshop further recommended that several major regional initiatives be launched to prepare hydrogeological maps which are decision making tools. The development could include feasibility studies, harmonization, experience development and sharing and valorization of information.

Members of the RAP network were encouraged to explore how they can take advantage of opportunities offered by the RAP network to enhance their activities; they were also advised to promote cooperation among themselves.

Assessment

The holding of the meeting was a further step forward in the elaboration of the Regional Action Programme to Combat Desertification in Africa (RAP) and the first official launching meeting of six identified regional thematic programme networks (TPNs), of which the RAP will consist. The launching meeting of the network for the integrated management of international river, lake and hydro-geological basins was a direct follow-up activity to the regional workshop on the promotion of this TPN, held in Abidjan, Côte d'Ivoire, in 1998.

The Accra meeting actually launched a process of regional scientific and political cooperation in the crucial field of water management that will play a predominant role in implementing the United Nations Convention to Combat Desertification in Africa. The proceedings were marked by very enriching discussions and a set of significant conclusions and recommendations for policy making and scientific capacity strengthening. They show the path ahead in integrating water management programmes for the implementation of the Convention. The workshop lasted 3 days (see above). But the results of the undertaking are of a mid-term and sustainable nature by ensuring the effective work of the thematic regional network to implement the Convention.

Item 7: World Conferences

7.1   Concept for a UNCCD Preparatory Conference to the World Summit on Sustainable Development (WSSD), March 2002[215]

Background

Country Parties to the United Nations Convention to Combat Desertification have been involved in the process of elaboration and finalization of National Action Programmes to combat desertification, as called for in the Convention, and also in conformity with the decisions of the Conference of the Parties. Completion of a National Action Programme (NAP) is a rigorous process for the country, and it is the initial step in the government's commitment to put in place the tools necessary for effective implementation of the Convention. For those countries that have already completed their NAPs, the lessons learnt indicate that the process of implementation does require resources to catalyse it. It is instructive that political goodwill has been demonstrated on the part of the governments, and they have indicated that they do need support in order to proceed with full-scale implementation.

The country Parties have at the same time been trying to approach the issue of partnership agreements to support implementation through a number of initiatives. For example, in Africa consultative forums have been held in Cotonou, Benin in February 2000, and a follow up later in May 2001, and in Addis Ababa, Ethiopia in May 2001. These consultative forums involved those countries that had completed their NAPs, and they came together to identify the best ways to concretise meaningful partnerships particularly with their development cooperation partners, with a view to agreeing on more effective ways of catalysing these efforts.

The recommendations formulated by these African countries included the following:

- Increasing representation of relevant government departments such as planning, finance, foreign affairs and rural development as well as civil society organisations in the national UNCCD implementation process
- Integration of the UNCCD NAPs into national strategies on sustainable development
- Organisation of donors consultative forums in order to conclude partnership agreements to support the implementation of NAPs

The NAP represents an important tool for sustainable development. Parties to the Convention observed that while the preparatory process towards the World Summit on

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[215] Excerpts from an informal proposal sent out to UNCCD country Parties and inter-governmental organizations in December 2001

Sustainable Development has been set up and was progressing, the concerns for the UNCCD were not well articulated. Parties expressed the view that the issues of the Convention that are dear to them may not have a chance to find their way into this important process. Indeed during the preparations leading to COP5, and in the discussions at the Conference itself, it had been observed that the process of preparing reports for the WSSD through the designated task managers included broad subject matters, and this tended to obscure the concerns of the UNCCD. The regional preparatory conferences to COP5 in Africa, Asia and Latin America recalled upon the attention of the countries to be well prepared for the WSSD.

The Parties to the Convention proposed that an appropriate avenue or opportunity needed to be availed where their concerns can be channelled through to the WSSD. This had been envisaged to take the form of concrete recommendations that can be fed through, among others, the Bureau of the COP. The Parties expressed to the Secretariat the need to organise their approach to these issues through a political platform, which would show their commitment to implementation of what they consider to be the only Rio Convention that addresses the issue of sustainable development through a bottom up and participatory process.

A forum where a group of experts and their ministers could firm up these strategic concerns had been put forward, and the expression of their political commitment through the outcome of such a forum was envisaged. The organisation of a forum on the implementation of the UNCCD prior to the WSSD would provide the opportunity to assess the efforts made during the last 7 years, and the results achieved at national, sub-regional and regional levels in the affected developing countries.

Objectives

Since several African, Asian Latin American and Caribbean countries have elaborated their National Action Programmes (NAPs) to a level where major activities have been clearly identified and in some cases are being implemented, the time was opportune for them to actively participate in the preparatory process and to the WSSD, with a view to ensuring that the goals and objectives of the Convention, particularly those relating to poverty eradication and sustainable development are duly reflected in the preparatory process as well as in the outcome of the WSSD.

The Conference aimed to serve as a forum for the preparation of the WSSD. It would provide the national focal points and their ministers with an opportunity to discuss the best possible ways to deepen their collaboration and contribute to the WSSD scheduled to take place in South Africa in August/September 2002. The Conference would allow the concerned actors to coordinate their approaches and exchange views on the important

issues underlying the implementation of the Convention. The Conference would also help to identify specific inputs for the report on the implementation of the UNCCD, to be submitted to the Summit.

