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THE EARTH SUMMIT'S AGENDA 21
A LOCAL ASSESSMENT

A conference sponsored by the United Nations Association
(Austin, Texas Chapter)

May 11, 1996

At The Center For Environmental Research
City of Austin (Hwy 973, 1 mile North of
Intersection with Highway 71 E)

- 8:30 A.M. Registration
- 8:45 A.M. Welcome and Introductions
Crespin Guzman, P.E., Center For Environmental Research, City of Austin
- 9:00 A.M. The United Nations and The Global Environment
Frank C. Cooksey
President, United Nations Association, Austin Chapter
- 9:30 A.M. Protecting the Atmosphere
Karl Rabago, Environmental Defense Fund
Lisa Hanneman, Air Quality Representative, City of Austin
- 10:00 A.M.- (Questions and Answers)
- 10:15 A.M.- (break)
- 10:30 A.M. - Sustaining Biological Diversity - BCCP and Other Strategies
Kent Butler - Assistant Dean, University of Texas School of Architecture
- 11:00 A.M. - Protecting and Managing Freshwater Resources
Austan Librach, Espey Huston and Associates
- 11:30 A.M. - Questions and Answers
- 11:45 A.M. - Break
- 12:00 P.M. - What should a local "Agenda 21" for Austin look like?
A panel of environmental representatives from:
1. The Sierra Club - Dan Krause
 2. Save Barton Creek Association - Craig Smith
 3. Trust For Public Land - Tim Wirth
 4. S.O.S. Legal Defense Fund - Bill Bunch
 5. City of Austin - Roger Duncan
 6. Center for Maximum Potential Building Systems - Gail Vitorri
 7. Audubon Society - To Be Announced
- 12:40 P.M. - Questions and answers from audience
- 1:00 P.M. - Adjournment.

1. CODIFICATION AND DEVELOPMENT OF INTERNATIONAL ENVIRONMENTAL LAW

Declaration of the UN Conference on the Human Environment,
Stockholm, 5–16 June 1972

The first UN Conference held specifically to consider problems of the environment met at Stockholm in 1972. It was attended by 113 states and adopted a Declaration and an Action Plan. General Assembly resolution 2398 (XXIII) 1968 convening the Conference noted that there was 'an urgent need for intensified action at national and international level to limit and, where possible, to eliminate the impairment of the human environment.' The preparatory committee established by UNGA Resolution 2581 (XXIV) 1969 decided that the Declaration should be 'a document of basic principles calling mankind's urgent attention to the many varied and interrelated problems of the environment, and to draw attention to the rights and obligations of man and state and the international community in regard thereto,' UN Doc. A/CONF. 48/PC/6, para 27 (1970). The Declaration thus fulfils an important inspirational purpose, and is not primarily a legalistic document, nor is it *prima facie* binding on states. But it does represent in UN practice a formalization used only when principles of special importance are being laid down and 'the general tone is one of a strong sense of dedication to the idea of trying to establish the basic rules of international environmental law' (Sohn, 1973). In that sense, it can be compared to the Universal Declaration of Human Rights adopted by the UN in 1948. However, few of the principles are expressed in the obligatory 'shall' form; most use 'should' or 'must', and there is evident reluctance to couch all principles in the form of clear duties of states. Thus, only a handful are of special legal significance. Principle 1 has had some very limited influence on the protection of environmental rights, mainly in national law, but was completely reformulated in Principle 1 of the 1992 Rio Declaration on Environment and Development (q.v.) Principle 7 is reflected in the subsequent development of the law of the sea, and particularly in Part XII of the 1982 UN Convention on the Law of the Sea. Principle 21 was thought to represent international law at the time of adoption, and has subsequently been referred to as such in UNGA Resolution 2996 (XXVII) 1972 and in a number of multilateral environmental treaties. It constitutes a basic principle of contemporary international environmental law and reappears in modified form in the 1992 Rio Declaration. Principle 22 has had limited effect, mainly in national law, and is reiterated in the 1992 Rio Declaration. No agreement could be reached on the proposed inclusion of an article dealing with notification and consultation in cases of transboundary risk from proposed activities, and this was instead the subject of UNGA Resolution 2995 (XXVII) 1972.

