



**CANADA AND THE 2002 WORLD SUMMIT ON
SUSTAINABLE DEVELOPMENT**

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7 February 2003

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I think we have to be careful not to expect conferences like this to produce miracles. But we do expect conferences like this to generate political commitment, momentum and energy for the attainment of the goals. (United Nations Secretary-General Kofi Annan, Johannesburg Summit 2002)

This Summit will be remembered not for the treaties, the commitments, or the declarations it produced, but for the first stirrings of a new way of governing the global commons – the beginnings of a shift from the stiff formal waltz of traditional diplomacy to the jazzier dance of improvisational solution-oriented partnerships that may include non-government organizations, willing governments and other stakeholders. (Jonathan Lash, President, World Resources Institute)⁽¹⁾

INTRODUCTION

The World Summit on Sustainable Development (WSSD) took place in Johannesburg, South Africa, from 26 August to 4 September 2002, marking the 10th anniversary of the 1992 United Nations Conference on Environment and Development (UNCED; also known as the Rio Conference or the Earth Summit).⁽²⁾ The WSSD gathered 21,340 participants from 191 governments, inter-governmental and non-governmental organizations, the private sector, civil society, academia and the scientific community to discuss the global state of sustainable development,⁽³⁾ with particular emphasis on improving the implementation of the outcomes of UNCED. This paper summarizes the history of the Summit, its goals and its outcomes.

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- (1) World Resources Institute, News Release, “WRI expresses disappointment over many WSSD outcomes,” http://newsroom.wri.org/newsrelease_text.cfm?NewsReleaseID=135.
 - (2) For an overview of UNCED, see Stephanie Meakin, *The Rio Earth Summit: Summary of the United Nations Conference on Environment and Development*, BP-317E, Parliamentary Research Branch, Library of Parliament, November 1992.
 - (3) International Institute for Sustainable Development, *Earth Negotiations Bulletin*, Vol. 22, No. 51, 6 September 2002, <http://www.iisd.ca/linkages/2002/wssd/>.

HISTORY AND LEAD-UP TO THE SUMMIT

The WSSD is often referred to as “Rio+10,” in that it was a follow-up to the 1992 Rio Conference. It could have also been named Stockholm+30, since it marked the 30th anniversary of the 1972 United Nations Conference on the Human Environment (UNCHE).⁽⁴⁾ The Stockholm Conference raised considerable awareness about the global environment, a topic that had formerly been given little attention, and it secured a permanent place for the environment on the world’s agenda, leading in particular to the establishment of the United Nations Environment Programme (UNEP).

Another important development occurred in 1987 with the publication of *Our Common Future*, the report of the United Nations World Commission on Environment and Development (WCED).⁽⁵⁾ This report was notable for the introduction of the term “sustainable development,” which it defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”⁽⁶⁾ In 1992, the Rio Conference not only drew attention to global environmental problems but also initiated the integration of the term “sustainable development” into government policies through its Declaration and Agenda 21, a framework for implementing sustainable development.

The Summit at Johannesburg did not involve the same level of expectation as occurred in the build-up to the Rio Conference. There was general recognition that the targets set 10 years previously had not been reached in many areas, and that attempts to promote human development and to reverse environmental degradation had not, in general, been effective over the last decade.⁽⁷⁾ Despite this, preparation continued through four Summit Preparatory Committees. The final one, held in Bali, Indonesia, from 27 May to 7 June 2002, produced a rough draft of a final document for WSSD that was about three-quarters finished, though it left many contentious issues unresolved.

(4) UNCHE was held in Stockholm, Sweden, in 1972. It was attended by 113 delegates and two heads of state (Olaf Palme of Sweden and Indira Gandhi of India).

(5) Also known as the Brundtland report, named after its author, then Norwegian Prime Minister Gro Harlem Brundtland, chairperson of the WCED.

(6) Although this is now a textbook definition, debate continues regarding its interpretation; some consider it too vague to be of practical use, while others see it as simply the juxtaposition of incompatible terms.

(7) Report of the Secretary General to the United Nations, *Implementing Agenda 21*, 20 December 2001.

The aim of both governments and civil society⁽⁸⁾ was to develop a working consensus among competing visions of sustainable development and ways to attain it.⁽⁹⁾ This was a difficult task for a mega-summit such as the WSSD that brought together 191 governments, each with an agenda, some of which inevitably conflicted. Another layer of complexity was added following the attacks of 11 September 2001, which drew the focus of world attention to security issues.

Each country was asked to prepare a national report, outlining its own progress on sustainable development and in implementing the outcomes of the Rio Conference, and to present it to the Secretary-General.⁽¹⁰⁾

IMPLEMENTING RIO IN CANADA

The Rio Conference (UNCED) was notable for the international agreements that it produced. Governments agreed to texts that were intended to guide the implementation of sustainable development and tackle global problems of loss of biodiversity, climate change, desertification, and bad forestry practices. The following is a list of these documents.