Organization of the Conference

The Conference was hosted by the Government of Cape Verde, with the assistance of the UNCCD Secretariat in cooperation with the UNDP field office. The UNCCD Secretariat would facilitate the preparation of the necessary background documentation in collaboration with all interested organizations. Interpretation at the Conference would be provided in English, Spanish and French.

Participants

Each developing country was invited to appoint two representatives: the Minister responsible for sustainable development issues and the national focal point designated for the follow-up of the Convention. A ministerial segment with the duration of one and a half days was organised.

Further, the Conference also sought the participation of representatives of international organizations, regional, sub-regional and non-governmental organizations, as well as of donor countries.

The sub-regional and regional organizations were invited to appoint one representative each (15 participants). The major competent international organizations (ADB, AsDB, FAO, GEF, IDB, IFAD, UNDP, UNEP, WMO, World Bank) were invited to appoint representatives. The network of non-governmental organizations (RIOD) was invited to appoint five representatives coming from the three regions concerned. With the addition of the resource persons from the UNCCD Secretariat, the Conference would involve some 150 participants.

7.2   Conference proceedings[216]

Forum on the Implementation of the UNCCD preparatory to the World Summit on Sustainable Development (WSSD), Praia, Cape Verde, 5 – 8 March 2002.

Introduction

At the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992, the international community, recognizing the need for urgent

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[216] Official document. Issued by the UNCCD Secretariat in 2002.

action to reverse the trend towards desertification, resolved to prepare a Convention to Combat Desertification. The United Nations Convention to Combat Desertification (UNCCD) in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, was adopted on 17 June 1994 and entered into force on 26 December 1996. As of January 2002, 178 Parties have deposited their instruments of ratification with the Depository.

Ten years after Rio, the World Summit on Sustainable Development (WSSD) aims to adopt concrete steps and to identify quantifiable targets for the better implementation of Agenda 21. The Summit will take place in Johannesburg, South Africa, from 26 August to 4 September 2002. Several heads of state and government, national delegates and leaders from non-governmental organizations (NGOs), the private sector and other major groups within civil society are expected to participate in the Summit, and to take actions towards meeting important challenges, including addressing the relationship between desertification and poverty in the context of the UNCCD. As this Convention is the only legally binding instrument emanating from a direct recommendation of the Rio Conference, it is expected that its implementation will benefit from special attention at the occasion of the World Summit on Sustainable Development.

Preparations for the WSSD

UN General Assembly resolutions have provided the basis for preparations for the Summit. General Assembly Resolution 55/199 invites relevant organizations and bodies of the United Nations and international financial institutions involved with the implementation of Agenda 21, including conventions relating to the Conference, to participate fully in the ten-year review of progress achieved in the implementation of Agenda 21, including in the preparation of reports for submission to the Commission on Sustainable Development at its tenth session (CSD-10) and the Summit, in order to reflect their experience and the lessons learned and to provide ideas and proposals for the way forward for the further implementation of Agenda 21 in relevant areas. The preparatory meetings for the Johannesburg Summit have taken place at national, regional and global levels. Many of these meetings have emphasized the importance of strengthening the implementation of the UNCCD in the context of the Summit.

The intergovernmental WSSD Regional Preparatory Committees for Africa, Asia and the Pacific, Europe and North America, Latin America and the Caribbean, and West Asia were held in late 2001. These committees identified land degradation and desertification as one of the major challenges to be addressed by the Summit. The African Preparatory Conference for WSSD was held in Nairobi, Kenya, from 15 to 18 October 2001, attended by approximately 300 government delegates and observers. The African Committee noted that the implementation of the UNCCD should be an urgent priority in

the post-Johannesburg era. The African Ministerial Statement identified fifteen priority areas for action, including eradication of poverty, agriculture and food security, natural resource management, energy, human development, financing for sustainable development, financing of the Convention by the Global Environment Facility (GEF). In their statement, the African ministers invited the Summit to acknowledge the UNCCD as a sustainable development convention and to proclaim it as a prime tool in the eradication of poverty in Africa. In this regard, they emphasized the need for substantial increases in the resources of the GEF as well as the need to make it more responsive to the needs of Africa in the context of the implementation of the UNCCD. The High Level Regional Meeting for the World Summit on Sustainable Development held in Phnom Penh, Cambodia, from 27 to 29 November 2001 produced two important outcomes: The Phnom Penh Regional Platform on Sustainable Development in Asia and the Pacific and the Chairman's summary of the meeting.

Intensive consultation was carried out from July to November 2001 in subregional meetings of government representatives and stakeholders, two consultative round table meetings of eminent persons from the region, and meetings of government representatives in Bangkok. The social, economic and environmental issues identified in the consultation process and reflected in the platform include poverty eradication, impacts of globalization, capacity-building, agriculture and food security, desertification and land degradation, biodiversity, climate change, energy and water resources.

The platform noted that land degradation/desertification, being closely related to poverty issues, is a severe constraint to sustainable development. It stressed the need to implement fully the UNCCD and CBD. The Chairman's summary proposed that the GEF as a financing mechanism should support projects relating to desertification.