The full Report of the Conference together with the much more detailed Action Plan is found in UN Doc. A/CONF. 48/14/REV. 1 (1972). Reports of the Preparatory Committee relevant to the Declaration are in the series UN Doc. A/CONF. 48/PC 9, 13 and 17. The Final Report of the Working Group on the Declaration is in UN Doc. A/Conf. 48/14/Rev. 1/Annex II. On the Declaration see in particular L. B. Sohn, 'The Stockholm Declaration on the Human Environment', 14 *Harv. ILJ* (1973), 423, and generally, S. C. McCaffrey, G. Handl, H. Taubenfeld, 'Ten Years After Stockholm: International Environmental Law: A Panel', 77 *Proc. ASIL* (1983), 411;

L. K. Caldwell, *International Environmental Policy* (2nd edn., Durham, N.C., 1990), Chs. 2 and 3; P. W. Birnie and A. E. Boyle, *International Law and the Environment* (Oxford, 1992) 39ff.

TEXT

The United Nations Conference on the Human Environment,

Having met at Stockholm from 5 to 16 June 1972,

Having considered the need for a common outlook and for common principles to inspire and guide the peoples of the world in the preservation and enhancement of the human environment,

I

Proclaim that:

1. Man is both creature and moulder of his environment, which gives him physical sustenance and affords him the opportunity for intellectual, moral, social and spiritual growth. In the long and tortuous evolution of the human race on this planet a stage has been reached when, through the rapid acceleration of science and technology, man has acquired the power to transform his environment in countless ways and on an unprecedented scale. Both aspects of man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights—even the right to life itself.

2. The protection and improvement of the human environment is a major issue which affects the well-being of peoples and economic development throughout the world; it is the urgent desire of the peoples of the whole world and the duty of all Governments.

3. Man has constantly to sum up experience and go on discovering, inventing, creating and advancing. In our time, man's capability to transform his surroundings, if used wisely, can bring to all peoples the benefits of development and the opportunity to enhance the quality of life. Wrongly or heedlessly applied, the same power can do incalculable harm to human beings and the human environment. We see around us growing evidence of man-made harm in many regions of the earth: dangerous levels of pollution in water, air, earth and living beings; major and undesirable disturbances to the ecological balance of the biosphere; destruction and depletion of irreplaceable resources; and gross deficiencies harmful to the physical, mental and social health of man, in the man-made environment, particularly in the living and working environment.

4. In the developing countries most of the environmental problems are caused by under-development. Millions continue to live far below

the minimum levels required for a decent human existence, deprived of adequate food and clothing, shelter and education, health and sanitation. Therefore, the developing countries must direct their efforts to development, bearing in mind their priorities and the need to safeguard and improve the environment. For the same purpose, the industrialized countries should make efforts to reduce the gap between themselves and the developing countries. In the industrialized countries, environmental problems are generally related to industrialization and technological development.

5. The natural growth of population continuously presents problems on the preservation of the environment, and adequate policies and measures should be adopted, as appropriate, to face these problems. Of all things in the world, people are the most precious. It is the people that propel social progress, create social wealth, develop science and technology and, through their hard work, continuously transform the human environment. Along with social progress and the advance of production, science and technology, the capability of man to improve the environment increases with each passing day.

6. A point has been reached in history when we must shape our actions throughout the world with a more prudent care for their environmental consequences. Through ignorance or indifference we can do massive and irreversible harm to the earthly environment on which our life and well-being depend. Conversely, through fuller knowledge and wiser action, we can achieve for ourselves and our posterity a better life in an environment more in keeping with human needs and hopes. There are broad vistas for the enhancement of environmental quality and the creation of a good life. What is needed is an enthusiastic but calm state of mind and intense but orderly work. For the purpose of attaining freedom in the world of nature, man must use knowledge to build, in collaboration with nature, a better environment. To defend and improve the human environment for present and future generations has become an imperative goal for mankind—a goal to be pursued together with, and in harmony with, the established and fundamental goals of peace and of world-wide economic and social development.

7. To achieve this environmental goal will demand the acceptance of responsibility by citizens and communities and by enterprises and institutions at every level, all sharing equitably in common efforts. Individuals in all walks of life as well as organizations in many fields, by their values and the sum of their actions will shape the world environment of the future. Local and national governments will bear the greatest burden for large-scale environmental policy and action within their jurisdictions. International co-operation is also needed in order to raise resources to support the developing countries in carrying out their responsibilities in this field. A growing class of environmental problems, because they are regional or

global in extent or because they affect the common international realm, will require extensive co-operation among nations and action by international organizations in the common interest. The Conference calls upon Governments and peoples to exert common efforts for the preservation and improvement of the human environment, for the benefit of all the people and for their posterity.