- Agenda 21 – a broad, 40-chapter statement of goals and potential programs related to sustainable development;
- The Rio Declaration – a brief statement of principles on sustainable development;
- The Convention on Biological Diversity – a binding international agreement aimed at strengthening national control and preservation of biological resources;

(8) Civil Society Organizations (CSOs) are non-state associations whose main aims are neither to generate profits nor to seek governing power. Rather, they seek to unite people to advance shared interests and agendas, whether short-term and local or enduring and universal. CSOs are extraordinarily diverse, reflecting the societies in which they are rooted; they include environmental groups, think-tanks, trade unions, religious congregations, grassroots and indigenous movements, and sports clubs. Many networks, coalitions and alliances are formed to achieve common objectives, reflecting considerable overlap among CSOs' areas of engagement, and their growing role in building social awareness and consensus. (Description is based on that provided by the United Nations Development Programme at: <http://www.undp.org/csopp/CSO/NewFiles/faqs.htm>.)

(9) R. Hamann *et al.*, “Competing Visions and Conflicting Priorities: A Southern African Perspective on the World Summit,” *Environment*, Vol. 3, No. 6, 2002, pp. 8-21.

(10) The reports are available at the following Web site:
http://www.johannesburgsummit.org/html/prep_process/national.html.

- The Framework Convention on Climate Change – a binding international agreement that seeks to limit or reduce emissions of gases, mainly carbon dioxide and methane, associated with the potential for global warming. Although negotiated through a separate process, the Framework Convention is often viewed as one of the UNCED agreements;
- The Statement of Forest Principles – a non-binding agreement on development, preservation, and management of the Earth’s remaining forests;
- Delegates to the Summit also recommended the establishment of an intergovernmental negotiating committee for the elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification, particularly in Africa (INCD). The Convention to Combat Desertification was adopted on 17 June 1994.

A. Canada and the Framework Convention on Climate Change

In 1992, Canada signed and ratified the United Nations Framework Convention on Climate Change (FCCC). The FCCC came into force in 1994, legally binding all countries, including Canada, to their commitments. The Convention’s overall objective was to stabilize greenhouse gas (GHG) concentrations in the atmosphere at a level that would prevent dangerous anthropogenic (human-induced) interference with the climate system.

The unofficial objective for Annex I parties (primarily developed and Eastern European countries) was to reduce their GHG emissions to 1990 levels by 2000, a target that was missed by all industrialized countries. To date, eight follow-up meetings, entitled Conferences of the Parties, have been held to assess progress and work out details of the FCCC and its Protocol.

The Kyoto Protocol, an agreement with binding emission reduction targets, was adopted by Canada and 160 other countries in 1997, at the Third Conference of the Parties (CoP 3). Once the Kyoto Protocol comes into force,⁽¹¹⁾ Annex I parties that have ratified the Protocol will be legally bound to their GHG emission obligations. Canada has made a commitment to reduce emissions of certain GHGs to 6% below 1990 levels in the 2008-2012 commitment period.

(11) At the time of writing, ratification by the Russian Federation would be sufficient to fulfil the requirements for the Protocol’s entry into force.

In 2000, Canada's total GHG emissions were almost 20% above 1990 levels.⁽¹²⁾ Total emissions from fuel combustion were up 23%, with the transportation sector up by 25% and the energy industries sector by 33%. The Kyoto target is now thought to represent an overall decrease of GHG emissions of 30% below the "business as usual" scenario for the target period – a challenging task for a country with an energy-intensive economy.

In response to its Kyoto commitments, Canada produced a National Implementation Strategy, to which all federal and provincial ministers of energy and environment, with the exception of Ontario, agreed in October 2000. Also in October 2000, a [Business Plan](#) associated with the Strategy, and an [Action Plan](#) describing specific measures planned to achieve one-third of Canada's commitment, were released. Full implementation of the Strategy was to depend on international ratification of the Kyoto Protocol, the actions of trading partners, and the clarity of domestic policy. To date, the Canadian government has announced over \$1 billion worth of commitments over the next five years to help achieve GHG reductions. In 2002, the Prime Minister announced at the WSSD that Parliament would vote on ratification before the end of the year. Subsequent to this announcement, the government produced a climate change plan that outlined general policy measures and some analysis of the costs of achieving the targets. Parliament debated and approved ratification in December 2002; Prime Minister Chrétien then signed the ratification document, which was delivered to the United Nations on 17 December 2002.

To ease the impact on economies and to provide incentives for technology transfer to developing countries, the Protocol included a series of mechanisms that countries may use in meeting their commitments. Some of these have been the subject of considerable controversy, including the clean development mechanisms, international emissions trading, joint implementation, and carbon sinks. Canada has successfully negotiated the capacity to offset 44 megatonnes⁽¹³⁾ (Mt) of carbon dioxide against forest sinks. Canada plans to use 38 Mt of forest and agricultural sinks as credit against the projected 240 Mt deficit predicted for the target

(12) United Nations Framework Convention on Climate Change database,
<http://ghg.unfccc.int/default1.htm?time=09%3A36%3A40+PM>.