The West Asia (Arab Region) Preparatory Committee meeting for the world Summit on Sustainable Development took place at the League of Arab States headquarters in Cairo, Egypt, on 24 October 2001. Approximately 140 government delegates and observers, including NGO representatives and representatives of international organizations, attended the Arab Region PrepCom. The meeting considered the Assessment Report and the Arab Declaration to the WSSD for adoption and subsequent submission to the WSSD. The ministers identified areas for priority action, which include poverty alleviation, energy, management of natural resources and means of evaluation and monitoring of sustainable development programmes in the region.

The Arab ministers underlined the need to promote sustainable management of resources with a view to achieving water and food security, conserving biodiversity and combating desertification.

The Regional Preparatory Conference on Latin America and the Caribbean for WSSD was held in Rio de Janeiro, Brazil, from 23 to 24 October 2001. The ministers identified seven areas of priority action including economic and social issues, sustainable human settlements, management of natural resources, multilateral environment agreements, small island developing states, financing and technology transfer, and institutional structure for sustainable development. The regional preparatory meeting also expressed the need to promote integrated water resource management, with an emphasis on cross–sectoral and decentralized management as well as the need to apply economic and market mechanisms to deal with the increasing scarcity of water resources.

A Regional Ministerial meeting for the World Summit on Sustainable Development was convened by the United Nations Economic Commission for Europe in Geneva, Switzerland, from 24 to 25 September 2001. The meeting adopted a ministerial statement to be presented at the World Summit. The ministers reaffirmed that the European region has a major role to play in global efforts to achieve sustainable development. They underlined that the Summit should promote better understanding of the links between environment, poverty, trade and human security. The ministers also urged countries for stronger commitment to multilateral environment agreements. They identified several priority areas including air and water pollution, land degradation, climate change, desertification and loss of biodiversity.

At the global level, CSD-10 provides the forum for preparations for the Summit. Four intergovernmental Preparatory Committee (PrepCom) meetings are being held during 2001-2002. PrepCom 1, which focused on organizational matters relating to the Summit, was held in New York from 31 April to 2 May 2001. PrepCom 2 was held from 28 January to 8 February 2002 in New York, and will be followed by PrepCom 3, also in New York, from 25 March to 5 April 2002. The purpose of the second and third PrepComs is to draft one of the final documents of the Johannesburg Summit. This document will assess overall progress achieved since Rio, identify major constraints and suggest measures to overcome these constraints. The final PrepCom at the ministerial level will be held in Indonesia from 27 May to 7 June 2002. This PrepCom will focus on drafting another final document for negotiation and adoption by the Summit. This document is expected to reinvigorate political commitment to sustainable development and to address new challenges and opportunities within the framework of Agenda 21.

UNCCD Preparations

The UNCCD Regional meetings for African, Asian and Latin American and Caribbean focal points, held from June to August 2001, underlined the role of the Johannesburg Summit in enhancing support for implementation of the UNCCD. The meetings recognized the need for affected developing countries to be well prepared for the Johan-

nesburg Summit, and for effective and active participation of the UNCCD focal points in the preparatory process and during the Summit. At its fifth session, held from 1 to 12 October 2001 in Geneva, Switzerland, the Conference of the Parties (COP) to the UNCCD decided to submit to the World Summit on Sustainable Development through the Chairman of the Preparatory Conference, for consideration, the Chairman's summary of the Ministerial and High-Level Interactive Dialogue sessions of the fifth session of the Conference of the Parties to the UNCCD on "Addressing the poverty-environment nexus through timely and effective implementation of the United Nations Convention to Combat Desertification" (decision 8/COP.5, paragraph 1).

COP 5 also invited the Executive Secretary of the UNCCD to submit to the WSSD, through the Chairman of the Preparatory Conference, for consideration, decision 3/COP.5 on the "Comprehensive report of the Ad Hoc Working Group for the in-depth review and analysis of reports submitted at the third and fourth sessions of the Conference of the Parties" and in particular the conclusions and recommendations of the Ad Hoc Working group annexed thereto (decision 8/COP.5, paragraph 2). This document contains the full texts of the two documents mentioned above.

CHAPTER FIVE

Does the spirit of Rio work in a post-postmodern world?

Johannesburg and the synchronicity of realities

Much has been written on the Rio process, analysis and evaluation has been provided throughout.[217] In June 1997, at the 19th Special Session of the United Nations General Assembly called *Rio +5*, thorough stocktaking of the progess made so far in the implementation of UNCED's results was done. Of course, this process was identified as insufficient. As a result, the Commission on Sustainable Development (CSD) was entrusted with an enhanced mandate, its programmatic priorities were reset for the following five years: climate, protection of forests, enforcement of environmental institutions.

But the real Rio stocktaking took place at another occasion, decided upon by the General Assembly's 55th Session on 20 December 2000: the *Rio +10* conference called *World Summit on Sustainable Development* (WSSD) taking place from 26 August to 4 September 2002 in Johannesburg, South Africa. Preparation of the WSSD was in the hands of the CSD. Four PrepCom meetings were held in 2002. Part of this preparatory process was also the 2000 United Nations Millennium Summit bringing about the Millennium Declaration whose development goals were reenforced by the WSSD. Also the ministerial conference of the WTO in Doha, Katar in November 2001, and the International Conference on Fincancing Development in Monterrey, Mexico, March 2002, anticipated the Johannesburg meeting.[218]

The WSSD, the largest conference ever to date, provided an opportunity for a comprehensive review of the achievements on sustainable development since Rio. At the same time, it was expected to provide a new impetus for a breakthrough on urgent matters. Prior to the conference in Johannesburg, however, it was already clear that the record of the Rio decade left a lot to be desired in terms of effectiveness and achievements of the agreements and action plans mentioned above. This resulted in both raising expectations and doubts in equal measure. Would the world summit finally bring about the turning point in international environmental policy that many had demanded for so long? Would it be capable of providing the decisive impetus to cooperation on development issues?