II Principles

States the common conviction that:

Principle 1

Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations. In this respect, policies promoting or perpetuating *apartheid*, racial segregation, discrimination, colonial and other forms of oppression and foreign domination stand condemned and must be eliminated.

Principle 2

The natural resources of the earth including the air, water, land, flora and fauna and especially representative samples of natural ecosystems must be safeguarded for the benefit of present and future generations through careful planning or management, as appropriate.

Principle 3

The capacity of the earth to produce vital renewable resources must be maintained and, wherever practicable, restored or improved.

Principle 4

Man has a special responsibility to safeguard and wisely manage the heritage of wildlife and its habitat which are now gravely imperilled by a combination of adverse factors. Nature conservation including wildlife must therefore receive importance in planning for economic development.

Principle 5

The non-renewable resources of the earth must be employed in such a way as to guard against the danger of their future exhaustion and to ensure that benefits from such employment are shared by all mankind.

Principle 6

The discharge of toxic substances or of other substances and the release of heat, in such quantities or concentrations as to exceed the capacity of the environment to render them harmless, must be halted in order to ensure that serious or irreversible damage is not inflicted upon ecosystems. The just struggle of the peoples of all countries against pollution should be supported.

Principle 7

States shall take all possible steps to prevent pollution of the seas by substances that are liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

Principle 8

Economic and social development is essential for ensuring a favourable living and working environment for man and for creating conditions on earth that are necessary for the improvement of the quality of life.

Principle 9

Environmental deficiencies generated by the conditions of underdevelopment and natural disasters pose grave problems and can best be remedied by accelerated development through the transfer of substantial quantities of financial and technological assistance as a supplement to the domestic effort of the developing countries and such timely assistance as may be required.

Principle 10

For the developing countries, stability of prices and adequate earnings for primary commodities and raw material are essential to environmental management since economic factors as well as ecological processes must be taken into account.

Principle 11

The environmental policies of all States should enhance and not adversely affect the present or future development potential of developing countries, nor should they hamper the attainment of better living conditions for all, and appropriate steps should be taken by States and international organizations with a view to reaching agreement on meeting the possible national and international economic consequences resulting from the application of environmental measures.

Principle 12

Resources should be made available to preserve and improve the environment, taking into account the circumstances and particular requirements of developing countries and any costs which may emanate from their incorporating environmental safeguards into their development planning and the need for making available to them, upon their request, additional international technical and financial assistance for this purpose.

Principle 13

In order to achieve a more rational management of resources and thus to improve the environment, States should adopt an integrated and co-ordinated approach to their development planning so as to ensure that development is compatible with the need to protect and improve the human environment for the benefit of their population.

Principle 14

Rational planning constitutes an essential tool for reconciling any conflict between the needs of development and the need to protect and improve the environment.

Principle 15

Planning must be applied to human settlements and urbanization with a view to avoiding adverse effects on the environment and obtaining maximum social, economic and environmental benefits for all. In this respect projects which are designed for colonialist and racist domination must be abandoned.

Principle 16

Demographic policies, which are without prejudice to basic human rights and which are deemed appropriate by Governments concerned, should be applied in those regions where the rate of population growth or excessive population concentrations are likely to have adverse effects on the environment or development, or where low population density may prevent improvement of the human environment and impede development.

Principle 17

Appropriate national institutions must be entrusted with the task of planning, managing or controlling the environmental resources of States with the view to enhancing environmental quality.

Principle 18

Science and technology, as part of their contribution to economic

and social development, must be applied to the identification, avoidance and control of environmental risks and the solution of environmental problems and for the common good of mankind.

Principle 19

Education in environmental matters, for the younger generation as well as adults, giving due consideration to the underprivileged, is essential in order to broaden the basis for an enlightened opinion and responsible conduct by individuals, enterprises and communities in protecting and improving the environment in its full human dimension. It is also essential that mass media of communications avoid contributing to the deterioration of the environment, but, on the contrary, disseminate information of an educational nature, on the need to protect and improve the environment in order to enable man to develop in every respect.



Principle 20

Scientific research and development in the context of environmental problems, both national and multinational, must be promoted in all countries, especially the developing countries. In this connexion, the free flow of up-to-date scientific information and transfer of experience must be supported and assisted, to facilitate the solution of environmental problems; environmental technologies should be made available to developing countries on terms which would encourage their wide dissemination without constituting an economic burden on the developing countries.