(13) A megatonne is a million metric tonnes, with a metric tonne being 1,000 kilograms.

period.⁽¹⁴⁾ Canada would also like to receive recognition for 70 Mt of emissions that it believes are avoided by its export of cleaner energy sources such as natural gas and hydroelectricity.⁽¹⁵⁾

B. Canada and the Convention on Biological Diversity

The Convention on Biological Diversity is another key document stemming from the 1992 Rio Summit. Its goals are the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising from the utilization of genetic resources.

In 1995, the Canadian government released its Biodiversity Strategy as a response to the Convention. The Strategy's five goals were to:

- conserve biodiversity and use biological resources in a sustainable manner;
- improve our understanding of ecosystems and increase our resource management capability;
- promote an understanding of the need to conserve biodiversity and use biological resources in a sustainable manner;
- maintain or develop incentives and legislation that support the conservation of biodiversity and the sustainable use of biological resources; and
- work with other countries to conserve biodiversity, use biological resources in a sustainable manner and share equitably the benefits that arise from the utilization of genetic resources.

Implementation mechanisms were intended to vary among jurisdictions. In many instances, the directions outlined in the Strategy were to be implemented through existing policies, strategies and plans. In other cases, new mechanisms would have to be established. The Strategy also acknowledged that coordination would be required to promote the effective implementation of the Strategy's national and international elements.

In its second report to the Convention,⁽¹⁶⁾ issued in January 2002, the government concluded generally that biodiversity issues are a high priority but that programs are limited in their effectiveness as a result of low funding.

(14) The "business as usual" projection for the target period was estimated in 2002 as 809 Mt; the target is 571 Mt, yielding a deficit of some 240 Mt.

(15) For more information on the Kyoto Protocol, see Tim Williams, *The Kyoto Protocol and the Basics of Climate Change*, PRB 02-20E, Parliamentary Research Branch, Library of Parliament, October 2002.

(16) Canada submitted its first national report to the Convention in 1998.

1. Species at Risk

Given that protection of species at risk involves shared jurisdiction, one of the key elements required for implementing the Strategy was to gain consensus on a common approach to preserving biodiversity. To this end, the *Accord for the Protection of Species at Risk* was developed in 1995, and agreed to in principle by all territories and provinces in October 1996. The Accord outlined commitments to designate species at risk, protect their habitats and develop recovery plans. By endorsing its terms, governments acknowledged that no single jurisdiction could effectively protect species at risk. Governments agreed to develop complementary legislation, regulations, policies and programs to identify and protect threatened and endangered species and their critical habitats.

Under the Accord, federal, provincial and territorial governments agreed to coordinate activities by creating the Canadian Endangered Species Conservation Council. The Council is made up of federal ministers of environment, fisheries and oceans, and heritage, as well as the provincial and territorial ministers with responsibilities for wildlife.

The Council's mandate is to provide national leadership for the protection of species at risk. It has specific responsibilities for identifying and recovering species at risk and coordinating action among all parties. It also serves as a forum for resolving any disputes that may arise out of the Accord's implementation.

One of the key requirements of the Convention is Article 8(k), which requires parties to develop or maintain necessary legislation and/or other regulatory provisions for the protection of threatened species and populations. Passing such legislation has proven difficult for the Canadian government. Three times since 1996, the government tabled legislation only to see it die on the *Order Paper*. Bill C-5, the *Species at Risk Act* (SARA), finally received Royal Assent on 12 December 2002. Key features of the Act are that it:

- creates a legislative base for the scientific body that assesses the status of species at risk in Canada;
- prohibits the killing of extirpated, endangered or threatened species and the destruction of their residences;
- provides authority to prohibit the destruction of the critical habitat of a listed wildlife species anywhere in Canada;

- leads to automatic recovery planning and action plans through the listing of species at risk;
- provides emergency authority to protect species in imminent danger, including emergency authority to prohibit the destruction of the critical habitat of such species;
- makes available funding and incentives for stewardship and conservation action; and
- enables the payment of compensation where it is determined to be necessary.