When it comes to assessing the record of results from Johannesburg, the skeptics are having a field day. In their eyes, the final document points to progress on a number of

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[217] One of the many articles on the Rio process, which has not been mentioned yet, but which I would like to recommend, is Swiderska, Krystyna [2002]: Implementing the Rio Conventions: Implications for the South/ In: iied Opinion.

[218] Under item 7, Chapter Four, the UNCCD preparatory conference for the WSSD is documented.

issues, but the qualifications added to nearly every conclusion leave them skeptical. World fish reserves *ought to* be protected by 2015. The most dangerous toxins to the environment are to be banned, but violators have *no sanctions* to fear. Subsidies for fossil fuels should be reduced, though *no strict time frame* was agreed on.

There are also a number of impressive sounding declarations of intent: free and democratic access to fresh water was established as a basic right, energy production from non-fossil fuels is to be fostered, and the necessity of debt relief for the poorest countries was recognized. But, here too, the prospect of a breakthrough is questionable given the lack of concrete plans of action and clear mechanisms for imposing sanctions. The final documents are full of lax time frames and goals, open questions regarding financing and a lack of ideas of how to implement the plethora of good intentions at the institutional and organizational level.

The German ministerial representatives Jürgen Trittin (Minister for the Environment) and Heidemarie Wieczorek-Zeul (Minister for Economic Cooperation and Development) interpreted the record more positively. Above all, they noted that measures to ensure safe water and drinking water for the world's poor, one of the EU's biggest goals, were achieved. According to them, another success story was the agreement by the US - despite a rejection of concrete time frames and quotas - to the basic goal of putting an end to species extinction and to reducing the dangerous effects of chemicals. Moreover, they described regulations for corporate liability, fisheries and a review of modes of consumption and production in industrialized states, as well as the mention of ,global publics goods' such as air and the oceans, as steps in the right direction.

The German representatives viewed energy as a central issue. Providing access to the world's two billion people living without electricity with an environmentally sound form of this energy was, along with the previously mentioned issue of access to water resources, the other of the two major goals of the summit. According to Wieczorek-Zeul and Trittin, energy and water are the issues that most clearly embody the notion of sustainability and are therefore the most important. The theory goes that securing basic provisions for electricity and water helps fight poverty, improves health, increases economic opportunities and protects the environment, provided renewable energy sources are used.

Yet even before the conference, the EU had lowered its sights. For example, the EU proposed increasing the share of electricity produced by renewable energy sources to 15 percent by 2010, only marginally up from the current figure of 13 percent. Nevertheless, this modest attempt by the EU was shot down by the US and OPEC member states.

UNEP Executive Director Klaus Töpfer, who had helped shape the 1992 Rio summit when he was German Minister for the Environment, drew his own conclusions as head of the UN Environment Programme. Important progress was made at Johannesburg, he says. He was initially concerned that the summit would, in the end, reveal itself as merely cosmetic. In fact, Töpfer let it be known that he considers the Plan of Implementation of the WSSD - the most important final document - insufficient.

Still it would be inappropriate to declare the summit a failure. First, the very fact that it took place is in itself important. This has helped put global environmental policy back on the international agenda. The identification and acknowledgement of the central issues and goals of sustainable development in the final documents is also important. This provides an updated and nearly complete frame of reference for future initiatives and negotiations, be they unilateral, bilateral or multilateral. And 190 states were able to agree on a detailed list of actions, something that could not have been assumed prior to the summit. Thus, a common vision is in place and many important issues were taken into account.

The key question is whether the plan of action, which is based on an already minimal consensus, will be effectively implemented. The current established institutional framework for international cooperation and the shrinking willingness of rich states in particular to cooperate on a multilateral basis leave room for doubt.

It became one of the rituals of Johannesburg to criticize the US and denounce them for the immobility on climate change issues in particular. Upon closer examination, however, this criticism appears to be too one-sided. Japan, for example, shot down the demand for more foreign aid. Brazil refused to protect its rainforest according to international standards. And France insisted on maintaining EU agricultural subsidies. Particularistic state interests characterized the global meeting.

There is a firm trend discernable among OECD member states in particular of renewed emphasis on protecting their own interests and concern with solving national problems. This is counter to the notion of global governance which would entail seeking consensus at the international level at the expense of particular interests. To this extent, revival of the wave of multilateralism of the early Nineties is currently out of sight. Explanations offered for this development include the weak economy and protectionist tendencies.

Without doubt, there is no momentum for a global collaborative effort to solve common problems at this stage, however necessary and desirable that would be. Furthermore, we cannot and should not expect the organs of multilateral cooperation, the UN institutions,

to provide results that are not brought about by the member states working in concert. Inefficiency and chronic under-financing of the existing instruments simply adds to the difficulties.