Principle 21

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 22

States shall co-operate to develop further the international law regarding liability and compensation for the victims of pollution and other environmental damage caused by activities within the jurisdiction or control of such States to areas beyond their jurisdiction.

Principle 23

Without prejudice to such criteria as may be agreed upon by the international community, or to standards which will have to be determined nationally, it will be essential in all cases to consider the systems of values prevailing in each country, and the extent of the applicability of standards

which are valid for the most advanced countries but which may be inappropriate and of unwarranted social cost for the developing countries.

**Principle 24*

International matters concerning the protection and improvement of the environment should be handled in a co-operative spirit by all countries, big or small, on an equal footing. Co-operation through multilateral or bilateral arrangements or other appropriate means is essential to effectively control, prevent, reduce and eliminate adverse environmental effects resulting from activities conducted in all spheres, in such a way that due account is taken of the sovereignty and interests of all States.

Principle 25

States shall ensure that international organizations play a co-ordinated, efficient and dynamic role for the protection and improvement of the environment.

Principle 26

Man and his environment must be spared the effects of nuclear weapons and all other means of mass destruction. States must strive to reach prompt agreement, in the relevant international organs, on the elimination and complete destruction of such weapons.

Declaration of the UN Conference on Environment and Development,
Rio de Janeiro, 3–14 June 1992

Twenty years after the seminal Stockholm Conference, a second major UN conference, this time on environment *and* development, met at Rio in 1992 and adopted a Declaration on Environment and Development, a programme of action (Agenda 21), the Conventions on Biological Diversity (q.v.), and Climate Change (q.v.), and a Non-Binding Statement of Consensus on Forest Principles. UNGA Resolution 44/228 (1989), which convened the Conference, included within its mandate the further development of international environmental law and an examination of the feasibility of elaborating 'general rights and obligations of states, as appropriate, in the field of the environment, and taking into account existing legal instruments.' The text reproduced here was subsequently endorsed by the General Assembly in Resolution 47/190 (1992). Resolution 47/191 (1992) (q.v.), which establishes the Commission on Sustainable Development, requires it to promote incorporation of the principles of the Declaration in the implementation of Agenda 21. Resolution 48/190 (1993) also urges governments to promote dissemination of these principles in the public and private sectors and requests the Secretary-General to ensure that the UN system incorporates them in its 'programmes and processes'.

Like the Stockholm Declaration, the Rio Declaration is not formally binding, but its adoption by a consensus of 176 states, after a prolonged negotiating process, and its normative character, make it a particularly important example of the use of soft law instruments in the process of codification and development of international law. Although, in the preamble, the Stockholm Declaration is reaffirmed, in certain respects some of the earlier Stockholm Principles have been modified (Principle 21) or weakened (Principle 1). But the Rio Declaration also introduces important new principles, including precautionary action, environmental impact assessment, the polluter pays principle, and public participation, which had not previously secured such widespread support, but which have gradually become more widely evidenced in treaties and state practice. Moreover, the inclusion of principles dealing with notification of emergencies and prior notification and consultation in cases of transboundary risk reflect the development of customary law since 1972. The Declaration as a whole thus goes significantly beyond what could be achieved at Stockholm and can be seen in part as a codification of existing and emerging principles of international law concerning the environment. The document as finally drafted nevertheless represents a delicate balance between proposals from developed states for a more overtly ecological 'Earth Charter', affirming global principles for promoting the integration of environment and development, and the concerns of developing states that their developmental priorities and 'differentiated responsibility' should be recognised in a more anthropocentric document. On adoption of the Declaration the United States of America made an interpretative statement expressing reservations to Principles 3, 7, 12 and 23, UN Doc. A/CONF. 151/26, Vol. IV., para 16.

For *Reports of the Preparatory Committee*, see UN Doc. A/CONF. 151/PC/L. 31, Annex (1991); A/CONF. 151/PC/78 (1991); A/CONF. 151/PC/WG. III.2 (1991); A/CONF. 151/PC/WG III/L.5, L6, L8/Rev. 1 (1991), and L.20–L.28 (1992). For the text of the accompanying Agenda 21, see *Report of the UN Conference on Environment and Development*, UN Doc. A/CONF. 151/26/REV. 1, Vols. I–III (1992).