Budget 2000 contained a Government of Canada commitment of \$180 million for the National Strategy for the Protection of Species at Risk, of which \$45 million has been committed to the Habitat Stewardship Program over five years. Currently, seven Canadian provinces – Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, and Newfoundland and Labrador – have specific legislation to protect species at risk. Some other provinces have amended existing legislation to deal specifically with endangered species.⁽¹⁷⁾

2. Parks and Protected Areas

The protection of species at risk, while important, can be regarded as the hospital system of a health care strategy for wildlife. Another important aspect of such a strategy is prevention. Article 8(a) of the Convention on Biological Diversity states that each contracting party shall, as far as possible and as appropriate, establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity. The Canadian Biodiversity Strategy sets out eight strategic directions related to the establishment and management of protected areas. Despite this commitment, the relative priority and availability of resources for site-specific conservation varies greatly between jurisdictions. The federal government supports such conservation through a variety of budget mechanisms. However, the establishment of new marine and terrestrial parks and maintenance of Canada's existing national parks is limited by lack of sufficient human and financial resources.⁽¹⁸⁾

(17) Environment Canada, *Endangered Species in Canada*, Canadian Wildlife Service, Ottawa, 15 May 2002, http://www.cws-scf.ec.gc.ca/hww-fap/hww-fap.cfm?ID_species=84&lang=e.

(18) *Canada's Second National Report to the Convention on Biological Diversity*, Environment Canada, Ottawa, 2002, available at http://www.cbib.ec.gc.ca/default_e.cfm.

In October 2002, Prime Minister Jean Chrétien and Canadian Heritage Minister Sheila Copps announced an action plan to substantially complete Canada's system of national parks. The plan will create 10 new parks and five new national marine conservation areas (NMCAs). NMCAs are marine areas managed for sustainable use and containing smaller zones of high protection. They include the seabed, the water above it and any species that occur there. They may also take in wetlands, estuaries, islands and other coastal lands. Formerly called national marine parks, they consist of protected zones surrounded by cooperatively managed multiple-use areas where activities such as commercial fishing and shipping would be appropriate. The guiding principle is ecologically sustainable use. Waste disposal, mining, and oil and gas exploration and exploitation are prohibited throughout these areas. The long-term goal is to represent each of Canada's 29 marine regions (situated within the Atlantic, Pacific and Arctic oceans, as well as within the Great Lakes) with at least one NMCA.

The plan to establish 10 new national parks in the next five years should substantially complete the National Parks System. Completion of the system is guided by the National Parks System Plan, which aims to represent each of Canada's 39 natural regions with at least one national park. The National Parks System Plan focuses on protecting a diversity of natural landscapes for the benefit of present and future generations. Its first priority is maintenance of ecological health.

3. The Cartagena Protocol on Biosafety

On 29 January 2000, the Conference of the Parties to the Convention on Biological Diversity adopted a supplementary agreement to the Convention known as the Cartagena Protocol on Biosafety. The Protocol seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. It establishes an advance informed agreement (AIA) procedure for ensuring that countries are provided with the information necessary to make informed decisions before they agree to the import of such organisms into their territory. The Protocol makes reference to a precautionary approach and reaffirms the precaution language in Principle 15 of the Rio Declaration on Environment and Development. The Protocol also established an electronic Biosafety Clearing-House⁽¹⁹⁾ to facilitate the exchange of information on living modified organisms and to assist countries in implementing the Protocol.

(19) The Clearing-House is currently in its pilot phase at <http://bch.biodiv.org/Pilot/Home.asp>.

Canada signed the Protocol on 1 April 2002 but has yet to ratify it. Canada is currently undertaking an analysis of the regulatory and administrative changes that will be required in order to implement the Biosafety Protocol. A National Focal Point for the Cartagena Protocol has been established.⁽²⁰⁾ Measures related to the control of living modified organisms resulting from biotechnology are in place through the Plant Biosafety Office of the Canadian Food Inspection Agency. Initiatives are still largely restricted to an understanding of potential threats at the local level.⁽²¹⁾

C. Canada and the Non-binding Rio Agreements

The 1998 *Report of the Commissioner of the Environment and Sustainable Development* discussed the importance of non-binding instruments and their benefits. They were described as a type of precautionary approach, with a formative process that is not as lengthy and where there are no time delays that defer their coming into force. Non-binding commitments can carry a moral and political authority that may affect state behaviour through the pressure of “international public opinion” as strongly as if they were legal in nature, and states often incorporate principles and concepts derived from non-binding instruments into their domestic laws and policies.⁽²²⁾ The Statement of Guiding Principles on Forests is one such non-binding instrument.

1. Statement of Guiding Principles on Forests

At UNCED, the issues surrounding forestry were among the most controversial, polarizing developing and developed countries. Intense negotiations among governments at UNCED resulted in the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forests, also known as the “Forest Principles,” as well as Chapter 11 of Agenda 21, “Combating Deforestation.”

(20) A National Focal Point is an office through which information flows in and out of a country, and is a requirement of the Protocol.

(21) *Canada's Second National Report to the Convention on Biological Diversity* (2002), p. 31.

(22) Brian Emmett, “Working Globally – Canada’s International Environmental Commitments,” Ch. 2 of the *1998 Report of the Commissioner of the Environment and Sustainable Development*, Ottawa, 1998, p. 2-12.