This could be the hour of a practical middle way, along the lines pursued by the German government in Johannesburg in its and the EU's offensive on energy policy outside the official summit activities. Initiatives of individual states or groups of states and their allies of convenience in so called coalitions of the willing seems to be the only way out at the moment of the dilemma posed by the current gridlock in the implementation of important environmental and development measures. It could soon lead to first stage victories, for example in the area of climate protection, and overcome the extensive inertia. German Chancellor Gerhard Schröder succeeded in Johannesburg in getting the EU and some 90 other states to sign a declaration calling for the promotion and firm establishment of renewable energy that was outside the framework of the summit and goes well beyond the conclusions of the final document.

These moves forward which go well beyond the official conference results were arrived at parallel to the summit and are not part of the tediously negotiated final documents. The strength of these initiatives lies in the very fact that they are not orientated toward the least common denominator, rather they are manifestations of the political intentions of those who are truly interested in progress and change. That improves their chances of success.

It may well be that a strategy that seeks to unite progressive states of the world would make the transition to global sustainability easier. If the Kyoto Protocol, which was roundly praised at the world summit, will take effect, although only a first step, this could set a new dynamic in motion that helps promote the use of better energy technology, not just in the rich North, but also in the poor South. The second glimmer of hope lies in the EU and other states that want to lead the way, both at national level and in cooperation with developing countries, even without concrete goals set out at Johannesburg. The initiative announced by Chancellor Schröder can be considered an example.

World summits organized by the United Nations will still need to take place given that they alone provide a suitable platform for global communication and interaction, not the least of which with civil society. The critical question remains whether the goal of getting *all* participating countries to sign final documents, along with the corresponding compromises in formulations that entails, should be abandoned. If at future summits the international community were to free itself from the pressure for consensus, and instead used such summits as global forums for forming coalitions of the willing around deci-

sive issues, the interests of those most affected by environmental destruction and under-development might well be better served.[219]

As early as in 2000, the German government put emphasis on the necessity to both strengthen and enlarge the international structures of environmental governance, which ought to be further developed.[220] Since then, an impressive number of reform proposals have been submitted to the global audience, for instance, the creation of a so-called Earth Council, a body of moral credibility, comprising internationally renowned eminent personalities, and in conformity with the Brundtland Commission, or the introduction of environmental taxation for the use of global public goods such as air, sea or outer space, including increased burden sharing responsabilities for the private sector. Another suggestion that has constantly been reiterated by German, French and other governments, is the empowerment of UNEP, supposed to be transformed into a specialized agency or even a world environmental organization.[221]

Focusing on the UN system, global environmental governance has meanwhile become a widely-stretched, dense and diversified institutional framework consisting of a multitude of agencies, structures and bodies - not mentioning the less formalized ongoing negotiation processes and conference series. The main organs of the United Nationss, the General Assembly, the Economic and Social Council (ECOSOC) as well as the Commission on Sustainable Development (CSD) are dealing with environmental issues, just like the Department of Economic and Social Affairs (DESA) of the Secretariat. Moreover, UNEP, UNDP, the Regional Commissions, and a number of funds, programmes and specialized agencies such as IFAD, FAO, Unicef, UNESCO, the WMO and others, work on the same line. Finally, we should mention the convention secretariats such as UNFCCC, UNCBD and UNCCD, the UN Forum on Forests and other administrative bodies entrusted with managing international regimes of environmental

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[219] See also Rechkemmer, Andreas [2002]: Globale Umwelt- und Entwicklungspolitik in der Krise? Nach dem Gipfel von Johannesburg. SWP-Aktuell 44 (Oktober). Berlin. On the issue of world conferences, see Fues, Thomas/ Hamm, Brigitte [2001b]: Die Weltkonferenzen und ihre Folgeprozesse: Umsetzung in die deutsche Politik/ In: Fues, Thomas/ Hamm, Brigitte (eds.) [2001a]: Die Weltkonferenzen der 90er Jahre: Baustellen für Global Governance. Bonn. More on the Johannesburg Summit can be found in La Vina, Antonio/ Hoff, Gretchen/ DeRose, Anne Marie [2003]: The Outcomes of Johannesburg: Assessing the World Summit on Sustainable Development/ In: SAIS Review (Winter-Spring) Vol. XXIII/ 1.

[220] See Gemeinsame Presseerklärung BMU/ BMBF vom 20.12.2000, online at <www.bmu.de/presse/2000>.

[221] On questions of institutional reform, reference is made to Prittwitz, Volker von [2000b]: Institutionelle Arrangements und Zukunftsfähigkeit/ In: Prittwitz, Volker von (ed.) [2000a]: Institutionelle Arrangements in der Umweltpolitik – Zukunftsfähigkeit durch innovative Verfahrenskombinationen? Opladen, Biermann, Frank [2000]: Zukunftsfähigkeit durch neue institutionelle Arrangements auf der globalen Ebene?, and Oberthür, Sebastian [2000]: Institutionelle Innovationsperspektiven in der internationalen Umweltpolitik – both in: Prittwitz, Volker von (ed.) [2000a].

concern. Last but not least, the World Bank has, of course, constantly enlarged its environmental efforts.[222]

This orderly disorder of agencies, bodies and regimes working in the field of environment respective sustainable development, will require particular attention in the forthcoming years. Eleven years after Rio and one year after Johannesburg, the institutional picture of global environmental governance reveals o number of organizational pathologies, i.e. an ineffective and certainly also inefficient multiplication of efforts due to a multitude of actors and agents involved. Besides the above mentioned approach, to upgrade UNEP towards a specialized organization, a number of other proposals for reform have been submitted, amongst which are the so-called mainstreaming approach – *greening the IMF/World Bank and the WTO* – or the foundation of a completely new world organization for sustainable development, which would render UNEP and UNDP, but maybe even the existing conventions and regimes, obsolete.[223]