On the Declaration, see P. Sand, 'International Law on the Agenda of the UN

Conference on Environment and Development', 3 *Colorado J. of IELP* (1992) 1; *id.* 'UNCED and the Development of International Environmental Law', 3 *YBIEL* (1992) 3; H. Mann, 'The Rio Declaration', *Proc. ASIL* (1992) 405; and generally, G. Handl, 'Environmental Security and Global Change: The Challenge to International Law', 1 *YBIEL* (1990) 3; P. M. Dupuy, 'Soft Law and the International Law of the Environment', 12 *Mich. JIL* (1991) 420; S. Johnson (ed.), *The Earth Summit* (London, 1991); Sir G. Palmer, *New Ways to Make International Environmental Law*, 86 *AJIL* (1992) 259; M. Pallemaerts, in P. Sands (ed.), *The Greening of International Law* (London, 1994), Ch. 1; A. Adede, 'International Environmental Law from Stockholm to Rio—An Overview of Past Lessons and Future Challenges', 22 *EPL* (1992) 88; G. Biggs, H. Mann, and L. Kimball, 'Issues Relating to the 1992 Brazil Conference on the Environment', 86 *Proc. ASIL* (1992) 401; M. Jahnke, 'UNCED—Rio Conference on Environment and Development', 22 *EPL* (1992) 204; R. Panjabi, 'Idealism and Self Interest in International Environmental Law: The Rio Dilemma', 23 *Cal. WILJ* (1992) 177; various authors, 'United Nations Conference on Environment and Development', 4 *Col. JELP* (1993) 1–215.

TEXT

Preamble

*The United Nations Conference on Environment and Development,
Having met at Rio de Janeiro from 3 to 14 June 1992.*

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of cooperation among States, key sectors of societies and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3

The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

Principle 6

The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9

States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12

States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

Principle 13

States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16

National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

Principle 19

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

Principle 20

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22

Indigenous people and their communities, and other local communities,

have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23

The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24

Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25

Peace, development and environmental protection are interdependent and indivisible.

Principle 26

States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27

States and people shall cooperate in good faith and in a spirit of partnership in the fulfilment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

Chapter 28

LOCAL AUTHORITIES INITIATIVES IN SUPPORT OF AGENDA 21

PROGRAMME AREA

Basis for action

28.1. Because so many of the problems and solutions being addressed by Agenda 21 have their roots in local activities, the participation and cooperation of local authorities will be a determining factor in fulfilling its objectives. Local authorities construct, operate and maintain economic, social and environmental infrastructure, oversee planning processes, establish local environmental policies and regulations, and assist in implementing national and subnational environmental policies. As the level of governance closest to the people, they play a vital role in educating, mobilizing and responding to the public to promote sustainable development.

Objectives

28.2. The following objectives are proposed for this programme area:

- (a) By 1996, most local authorities in each country should have undertaken a consultative process with their populations and achieved a consensus on "a local Agenda 21" for the community;
- (b) By 1993, the international community should have initiated a consultative process aimed at increasing cooperation between local authorities;
- (c) By 1994, representatives of associations of cities and other local authorities should have increased levels of cooperation and coordination with the goal of enhancing the exchange of information and experience among local authorities;
- (d) All local authorities in each country should be encouraged to implement and monitor programmes which aim at ensuring that women and youth are represented in decision-making, planning and implementation processes.

Activities

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28.3. Each local authority should enter into a dialogue with its citizens, local organizations and private enterprises and adopt "a local Agenda 21". Through consultation and consensus-building, local authorities would learn from citizens and from local, civic, community, business and industrial organizations and acquire the information needed for formulating the best strategies. The process of consultation would increase household awareness of sustainable development issues. Local authority programmes, policies, laws and regulations to achieve Agenda 21 objectives would be assessed and modified, based on local programmes adopted. Strategies could also be used in supporting proposals for local, national, regional and international funding.

28.4. Partnerships should be fostered among relevant organs and organizations such as UNDP [U.N. Development Programme], the United Nations Centre for Human Settlements (Habitat) and the United Nations Environment Programme (UNEP), the World Bank, regional banks, the International Union of Local Authorities, the World Association of the Major Metropolises, Summit of Great Cities of the World, the United Towns Organization and other relevant partners, with a view to mobilizing increased international support for local authority programmes. An important goal would be to support, extend and improve existing institutions working in the field of local authority capacity-building and local environment management. For this purpose:

- (a) Habitat and other relevant organs and organizations of the United Nations system are called upon to strengthen services in collecting information on strategies of local authorities, in particular for those that need international support;
- (b) Periodic consultations involving both international partners and developing countries could review strategies and consider how such international support could best be mobilized. Such a sectoral consultation would complement concurrent country-focused consultations, such as those taking place in consultative groups and round tables.