Throughout the decade since UNCED, the main forestry focus within the United Nations has been to develop coherent policies to promote the management, conservation and sustainable development of all types of forests. The Intergovernmental Panel on Forests (IPF) from 1995 to 1997, and the Intergovernmental Forum on Forests (IFF) from 1997 to 2000, both under the auspices of the United Nations Commission on Sustainable Development, were the main intergovernmental fora for international forest policy development. The IPF and IFF examined a wide range of forest-related topics over a five-year period. The key outcomes were presented in their final reports, IPF4 and IFF4. These reports contained more than 270 proposals for action in support of sustainable forest management, and are considered collectively as the IPF/IFF Proposals for Action. Although the proposals are not legally binding, participants in these processes are considered to be under a political obligation to act on the agreed proposals; each country is expected to conduct a systematic national assessment of the proposals and to plan for their implementation. The UN Forum on Forests was established in the year 2000, as part of a new international arrangement on forests, to carry on the work of building on the IPF and IFF processes.⁽²³⁾

In Canada, in the mid-1980s, the newly formed Canadian Council of Forest Ministers (CCFM) held public fora on the situation of forests and the future of the forest sector, culminating in a National Forest Congress in 1986. The results provided the basis for *A National Forest Sector Strategy* in 1987, produced under the direction of the CCFM. It constituted Canada's first truly national and comprehensive statement of strategic concerns and objectives on this subject.

The first strategy reflected a primary concern with sustaining timber yields. The CCFM set out in 1990 to achieve consensus on much broader directions for forest management. New directions considered the forest ecosystem as well as social, cultural and economic values, as expressed by the Brundtland Commission (the United Nations WCED). Through a consultative process the 1992 national forest strategy, *Sustainable Forests: A Canadian Commitment*, was developed just prior to UNCED. The strategy was a key element in Canadian representations at UNCED, and afterwards in addressing all relevant forest-related commitments stemming from the conference.⁽²⁴⁾

(23) UN Forum on Forests, "About UNFF: History and Milestones of Global Forest Policy," <http://www.un.org/esa/forests/about-history.html>.

(24) *National Forest Strategy 1998-2003 – Sustainable Forests: A Canadian Commitment*, http://nfsc.forest.ca/strategy4.html#pre_e.

Nine strategic directions were set out in the 1992 National Forest Strategy:

1. Forest ecosystems: multiple values
2. Forest management: practising stewardship
3. Public participation
4. The forest industry: a global competitor
5. A team approach to forest science and technology management
6. Communities and the workforce: living with change
7. Aboriginal peoples: issues of relationship
8. Private woodlots
9. The global view

The partners to the 1992 strategy defined a total of 96 commitments to action. A few highlights of achievement, as listed in the introduction to the 1998-2003 National Forest Strategy, include the following:

- Eleven model forests involving more than 250 organizations have been established as working models of sustainable forest management. Canada has also led the development of an international network of model forests, now numbering eight in four countries.
- Most provinces now require forest companies to consider, before they harvest on Crown lands, all foreseeable impacts from their activities and to minimize any adverse effects on soil, wildlife and even climate.
- Codes of practice that support sustainable forest management have been or are being adopted by governments, industries, labour and professional organizations.
- Education and research institutions and forest managers have shifted focus to apply the principles of sustainable forestry and to develop ecological and adaptive management methods.
- More financial resources are being dedicated as a matter of priority to environmentally sound forestry technologies.
- Internationally, Canada is recognized as a leader in sustainable forest management.

Though Canada may claim some successes in this field, there have also been some setbacks. In particular, cutbacks to the Canadian Forest Service have affected Canada's

capacity to apply the best available science to forest management, a factor in its international reputation.⁽²⁵⁾

The Statement on Guiding Principles of Forests has perhaps not garnered as much world attention as the legislation emerging from Rio, because it is a non-binding instrument. Canada has also been promoting a legally binding forest convention as “the only effective means of encouraging countries to fully and urgently implement [sustainable forest management] so as to meet the challenges that continue to plague the world’s forests.”⁽²⁶⁾ Environmentalists, however, feel that Canada is attempting to legitimize its status quo forest practices, which are not considered sound or sustainable by all.⁽²⁷⁾

2. Agenda 21 and Rio Principles

In 1992, Canada and 175 other nations adopted Agenda 21 and the notion of sustainable development. Agenda 21 was further supported by the Rio Declaration on Environment and Development, a list of 27 guiding principles stating, in part, that:

- environmental protection shall constitute an integral part of development;
- states shall conserve, protect and restore the health and integrity of the earth’s ecosystem;
- they shall enact effective environmental legislation;
- the precautionary approach shall be widely applied;
- states should endeavour to promote the internalization of environmental costs and the use of economic instruments; and
- national environmental impact assessment shall be undertaken.