But is this the hour of multilateral approaches, even for their reform? In their article *Weltpolitik zwischen Staatenanarchie und Global Governance[224]*, Dirk Messner, Jeanette Schade and Christoph Weller claim that in the aftermath of 11 September 2001, security issues have once more dominated the global agenda, bringing forth a restoration of power politics based on national interests, particularly promoted and followed by the United States, and even including a doctrine of preemptive military strikes. According to the authors, this tendency not only challenges international law, but also deeply undermines all efforts undertaken and already established towards the principles of collective action and global governance.[225]

The authors state:

> *"Es waren die USA, die nach dem Zweiten Weltkrieg die Institutionalisierung der internationalen Politik vorangetrieben und sich zum Motor multilateraler Zusammenarbeit gemacht hatten. Ihnen gelang es, durch Kooperation und Interessenausgleich die Mehrzahl der Staaten in ein System einzubinden, das zwar über wei-*

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[222] On the UN and its organs and agencies' role within networks of global governance, see Reinicke, Wolfgang H./ Deng, Francis M. [2000]: Critical Choices. The United Nations, networks, and the future of global governance. Washington DC.

[223] More on this subject can be found in Simonis, Udo E. [2000]: Architektur einer Weltorganisation für Umwelt und Entwicklung/ In: Nuscheler, Franz (ed.) [2000]: Entwicklung und Frieden im 21. Jahrhundert. Bonn, Simonis, Udo E. [1998b]: Institutionen der künftigen Weltumweltpolitik/ In: Messner, Dirk (ed.) [1998b], and Conca, Ken [1996]: Greening the UN: Environmental Organisations and the UN System/ In: Weiss, Thomas G./ Gordenker, Leon (eds.) [1996]: NGOs, the United Nations, and global governance. Boulder, CO.

[224] Messner, Dirk/ Schade, Jeanette/ Weller, Christoph [2003]: Weltpolitik zwischen Staatenanarchie und Global Governance/ In: Stiftung Entwicklung und Frieden (ed.) [2003]: Globale Trends 2004/2005. Fakten, Analysen, Prognosen. Frankfurt (Main).

[225] See op. cit., p. 235.

te Strecken US-Interessen stützte, aber zugleich die zwischenstaatlichen Beziehungen stabilisierte und zur breiten Anerkennung einer internationalen Ordnung mit den Vereinten Nationen als Mittelpunkt beitrug. Von dieser Ausrichtung hat sich die US-Regierung inzwischen verabschiedet.”[226]

This movement of consequent, if not systematic, withdrawal from multilateral cooperation, comprises strategic policy fields such as arms control regimes – named be the so-called diversification of nuclear arsenals to tackle the problem of international terrorism, the cancellation of the bilateral US-Russian 'ABM' treaty, the treaty on nuclear test stop, and the verification regime for biological weapons -, the Kyoto protocol, the ICC and bilateral trade treaties to bypass and undermine the regulatory provisions of the WTO[227].

Messner, Schade and Weller recall Jochen Hippler's term 'selective multilateralism', sometimes also called 'multilateralism à la carte', which could serve as an adequate description of the US' and other important states' policy towards global issues:[228]

“Nachdem in den vergangenen Jahren viele Hoffnungen auf zivilgesellschaftliche Akteure, neue Formen der Kooperation und Verrechtlichung der internationalen Politik gesetzt wurden, scheint die Welt nach dem 11. September in die schon überwunden geglaubten Bahnen klassischer Macht-, Interessen- und Militärpolitik zurückzufallen.”[229]

Are the (neo-)realists right? Do powerful states dominate an anarchical international system? Do powerful nations only use multilateral institutions to pursue their genuine interests? Is international law invalid?

“Die augenblickliche Dominanz von Sicherheitspolitik, Kriegsdrohungen und militärischer Machtpolitik erweckt den Anschein, internationale Institutionen zur kooperativen Bearbeitung globaler Probleme hätten seit den Terroranschlägen ihre Bedeutung zur Regulierung internationaler Macht- und Interessendifferenzen verloren.” [230]

What about the theories of institutionalism and regime building? What about the strong empirical tendency towards global treaties, legal processes, and the growth of interna-

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[226] Op. cit., p. 236.
[227] On this latter case see Dieter, Heribert [2003]: Abschied vom Multilateralismus? Der neue Regionalismus in der Handels- und Finanzpolitik. SWP-Studie 4 (Februar). Berlin.
[228] Op. cit., p, 237.
[229] Op. cit., p. 238.
[230] Op. cit.

tional organizations? And what about public policy networks and the architecture of global governance? Empirically speaking, we are living in a period of growing interdependance between unilateralism, global governance, and globalization.[231] Despite all given hystery about the threat of new empires or aggressive unilateralism, we should understand that the USA and their allies had to face their limits at Johannesburg – not to speak about Irak here. At the end of the day, the most important result of the WSSD was: the crucial Rio results are maintained. And even more decisions were taken against the resistance of the so-called unilaterals:

