



Analytic Note of the Brazilian Forum of NGOs and Social Movements for the Environment and the Development (FBOMS) about the Consultation Process on International Environmental Governance in Latin America

1. Since 2006, The Brazilian Forum of NGOs and Social Movements for the Environment and the Development (FBOMS) has co-coordinated consultations together with Stakeholder Forum, the Northern Alliance for Sustainability (ANPED), the United Nations Non-Governmental Liaison Service (UN-NGLS) during intergovernmental events on the issue of international environmental governance and the UN reform in the areas of environment and development.

2. In Latin America, FBOMS, together with Vitae Civilis Institute for the Environment, Development and Peace, organized two consultations on international environmental governance. One national seminar took place in August 2007 in São Paulo with participants from Brazilian government and non-government organizations. A second, regional, consultation with participants from several Latin American countries, took place in Curitiba, Brazil. These events were supported by the United Nations Environment Program (UNEP), Brazil's Ministry of the Environment and ANPED.

3. In August 2007, FBOMS and the Vitae Civilis Institute launched a publication called "International Environmental Governance: Perspectives, scenarios and recommendations" in Portuguese, and in November 2007 published the English version.

4. The national and regional consultations were structured in the following way:

- Introduction of the participants
- Introduction to the theme
- Panel I: "Global governance in the XXI century and environmental governance"
- Presentation of the video "Governance: Our relationship with power"
- Panel II: "Years after the Summits of UN Rio-92 to Johannesburg-2002: The present and future of the institutions and multilateral regimes for environment and sustainable development"
- Panel III "The UN reform process and the environment: What is discussed it? Why?", followed by debates and working groups, as well as presentation of the discussions results and conclusions.

5. The Working Groups worked on the following themes:

1) *Multilateral Environmental Agreements (MEAs)*: What obstacles are relevant for governance and the implementation of the conventions and agreements? In which areas has progresses been made? What instruments should be strengthened to improve the coordination and the synergies between the conventions and the contribution of civil society in the implementation? How can the conventions be strengthened in face of the World Trade Organization rules?

2) *Environment in the global agenda and in the UN, WTO and Bretton Woods system*: How do the institutions for environmental governance work? What obstacles impede better internalization of the

environmental agenda in the institutions of the UN, WTO and Bretton Woods system? How can such obstacles be overcome?

3) *Local and global governance*: What measures can articulate and strengthen environmental governance on local and global level? How can financing for environmental governance be guaranteed? How can the participation of civil society in local and global environmental governance be strengthened?

6. The main recommendations of the consultations concern the following areas: The relationship between the UN system and the global trade regime; MEAs: Evaluation, monitoring and social control; Formation and mobilization; Reform of the UN system; Financing; The role of civil society; and organizational issues.

7. The main recommendations concerning the relationship between the UN system and the global trade regime are:

- To provide evidence of the socio-environmental impacts that result of the current trade agreements;
- To demonstrate that the development concept of the WTO and the Bretton Woods system does not incorporate environmental sustainability, but is instead an obstacle to the internalization of the environmental agenda;
- To create environmental safeguards within the WTO;
- To strengthen international environmental governance in face of the WTO.

The WTO should regulate international trade, respecting the multilateral environmental agreements, instead of simply liberalizing trade disrespecting the ecological limits. The WTO should not have the mandate to establish rules in areas such as environment and health in which other competent intergovernmental institutions exist. It is necessary to change the current consumption patterns, including industrial reconversion as a strategic element. Trade agreements should be submitted to labor and environmental agreements.

8. The main recommendations concerning MEAs are:

- To identify and classify in priorities the processes of environmental degradation and conservation, and to such ends, elaborate, carry out, make transparent, monitor and evaluate the plans that face such challenges;
- To highlight the political, economic, social and technological causes that cause environmental degradation;
- To use the principles of precaution and prevention to ensure environmental legislation is executed and to prevent it becoming overly malleable;
- To impose minimum environmental standards and produce information on the socio-environmental impacts of polluting activities;
- To create transparent mechanisms of social control and promote environmental education to prevent the dumping of products and “dirty” technologies and to allow the public monitoring about decisions;
- To investigate and evidence the asymmetry of capacities to implement agreements between developing and developed countries;
- To support NGOs and social movements in the processes of training, awareness raising and mobilization to monitor and evaluate the formation processes of environmental policies and regimes.

