

Working Paper

Research Unit Global Issues

Stiftung Wissenschaft und Politik
German Institute for International
and Security Affairs



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The Rio Earth Summit 1992 as locus classicus for postmodernity

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Working Paper FG 8, 2005/01, January 2005
SWP Berlin

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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: statistics show that their use in literature, science and rhetoric has basically started to become somewhat trendy only in the early Nineties.¹ 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.”*²

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.”*³

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 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...”⁴

Environmental problems can be categorized along three levels of appearance. *Local phenomena* are limited to the spatial dimension of states, e.g. emissions 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 unrest⁵.

¹ A detailed statistical examination of the issue is contained in Altvater, Elmar/ Mahnkopf, Birgit [1999]: Grenzen der Globalisierung, Münster. (p. 20-21)

² Schellnhuber, Hans-Joachim/ Biermann, Frank [2000]: Eine ökologische Weltordnungspolitik. Globales Umweltmanagement statt Untergangskultur/ In: Internationale Politik 12 (Dezember). (here p. 9)

³ See the website <www.imf.org>.

⁴ 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.

⁵ A detailed examination of the issue along with a number of case analysis is contained in Rechkemmer, Andreas [2000]: Environmental refugees and environ-

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.⁶ 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 land use and production patterns due to world market forces, the climate and energy dilemma - CO₂ emissions, the greenhouse effect - due to world wide industrialization processes and 'exported' unsound technologies, or unsustainable energy consumption triggered by enhanced global mobility. 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.⁷ The interrelatedness of such issues as mentioned above is as obvious as are the mutual linkages between the said levels of occurrence: the local, regional and global ones.⁸

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

mental migration. The very special case of desertification/ In: Gate 3/2000.

⁶ 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.

⁷ For further reference and empirical case studies, refer to Altvater, Elmar/ Mahnkopf, Birgit [1999], and Altvater, Elmar/ Mahnkopf, Birgit [2002]: Globalisierung der Unsicherheit. Münster.

⁸ Further recommended 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.

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.⁹

In his article *The Global Environmental Agenda: Origins and Prospects*, James Gustave Speth¹⁰ 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, con-
- version 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 silta-
- tion), 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

⁹ 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 article, 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: Kriebich, 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.

¹⁰ 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.)

- 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.¹¹ 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 ruins, ensuring that no world war would ever again break out was viewed as the most urgent task before the world community."*¹²

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.¹³ 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.¹⁴

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 between environment and

¹¹ See also Rechkemmer, Andreas [2003b], p. 74-75.

¹² Worldwatch Institute [1995]: Partnership for the Planet: An Environmental Agenda for the United Nations. Washington DC.

¹³ Keil, Imke [1994]: Die Umweltpolitik der Vereinten Nationen/ In: Hüfner, Klaus (ed.) [1994]: Die Reform der Vereinten Nationen. Opladen.

¹⁴ A comprehensive review of UNCHE is given in Keil, Imke [1994].

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.¹⁵

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 1990.¹⁶ 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.¹⁷ 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 contributions 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 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 commitments, apart from some of the aforementioned particular regimes, and without challenging the traditional sovereignty concept of the states involved. Ultimately, the break-through for global environmental governance came in the Eighties.¹⁸ Following an initiative by UNEP, the United Nations General Assembly in 1984 established the World Commission on Environment and Development (WCED), the so-called *Brundtland Commission*.¹⁹ Its members were independent experts who were supposed to come up with substantive proposals for enhanced exploration of the nexus environment-development. The commission's final report *Our common future*, or *Brundtland-Report*²⁰, 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."*²¹

¹⁸ 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.

¹⁹ This name followed the commission's chairwoman, the former Prime Minister of Norway, Mrs Gro Harlem Brundtland.

²⁰ World Commission on Environment and Development [1987]: *Our common future*. Oxford. *German Version: Hauff, Volker (ed.) [1987]: Unsere gemeinsame Zukunft. Weltkommission für Umwelt und Entwicklung. Greven.*

²¹ World Commission on Environment and Development

¹⁵ See op. cit., p. 82.

¹⁶ Thorough evaluations of most of the named regimes are contained in Gehring, Thomas/Oberthür, Sebastian (eds.) [1997a]: *Internationale Umweltregime: Umweltschutz durch Verhandlungen und Verträge*. Opladen.

¹⁷ See Keil, Imke [1994], p. 83.

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"²². For Udo E. Simonis, sustainable development thus deals with "two fundamental issues, i.e. inter-generational equity and comprehensive structural adjustment"²³. 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 World Conservation Union (IUCN), the World Wildlife Fund (WWF) and UNEP²⁴. 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 Stephan²⁵ says:

"Keine andere Leitvision für die Gestaltung der Weltgesellschaft hat in den vergangenen 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 interactive. The concept of sustainable development became the new paradigm for global environmental 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 principle 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 international agreements, in which genuine collective goals were identified and supposed to be tackled. Nation-states showed readiness to sacrifice national interests and traditional sovereignty considerations to a large extent for the desired benefit of global concerns. This phase reached its climax in the early Nineties and was reflected in a number of 'historical' addresses invoking a *new world order*²⁶. 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 generous 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 organization of the *United Nations Conference on Environment and Development* (UNCED), to 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

[1987], p. 8-9.