- equalty of environmental agreements with WTO standards
- corporate accountability principle accepted by the UN
- the biodiversity loss rate to be reduced until 2010

> *"Die unkooperative Haltung der USA und anderer Regierungen gegenüber globalen Umweltproblemen hat einen Wandel der internationalen Politik ausgelöst. Da der konsequente Multilateralismus in der Sackgasse steckt, schließen sich kooperationsbereite Regierungen zunehmend mit anderen Akteuren zu unterschiedlichen Vorreiterallianzen zusammen. So entstehen neue Formen eines 'Multilateralismus der verschiedenen Geschwindigkeiten'."[232]*

Kyoto is an interesting case in this context. The protocol was initially supposed to be a milestone for the implementation process of UNFCCC – and thus for the worldwide measures to tackle the climate problem. Its ratification and entry-into-force process would contribute significantly to the efforts undertaken in this direction, knowing that Kyoto alone is not sufficient. The USA withdrew in March 2001, or 'unsigned' Kyoto. Now the global focus is on Russia. But also on China, India, and the EU. Kyoto features unusual and complex entry-into-force provisions. It could already fail therefore before it entered into force. Its first implementation phase is ment to last until 2012 – then the global community would take stock. But already nowadays projections foresee: instead of a yielded 20% emmission reduction in 2005, we are to date some 25% over 1990.[233]

An alternative can be seen to perceive climate change as a transatlantic challenge, while the EU-US relation is een as its engine. Both partners are not so far away from each other. For instance, they agree in two major respects, i.e. engaging the private sector (joint industry perspectives, technological breakthrough), and engaging major developing countries.[234]

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[231] See also op. cit., p. 242-244.

[232] Op. cit., p. 247.

[233] Müller, Friedemann [2003]: Kyoto-Protokoll ohne USA – wie weiter? SWP-Studie 7 (März). Berlin.

[234] Ochs, Alexander [2003]: Reviving Transatlantic Cooperation towards a Global Threat. SWP paper (february). Berlin.

But is the US ready for collective responsibility sharing? The only feasable long-term alternative to Kyoto could be seen in more countries joining in a common strategy of identifying alternatives to unsustainable energy production. Such a multilateral initiative-based solution would comprise global governance aspects, e.g. martket signals towards investors, research and technological development.[235] In any case, the US seem to be in a key position – no global approach is possible without them, China, India and Russia seem unready to join as long as the US stays out: coalitions of the willing seem not sufficient here. So, collective efforts must be undertaken, otherwise there is no hope to tackle the globl climate problem. Friedemann Müller names three points important for success: (a) broad consensus on the trading process of emmission rights, (b) developed countries must be on board, and (c) common research and technological development efforts must be undertaken. He sees Europe hereby in an important negotioation position.[236]

Unilateralism is perceived as one threat. Neoliberalism as another. Achim Brunnengräber and Christian Stock write[237]:

> *„Die vorgeschlagenen Instrumentarien zur Bewältigung der Umweltkrise ähneln sich in [den] Konzepten: marktwirtschaftliche Instrumente, die Implementierung internationaler Konventionen und die Schaffung neuer Institutionen wie z.B. ein „ökologischer Rat" auf EU-Ebene oder eine „Global Environmental Organization" nach dem Vorbild der GATT/WTO. Der Schwerpunkt der Überlegungen liegt auf politischen Kontroll- und Veränderungsmaßnahmen zugunsten erhöhter Effizienz beim Ressourcenschutz..."*

The authors criticize a notorious conceptual one-sidedness for neo-liberal sake. They address economic growth and environmental protection as contradicting principles, while sustainable development is just a lable to camouflage ongoing neoliberalism. And according to the neo-marxist viewpoint of Ulrich Brand and Christoph Görg, the concepts of regime building and global governance simply failed since 'environment' is, as an issue, too deeply inter-woven with social, political and economic circumstances, which notoriously dominate priority setting and decision-making processes.[238] Despite

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[235] See Müller, Friedemann [2003], p. 6.

[236] Op. cit. A different, more civil society ankle is provided in Fricke, Gerald [2001]: Von Rio nach Kyoto. Verhandlungssache Weltklima. Berlin. Recommended be also Tänzler, Denis/ Carius, Alexander [2003]: Perspektiven einer transatlantischen Klimapolitik/ In: Aus Politik und Zeitgeschichte B27 (30. Juni).

[237] Brunnengräber, Achim/ Stock, Christian [1999]: Global Governance: Ein neues Jahrhundertprojekt?/ In: PROKLA, Heft 116, 29. Jg., Nr. 3. (here p. 462-463)

[238] Brand, Ulrich/ Görg, Christoph [2002b]: „Nachhaltige Globalisierung" - Sustainable Development als Kitt des neoliberalen Scherbenhaufens/ In: Brand, Ulrich/ Görg, Christoph [2002a]: Mythen globalen Umweltmanagements. Münster.

all contradictions, empirical studies admit advanced institutionalization of global environmental governance, even as of today. Some 900 intergovernmental agreements have been decided upon. And noone would seriously neglect the growing role of private actors, scientific networks, and NGOs – seconded by new economic instruments such as certificates trading.[239]