In 1995, Canada saw a significant institutional change regarding sustainable development: Parliament amended the *Auditor General Act* to require that each federal department prepare a sustainable development strategy. The strategy would outline the department’s concrete goals and action plans for integrating sustainable development into its

(25) Report of the Standing Committee on Natural Resources and Government Operations, *Forest Management Practices in Canada as an International Trade Issue (Final Report)*, June 2000.

(26) Natural Resources Canada, “United Nations Forum on Forests,” *The State of Canada’s Forests*, 2002, http://www.nrcan.gc.ca/cfs-scf/national/what-quoi/sof/sof02/special05_e.html.

(27) Canadian Environmental Network, “A Forest Convention, or Conventional Forestry?” http://www.cen-rce.org/caucus/forest/forest_sign-on.html.

policies, programs, and operations; those goals and plans would be the benchmarks against which the department would measure its progress. The amendments to the *Auditor General Act* also created the position of Commissioner of the Environment and Sustainable Development. The Commissioner would report to Parliament annually on issues important to the environment and other aspects of sustainable development and, in particular, would monitor and report on departments' progress toward their sustainable development goals.

The Commissioner's 2002 report contained a chapter on her perspective on Canada's implementation of commitments made at the Rio Conference. The chapter noted Canada's political leadership in the regulation of ozone-depleting substances, and its financial support for improved water infrastructure. It also pointed out, however, the growing sustainable development deficit: depleted fish stocks and rising greenhouse gas emissions, health problems linked to poor air and water quality, and insufficient resources to protect biodiversity and manage toxic substances. The Commissioner's final conclusion: "The federal government is not investing enough – enough of its human and financial resources; its legislative, regulatory, and economic powers; or its political leadership – to fulfil its sustainable development commitments."⁽²⁸⁾

Internationally, Kofi Annan, Secretary-General of the United Nations, has expressed many of the same sentiments: some progress has been made in adopting measures to protect the environment, but the state of the world's environment is still fragile and conservation measures are far from satisfactory.⁽²⁹⁾ The Secretary-General identifies the problem with implementation as caused by a fragmented approach:

The concept of sustainable development is meant to reflect the inextricable connection between environment and development. Sustainable development must simultaneously serve economic, social and environmental objectives. Policies and programmes, at both national and international levels, have generally fallen far short of that level of integration in decision-making.⁽³⁰⁾

(28) Johanne Gélinas, "The Commissioner's Perspective – 2002: The Decade After Rio," Introduction to the *2002 Report of the Commissioner of the Environment and Sustainable Development*, Ottawa, 2002, pp. 2-3, [http://www.oag-bvg.gc.ca/dominio/reports.nsf/html/c20021000ce.html/\\$file/c20021000ce.pdf](http://www.oag-bvg.gc.ca/dominio/reports.nsf/html/c20021000ce.html/$file/c20021000ce.pdf).

(29) Kofi Annan, *Implementing Agenda 21: Report of the Secretary-General*, Commission on Sustainable Development acting as the preparatory committee for the World Summit on Sustainable Development, 19 December 2001, <http://www.johannesburgsummit.org/html/documents/no170793sgreport.pdf>.

(30) *Ibid.*, p. 5.

Despite these setbacks, the principles laid out in Agenda 21 and the Rio Declaration remain just as valid today as they were in 1992. The global context has changed, however: globalization, the revolution in information and communication technologies, social dislocation in many parts of the world and the spread of HIV/AIDS add new elements that must be considered when conceiving a revised action plan. The Johannesburg plan has attempted to include many of these facets of the new global environment.

WHAT HAPPENED IN JOHANNESBURG?

The key difference between Rio and Johannesburg was that poverty, and more broadly what has been described as the social pillar of sustainable development,⁽³¹⁾ underscored many of the steps included in the Johannesburg Plan of Implementation.⁽³²⁾ While the Rio Conference was environment-centred, at Johannesburg poverty alleviation became an underlying concern for all issues. As stated by the UN Department of Economic and Social Affairs (UNDESA), “[t]he understanding of sustainable development was broadened and strengthened as a result of the Summit, particularly the important linkages between poverty, the environment and the use of natural resources.”⁽³³⁾

A. Canada Prepares for the Summit

To manage the national preparatory process leading up to the WSSD, the Government of Canada established a secretariat reporting to the Department of Foreign Affairs, Environment Canada, and the Canadian International Development Agency. The preparatory process involved roundtable consultations with provincial, territorial and Aboriginal parties as well as discussions with non-governmental organizations (NGOs), parliamentarians, youth groups, the private sector, academics and civil society. The secretariat was also responsible for

(31) The other two pillars are economic prosperity and environmental protection.

(32) *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002*, p. 7,
http://www.johannesburgsummit.org/html/documents/summit_docs/131302_wssd_report_reissued.pdf.

(33) UNDESA, “Key Outcomes of the Summit,” 2002, available at:
http://www.johannesburgsummit.org/html/document/summit_docs/2009_keyoutcomes_commitments.doc.

coordinating the preparation of Canada's national report. Environment Canada's 2001-2002 Performance Report states that the department spent \$5.4 million in that fiscal year on preparations for the Summit.