²² Op. cit.

²³ Simonis, Udo E. [1998a]: How to lead world society towards sustainable development? (WZB Policy Paper). Berlin. (here p. 1)

²⁴ IUCN/UNEP/WWF [1991]: World Conservation Strategy – Living Resource Conservation for Sustainable Development. Gland.

²⁵ Stephan, Petra [2002]: Nachhaltigkeit: ein semantisches Chamäleon. In: E+Z – Entwicklung und Zusammenarbeit 4/ April. (here p. 112)

²⁶ 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.

were supposed to bring about a worldwide change in awareness.²⁷

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.“²⁸ „International organizations are the traditional facilitators of collective action at the international and global level and provide a particularly interesting analytical lens for partnership arrangements. International organizations may perform a range of roles in a partnership context - enabler, facilitator, supporter, or active participant - and influence the shape, form, and function of the collaborative arrangements.“²⁹

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*³⁰:

„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 Nationalstaaten, Unternehmen sowie der Zivilgesellschaft eröffnen eine Möglichkeit, den Netzwerken der NROs und der Privatwirtschaft ein politisches Gegenüber anzubieten. 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 structures. Their tasks are the identification of certain problems that require collective regulation, global agenda setting, the implementation of taken decisions, the generation and collection of knowledge, the discussion and setting of standards, and creative negotiation processes.³¹ 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 negotiation processes, under UN aegis and yielding classical legal agreements or single regimes³², are still part and parcel of global

Netzen/ In: *Ökologisches Wirtschaften*, Vol. 3-4. (here p. 3)

³¹ Op. cit.

³² 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 expliziten Prinzipien, Normen, Regeln und Entscheidungsver-

²⁷ UNCED, its main objectives, contents and outcomes are discussed more thoroughly in the following subchapter.

²⁸ 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*. Washington DC, Berlin, p.9.

²⁹ Op. cit., p. 10.

³⁰ Streck, Charlotte [2001]: *Umweltpolitik in globalen*

environmental governance structures, as are the states as important, if not principal, actors among many others. Hans-Joachim Schellnhuber and Frank Biermann³³ 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.“³⁴

An idealtyp 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.³⁵ 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 legitimacy for the same. In their article *The Role of NGOs and Civil Society in Global Environmental Governance*, Barbara Gemmill and Bimbola Bamidele-Izu³⁶ 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.“³⁷

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 development 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.³⁸

Rounding up the definitory framework provided for the term in question, I would like to mention, last but not least, Richard Stewart, who writes³⁹:

„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 mechanisms for risk assessment and resolution of trade/environment controversies; and more focused and effective international environmental laws and institutions...“

fahren, an denen sich die Erwartungen von Akteuren in einem gegebenen Problemfeld der internationalen Beziehungen ausrichten“. (see p. 10)

³³ Schellnhuber, Hans-Joachim/ Biermann, Frank [2000], p. 10-11.

³⁴ Op. cit.

³⁵ 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].

³⁶ 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.

³⁷ Op. cit., p. 1.

³⁸ 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].

³⁹ Stewart, Richard [1999]: *Global Governance for Sustainable Development*/ In: *Progressive Governance for the XXI Century* (Conference Proceedings 20th and 21st November). Florence.

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 notions of global governance. In the following subchapter, UNCED will be discussed, and thus a first empirical approach to this field will be undertaken.⁴⁰

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.⁴¹ 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 interesting 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“⁴². 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 pays principle, prevention measures, poverty eradication, moderate population-growth policies, and the principle of North-South solidarity. Industrialized

⁴⁰ 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).

⁴¹ For broader exploration of UNCED and its preparatory phase, refer to Keil, Imke [1994].

⁴² Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) (ed.) [2002], (p. 5).

countries are supposed to assume particular responsibility as the world's major polluters. Furthermore, guidelines on how to sustainably steer national economics are part of the Declaration.⁴³

The second and most important and influential conference output is *Agenda 21*, which reflects a global consensus and political commitment 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 enthält...“⁴⁴, naming a huge amount of political guidelines of global concern and addressing all environmental issues known at the time – just sparing problems of the Antarctic circle.⁴⁵ 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 estimates.⁴⁶

Martin Jänicke calls the Agenda 21 a strategic steering model as a consequence of general reform tendencies in the public sector of developed countries, reflected in the concepts of 'public management'. The central aspects of this steering model are consensual target identification, integration of environmental concerns into the pollution pace sectors, participation, monitoring, and coordinated multi-level implementation from global to local.⁴⁷

„Der durch die Agenda 21 strukturierte „Rio-Prozess“ hat insgesamt eine beachtliche 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 Nachhaltigkeitsstrategie entwickelt... Der Ministerrat der OECD verabschiedete 2001 eine Nachhaltigkeitsstrategie 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.“⁴⁸

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 emissions – seconded by the Kyoto Protocol adopted in 1997. Secondly, the Convention on Biodiversity (CBD), which entered into force on 29 December 1993. Both were opened for signature at UNCED. The third Rio Convention, the 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 emissions. No commitments 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: emission rights trading through certificates, joint implementation of climate programmes between developed countries, and the Clean Development Mechanism (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

Prozesses“/ In: Altner, Günter et al. (eds.) [2003]: Jahrbuch Ökologie 2004. München. (here p. 34)

⁴⁸ Op. cit., p. 35.