9. Regarding formation and mobilization, the main recommendations are:

- To educate society, and especially to support initiatives of civil society and public universities regarding local, national and global challenges of sustainability and environmental governance;

- To disseminate information about environmental and socially responsible consumption, highlighting the role of companies, of public authorities and of society in the promotion of this kind of consumption;
- To involve and educate media communicators about environmental challenges and MEAs and to disseminate information about these challenges through the media;
- To promote transformative education which encourages people to question the information published by the media and advertising campaigns about actions of all sectors of society;
- To publish the socio-environmental impacts of projects and enterprises of local development.

10. Regarding the reform of the UN system, the main recommendations are:

- To work towards better coordination of environmental policies, cutting across agencies throughout the whole UN system;
- To unify the coordination of environmental agreements and regimes;
- To request a major commitment to these agreements and regimes from international environmental governance institutions;
- To rationalize the resources used in the UN system, by unifying some secretariats, grouping similar environmental agreements and creating united missions. Furthermore, an unique system of reporting for the countries should be created, and conferences of agreements and conventions that deal with similar themes should be held simultaneously, leading to more efficiency and synergy in the execution of MEAs;
- To establish appropriate mechanisms for consultation and dispute settlement procedures regarding environmental dispute cases and guarantee effective mechanisms of participation of the organized civil society.

The UN should change its work focus towards sustainable development and integrate principles of sustainable development in all its policies and operational actions. The decisions of the UN should be democratic, obligatory and legally binding. The principle of common but differentiated responsibilities should be respected. The institutional discussion should not prevail on the discussion about content and substance.

11. UNEP should be strengthened to

- monitor the state of the environment;
- serve as forum for the formulation of global environmental policies;
- coordinate actions for the protection and sustainable use of natural resources on global level, promoting the integration of environmental aspects in sustainable development frameworks at the operational level;
- make available better scientific knowledge on environmental issues;
- ensure formulation, negotiation and, fundamentally, the execution of the agreements respecting the legal autonomy of the treaties and national sovereignties;
- create synergies among agreements;
- catalyze processes of capacity-building and technology transfer;
- and strengthen financing for environmental activities and sustainable development.

12. On financing, the main recommendations are:

- To guarantee sufficient and appropriate allocation of resources for environmental challenges in international and national agendas;
- To guarantee transparent and universal access to financial resources;
- To improve cooperation among UNEP, UNDP, the World Meteorological Organization, the GEF and the World Bank to facilitate the effective integration of environmental aspects into national development policies;
- To promote transfer of technology of industrialized to developing countries.

The countries of the Organization for the Cooperation and Economical Development should, according to assumed commitments, finally designate 0,7% of their Gross National Products for

Official Development Assistance (ODA). The developing countries should initiate discussion about the extinction of the GEF and the creation of a new financing fund for the environment, with democratic mechanisms of voting and participation, more transparency and social control. The principles of sustainable development should be integrated into all policies and operational actions of the multilateral financial institutions. The international organisms should finance the participation of civil society in the global mechanisms of environmental governance.

13. On the role of civil society, the main recommendations are:

- To recognize the role and effective contributions of civil society in international environmental governance;
- To strengthen technological, scientific, technical and human capacities of civil society;
- To enable access to national resources for the strengthening of civil society;
- To guarantee the tripartite (government, small and medium enterprises and civil society) engagement for the execution of actions and the use of mechanisms of direct participation in councils;
- To promote the implementation of Principle 10 of the Rio-92 Declaration ensuring the access to information and formation to environmental information, popular participation in environmental management and environmental justice;
- To facilitate the participation of civil society in environmental governance;
- To make public the strategies of civil society that have proven to be efficient for the strengthening of environmental governance;
- To strengthen the autonomous spaces of civil society;
- To democratize the debate on international environmental governance.

14. Other proposals and recommendations that refer to organizational subjects include:

- The establishment of a tribunal open to government and civil society participation in order to hear accusations, resolve conflicts and implement sanctions;
- The creation of a working group directly linked to the UN General Secretary for issues of the environment and sustainable development that could work in the way that the UN Commission of Human Rights does and could send rapporteurs to countries and work on the themes of the environmental agreements;
- Strengthening the regional networks and promoting the creation of a Regional Civil Society Forum for Sustainable Development in Latin America.

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