Some environmental NGOs pushed for greater government leadership leading up to the WSSD and expressed concerns about delays in the release of the national report. Others were unenthusiastic about the WSSD; one prominent environmental activist, for example, predicted that the event would be a "useless talkfest."⁽³⁴⁾

B. Key Outcomes

1. Plan of Implementation

The major document to emerge from the WSSD was the Plan of Implementation. The Plan presents itself as an action document as compared to Agenda 21, which is seen as more of a framework or guide.⁽³⁵⁾ The Plan of Implementation outlines steps to be taken in order to reach sustainable development targets. Throughout its development, there was contention on major issues, and the end result was a plan developed through compromise. The following are some highlights of the Plan.

Sanitation: The UN 2002 Human Development Report has estimated that 1.1 billion people lacked access to safe drinking water in 2000, and twice that number did not have adequate sanitation.⁽³⁶⁾ A major commitment issued at the WSSD was a firm deadline to halve, by 2015, the proportion of people without access to safe drinking water and basic sanitation. The final Plan of Implementation has as a goal to:

25. Launch a programme of actions, with financial and technical assistance, to achieve the millennium development goal on safe drinking water. In this respect, we agree to halve, by the year 2015, the proportion of people who are unable to reach or to afford safe

(34) Kate Jaimet quoting Elizabeth May, President of the Sierra Club of Canada, "Green crusader dismisses Earth summit as 'useless talkfest,'" *Ottawa Citizen*, 28 August 2002.

(35) *World Summit on Sustainable Development: Plan of Implementation*, paragraphs 1 and 2.

(36) Peter Doran, *World Summit on Sustainable Development (Johannesburg) – An assessment for IISD*, 2002, http://www.iisd.org/pdf/2002/wssd_assessment.pdf.

drinking water as outlined in the Millennium Declaration and the proportion of people without access to basic sanitation.

Biodiversity: The plan drafted at the fourth and final Preparatory Committee (held in Bali, Indonesia, from 27 May to 7 June 2002) contained two options for language on biodiversity loss; one option set in motion the instruments to “stop” biodiversity loss, the second option referred to “achieving a significant reduction in the current rate of biodiversity loss.” The Johannesburg Plan of Implementation includes only the second option.

44...A more efficient and coherent implementation of three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity will require the provision of new and additional financial and technical resources to developing countries.

Regarding the issue of benefit sharing, the Bonn guidelines⁽³⁷⁾ on access to genetic resources and the fair and equitable sharing of the benefits arising from their utilization were accepted and adopted at the Sixth Conference of the Parties in The Hague (April 2002). The Plan of Implementation also contains language on benefit sharing:

44...Promote the wide implementation of and continued work on the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits arising out of their Utilization.

Renewable Energy: The European Union and Brazil proposed the world’s first global renewable energy targets. The targets were not internationally accepted and in lieu, non-binding language was used in the Plan of Implementation:

20(e)...With a sense of urgency, substantially increase the global share of renewable energy sources with the objective of increasing its contribution to total energy supply, recognizing the role of national and voluntary regional targets, as well as initiatives.

NGOs were particularly disappointed with the lack of a clear renewable energy target and felt that the Summit did not go far enough in emphasizing the use of renewable energies.

(37) For further information on the Bonn guidelines, see the Convention on Biological Diversity Web site: www.biodiv.org/programmes/socio-eco/benefit/bonn.asp.

Sustainable Consumption and Production: According to some observers, this important theme from Agenda 21 has received little action in the past 10 years and also gained little attention at the WSSD. The Plan of Implementation covers the issue in the following manner:

15. Encourage and promote the development of a 10-year framework of programmes in support of regional and national initiatives to accelerate the shift towards sustainable consumption and production to promote social and economic development within the carrying capacity of ecosystems by addressing and, where appropriate, delinking economic growth and environmental degradation through improving efficiency and sustainability in the use of resources and production processes, and reducing resource degradation, pollution and waste.

Kofi Annan stated in his review of Agenda 21 that, since UNCED, unsustainable patterns of consumption and production have largely continued, putting the natural life-support system in peril.⁽³⁸⁾ The value systems reflected in these patterns are among the main driving forces that determine the use of natural resources. While Annan recognized that it is difficult to shift the consumption patterns of a large population, he stated that such a shift is essential to the future sustainability of the planet.

Fisheries: In recognition of the pressure that humans are putting on the world's oceans, the Plan of Implementation includes a target for the recovery of fish stocks. It reads:

31. To achieve sustainable fisheries, the following actions are required at all levels:

(a) Maintain or restore stocks to levels that can produce the maximum sustainable yield with the aim of achieving these goals for depleted stocks on an urgent basis and where possible not later than 2015.