It seems to me that an adequate label for the present phase in international relations would be *synchronicity of realities*. We might as well feel tempted to speak of parallel worlds. While some empirical findings suggest that unilateralism and coalitions of the willing are a paradigm for contemporary international order, which would remind us much of the Westphalian system, others speak openly about an age of emerging empires – implying even pre-Westphalian conditions. On the other hand, global governance, particularly in the field of environment and sustainable development, is definitely *practised* by a multitude of actors world-wide. Analytically speaking: It's all of it in combination - postmodern, modern and pre-modern paradigms are alive. While nation-states will remain dominant actors for some time[240], be it *as* unilateralists, multilateralists or partners, governance will in any case, in a further globalizing world, comprise new avenues and strategies for joint implementation, type II outcomes or informal agreements, be they hierarchical, i.e. between states only, or horizontal, i.e. in the form of networks and partnerships.[241]

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[239] See also Helm, Carsten/ Simonis, Udo E./ Biermann, Frank [2003]: Weltökologie und globale Umweltpolitik/ In: Stiftung Entwicklung und Frieden (ed.) [2003]: Globale Trends 2004/2005. Fakten, Analysen, Prognosen. Frankfurt (Main). On market based means for the public sector, reference is made to the classical Osborne, David/ Gaebler, Ted [1992]: Reinventing government: how the entrepreneurial spirit is transforming the public sector. Reading, MA.

[240] On the nation-state's relevance for environmental governance see Jänicke, Martin [2003a]: Die Rolle des Nationalstaats in der globalen Umweltpolitik/ In: Aus Politik und Zeitgeschichte B27 (30. Juni).

[241] Refer to Hamm, Brigitte (ed.) [2002]: Public-Private Partnership und der Global Compact der Vereinten Nationen. Duisburg.

CHAPTER SIX
Conclusion

In this study, I have dealt with the phenomenon of change in international relations. This requires thoughts on the parameters and variables of the same. While the United Nations and its agencies are to be seen as variables in the network of international actors, they immanently react to system-wide change, whose current parameters are the emerging conditions of a globalized and partly privatized world. This being said, it is not surprising that innovation comes from within the organizations – they *do* learn.

The UNCCD has been interpreted as a case of conceptualized postmodernity in international relations. Whether or not such preconditions would be fertile or futile was not to be foreseen at Rio, when through Chapter 12 of Agenda 21 the Convention was invoked. The Earth Summit took place at a momentum when postmodern concepts and tools for IR had a say in the global arena. These philosophies and approaches highly influenced the drafting process of UNCCD, and out came a legally binding treaty with remarkable contents, notably the referred to bottom-up approach, cross-sectoral policy frames, and a new understanding of partnership for development.

My first step was to highlight some of those so-to-speak post-Westphalian concept fragments and governance tools within the conceptual context of the Convention, i.e. its very text. And this upon the basis of understood postmodernity: what it refers to and what it is about.

The second step consisted of the provision of a mixed portfolio of empirical examples from the UNCCD implementation process. These examples were selected to examine how the high-flying principles and guidelines of the Convention's text are or are not to be declinated down to grassroot levels. Hereby, I followed a heuristical approach: the sample stories, concepts and reports flash highlights on best practises, lessons learnt and problems faced at various levels, e.g. the drafting and adoption of a National Action Programme (NAP), the Secretariat's efforts to motivate and enhance quality in the elaboration of national reports, and their evaluation process, etc. Moreover, looks were taken into theory and practice of organizing national synergy workshops on joint implementation of the Rio Conventions, an inter-sectoral, multi-donor driven initiative by the Global Environment Facility (GEF), and various cases of partnership agreement formation, both between North and South and South and South. Finally, UNCCD's preparations and strategic orientation towards the Johannesburg Summit in 2002 were featured.

The deliberations of this study are based on the insight that postmodernity in international relations is foremost a normative concept, having its most concrete output in the concept of global governance, silently implying a constructivist perspective. But postmodern concepts also *describe* certain developments at the global front and *explain* why we do have something like collective action, supreme international legislation and principled networks comprising non-state actors and supranational agencies alike.

The UN Convention to Combat Desertification as a case shows that implementing postmodern concepts *must* face limits, constraints and partial failure, since we live in a time of synchronicity of political realities in a highly segmented and fragmented setting of actions and communications. It seems scholars have to get used to this shattered picture of cohabitation between unilateralism, empire-ism, coalitions of the willing, type II outcomes and horizontal, non-hierarchical policy networks.

Acronyms

ACP	Africa, Carribean and the Pacific
AMU	Arab Maghreb Union
BMU	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit (Germany)
BMZ	Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (Germany)
CBD	UN Convention on Biological Diversity
CEMAC	Communauté économique et monetaire de l'Afrique Centrale
CILSS	Sahara-Sahelian Interstate Committee
CSD	UN Commission on Sustainable Development
DESA	Department of Economic and Social Affairs
FAO	Food and Agriculture Organization
GEF	Global Environment Facility
IGAD	Inter-Governmental Authority on Drought and Desertification
IMF	International Monetary Fund
PACD	Plan of Action to Combat Desertification
PRSP	Poverty Reduction Strategy Paper
SADC	Southern African Development Community
UNCCD	United Nations Convention to Combat Desertification
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNHCR	United Nations High Commissioner for Refugees
UNITAR	United Nations Institute for Training and Research
UNU	United Nations University
WBG	World Bank Group
WMO	World Meteorological Organization
WTO	World Trade Organization

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