28.5. Representatives of associations of local authorities are encouraged to establish processes to increase the exchange of information, experience and mutual technical assistance among local authorities.

Means of implementation

(a) *Financing and cost evaluation*

28.6 It is recommended that all parties reassess funding needs in this area. The Conference secretariat has estimated the average total annual cost (1993-2000) for strengthening international secretariat services for implementing the activities in this chapter to be about \$1 million on grant or concessional terms. These are indicative and order of magnitude estimates only and have not been reviewed by Governments.¹

(b) *Human resource development and capacity-building*

28.7 This programme should facilitate the capacity-building and training activities already contained in other chapters of Agenda 21.²

1 Draft paragraph 28.6 of A/CONF.151/4 (22 April 1992) was replaced by decision of the Main Committee of UNCED on 10 June 1992. See A/CONF.151/L.3/Add.28 (12 June 1992). The former draft read as follows: Financing for the first activity would be at the local level. In general, donors have not given high priority to funding for urban local authorities and the institutions that these local authorities have themselves established to provide them with training and support. International funding will play a catalytic role and be especially helpful in training, institution-building and in introducing new approaches to solving problems related to urban development and environment. In view of the projected increase in urban population and the increased proportion of income expected to be generated in urban communities, priority for funding urban programmes should be reassessed. Rather than estimate costs under this programme area the costs have been estimated in other parts of Agenda 21. UNDP and Habitat will need to be strengthened to provide secretariat services for the funding and information exchange functions. These costs are estimated at \$1/million annually.

2 Draft paragraph 28.7 of A/CONF.151/4 (22 April 1992) included brackets around the entire text of paragraph 28.7. The brackets were deleted by decision of the Main Committee of UNCED on 10 June 1992. See A/CONF.151/L.3/Add.28 (12 June 1992).

Topics for CTMUN '96

General Assembly

1. Chemical and Biological weapons
2. UN Budget and Finance Reform
3. Prevention of Ethnic Conflict
4. Organized Crime
5. Population Control

Economic and Social Committee

1. Human Rights of Indigenous Peoples
2. Intellectual Property Rights
3. Exploitation and Abuse of Women
4. Child and Family Health Care
5. Environmental Protection of Coastal Regions and Oceans

Security Council

1. Situation in Former Yugoslav Republics
2. Situation in Former Soviet Republics
3. Situation in Iraq/Rights of Iraqi Kurds
4. Rwanda/Burundi/Zaire
5. Open

International Court of Justice

Case 1: United States v. China
intellectual property rights

Case 2: Zaire v. Rwanda
human rights violations

Country Assignments '96

Westlake HS

Germany (4)
 Israel (1)
 Singapore (1)
 Sri Lanka (3)
 Chile (2)
 Sweden (1)
 Belgium (1)
 India (2)
 Vietnam (1)
 Oman (2)
Saudi Arabia (1)
 Algeria (2)
 Greece (2)

Travis HS

USA (4)
 Azerbaijan (1)
 Cuba (2)
 Egypt (2)
 Australia (2)
 Canada (2)
 Ireland (2)
 Papua New Guinea (1)
 Bosnia - Herzegovnia (1)
 Italy (3)
 Netherlands (2)
 Venezuela (2)
 Spain (1)

LBJ HS

Lebabon (1)
 Syrian Arab Republic (1)
 Indonesia (3)
 Macedonia (2)
 Costa Rica (2) Poland (2)
 Grenada (1)
 Iran (1)
 Zimbabwe (1)
 Pakistan (2)
 Romania (2)

Reagan HS

Finland (1) Colombia (2)
 Palestine (1) *observer status*
 France (4)
 Argentina (2)
 Croatia (1)

Lanier HS

Russian Federation (4)

Westwood HS
 Austria (1)
 China (4)
 Japan (3)
 Mexico (2)
 Nicaragua (1)
 Czech Republic (2)
 South Korea (2)

Austin HS

South Africa (2)
 Iraq (2)
 United Kingdom (4)
 Rwanda (2)
 Brazil (2)

Lake Travis HS

Albania (1)
 Latvia (1)

Johnston HS

Botswana (2)
 Libya (2)
 Denmark (2)
 Thailand (2)
 Nigeria (3)
 Honduras (2)
 Iceland (2)
 Kuwait (1)
 Guyana (2)
 Philippines (2)
 North Korea (1)
 Bahamas (2)
 Ukraine (2)

*This list is as of 12/1/95
 it is still not finalized*