⁴³ See Keil, Imke [1994], p. 86-88.

⁴⁴ Op. cit., p. 87.

⁴⁵ See Volger, Helmut [1998], p. 301.

⁴⁶ 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 Konferenz der Vereinten Nationen über Umwelt und Entwicklung (UNCED)/ In: Vereinte Nationen 40/4. (p. 118)

⁴⁷ Jänicke, Martin [2003b]: Reformbedürftig, doch alternativlos - das Steuerungsmodell des „Rio-

bilateral channels, transfer of sound technologies, capacity building, and the submission of periodical national communications containing detailed overviews on sources and sinks for greenhouse gas emissions along with national strategies for their reduction.⁴⁹ 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.⁵⁰ 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. 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.“⁵¹

⁴⁹ 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].

⁵⁰ 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].

⁵¹ Op. cit., p. 17.

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 progress 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.⁵² 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 than 165 countries met in New York to this end. The finally adopted document was called *Programme for the Implementation of Agenda 21*.⁵³

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

⁵² See op. cit.

⁵³ See op. cit., p. 17-18, and Merkel, Angela [1997]: Fünf Jahre nach Rio - Ergebnisse der VN-Sondergeneralversammlung/ In: Umwelt Nr. 9.

- *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.⁵⁴ 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.⁵⁵

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:

*„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.“*⁵⁶

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.⁵⁷ Imke Keil, for instance, criticizes that the calling for obligations was one-sidedly directed towards the Third World, while the North not really claimed its adequate responsibilities 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.⁵⁸

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 criticizes 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 plans but too many declarations and conventions without sharper enforcement mechanisms.⁵⁹

However, the question of whether or not Rio has been successful, or, more precisely, has truly 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

⁵⁴ See <www.developmentgoals.org>.

⁵⁵ Source: UNDP.

⁵⁶ Gesellschaft für technische Zusammenarbeit (GTZ) [2002]: Rio Konventionen: Vor einer neuen Dekade/ In: Akzente Spezial (Sonderausgabe), März, p. 10.

⁵⁷ See Keil, Imke [1994] and Unmüßig, Barbara [1992].

⁵⁸ See Keil, Imke [1994].

⁵⁹ See op. cit.

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 interstatehood: 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. 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. 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.

(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.⁶⁰ 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.⁶¹

(2) 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. Law is a primary tool in the socialization of the individual, providing an image of both factual and normative aspects. International law 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. We therefore can identify the *second phenomenon of postmodernity* at Rio with *the state community's readiness to sacrifice the concept of a*

⁶⁰ See 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.

⁶¹ More substance on global public goods and their constructing role for policy formulation and collective action in international politics can be found in Brunnengraber, 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).

dominium-like understanding of territoriality in environmental politics for the sake of yielded supremacy of a supranational process of legislation. This second phenomenon is of a truly legal nature, and may have been triggered by the insight of the inter-wovenness of global issues.⁶²

Rolf Kreibich states in this context⁶³:

“Wenn die UN-Konferenz für Umwelt und Entwicklung... etwas verdeutlicht hat, dann ist es die unauf lösbare 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.⁶⁴

(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, 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.⁶⁵

„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.”⁶⁶

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.⁶⁷ In

⁶² I recall to perceive the shift to postmodern paradigms as gradual and complementary, i.e. while basic elements of modernity remain valid – 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.

⁶³ 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)

⁶⁴ See Haas, Peter M./ Haas, Ernst B. [1993]: Learning to Learn. Some Thoughts on Improving Global Governance (lecture script). Geneva, 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).

⁶⁵ Refer to the foregoing sub-chapter on the elaborations on the Brundtland Commission and the concept of sustainable development.

⁶⁶ Dernbach, John/ Feldman, Ira [2003]: After Johannesburg: Sustainable Development Begins at Home. Washington. <www.sustainablecdc.org>

⁶⁷ See Stephan, Petra [2002], and Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ) [2002].

the aftermath of UNCED, a fourth 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.⁶⁸

(5) The strategic and structural downstream consequences of the aforementioned semantics, or conceptual achievements, mark the *fifth phenomenon of postmodernity*: the 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 for 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.⁶⁹ Another example for post-Westphalian institutional design is the already mentioned Global Environment Facility (GEF) – a multi-agency fund of a truly cross-sectoral nature.⁷⁰

(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.⁷¹

(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 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.⁷²

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.

⁶⁸ See Commission on Sustainable Development (CSD) [1996]: Indicators of sustainable development: Framework and methodologies. New York, NY.

⁶⁹ A detailed description of its organigramme and responsibilities 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.

⁷⁰ More on the GEF, within the given context, can be found in Streck, Charlotte [2001].

⁷¹ 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]: Globale Öffentliche Güter unter Privatisierungsdruck. Münster.

⁷² 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.