Chemicals: Issues surrounding chemicals were the main focus of Chapter 19 of Agenda 21. The International Forum on Chemical Safety III Meeting in Bahia, Brazil, in October 2000 reviewed progress since Rio and responded by developing the Bahia Declaration on Chemical Safety as well as the Priorities for Action Beyond 2000. The Plan of Implementation has included chemicals as follows:

(38) Annan (2001), p. 5.

23. Renew the commitment, as advanced in Agenda 21, to sound management of chemicals throughout their life cycle and of hazardous wastes for sustainable development and for the protection of human health and the environment, *inter alia*, aiming to achieve by 2020 that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment.

2. Partnerships

The concept of partnerships between governments, business and civil society was a key outcome of the Summit. In contrast to Rio, outcome documents were not the Summit's sole significant product. While the negotiations still received the lion's share of attention, the Summit also resulted in the launch of more than 300 voluntary partnerships, each of which will bring additional resources to support efforts to implement sustainable development. These partnerships, tied to government commitments, are intended to provide a built-in mechanism to ensure implementation. The partnerships aim to offer an alternative to the donor-driven frameworks of the past, and allow representatives from developed and developing countries to formulate plans jointly.⁽³⁹⁾

3. Monetary Announcements

In order to undertake many of the WSSD initiatives, monetary contributions will be needed. Developed countries provide the majority of contributions. Support for the establishment of a world solidarity fund for the eradication of poverty was evident at the WSSD. Table 1 lists several key initiatives and financial commitments announced at the WSSD as described in the UNDESA document, "Key Outcomes of the Summit."⁽⁴⁰⁾

(39) UNDESA, "The Johannesburg Summit Test: What Will Change?" 25 September 2002, <http://www.johannesburgsummit.org/index.html>.

(40) Available at: http://www.johannesburgsummit.org/html/document/summit_docs/2009_keyoutcomes_commitments.doc.

**Table 1 – Key Initiatives and Announcements from the Johannesburg Summit
(in \$US)**

| Country/Agency | Monetary Contribution | Designation | Time Frame |
|--|--------------------------------|---|------------|
| Water and Sanitation | | | |
| United States | \$ 970 million | Water and sanitation projects | 2002-2005 |
| European Union | Not given | “Water for Life” initiative | |
| Asia Development Bank | \$ 5 million \$ 500 million | UN Habitat Water for Asian Cities Programme | |
| Other initiatives | \$ 20 million | | |
| Energy | | | |
| Nine major electricity companies of the G7 ⁽⁴¹⁾ | | Range of agreements with the UN to facilitate technical cooperation for sustainable energy projects in developing countries | |
| European Union | \$700 million | Partnership initiative | |
| United States | Up to \$43 million | Partnership initiative | 2003 |
| Eskom, South African Energy Company | | Announced partnership to extend energy services to neighbouring countries | |
| DESA, UNEP and US EPA | | Announced partnership on Cleaner Fuels and Vehicles | |
| UNEP | | New initiative, <i>Global Network on Energy for Sustainable Development</i> , to promote the research, transfer and deployment of green and cleaner energy technologies to the developing world | |
| Germany | 500 million euros | To promote cooperation on renewable energy | 2002-2007 |
| UN | | 32 partnership submissions for energy projects with at least \$26 million in resources | |
| Health | | | |
| United States | \$2.3 million | Health spending; some of this money was earmarked earlier for the Global Fund ⁽⁴²⁾ | 2003 |
| UN | \$3 million | 16 partnership submissions for health projects | |

(41) Electricity companies from Canada, France, Germany, Italy, United Kingdom and United States.

(42) Although not specified, this is presumably the Global Fund to Fight AIDS, Tuberculosis and Malaria, often referred to as “the Global Fund.”

| Country/Agency | Monetary Contribution | Designation | |
|--|---|--|----------------------------|
| Agriculture | | | |
| United States | \$ 90 million | Sustainable agriculture programs | 2003 |
| UN | \$ 2 million | 17 partnership submissions | |
| Biodiversity and Ecosystem Management | | | |
| United States | \$53 million | Forests | 2002-2005 |
| UN | \$100 million | 32 partnership initiatives | |
| Canada and Russia | | Announced they intended to ratify the Kyoto Protocol | |
| Cross-Cutting Issues | | | |
| Pre-summit | \$2.92 billion | Agreement to replenish the Global Environment Facility | |
| European Union at the Summit | \$80 million | | |
| Norway | \$50 million | Towards Johannesburg commitments | |
| United Kingdom | £1 billion | UK will double its assistance to Africa | Per year |
| European Union | 22 billion euros (to 2006) 9 billion euros/year thereafter | EU announced it will increase its development assistance | 2002-2006 2006+ |
| Canada | | As of 1 January 2003, Canada will eliminate tariffs and quotas on almost all products from the least developed countries; by 2010, it will double its development assistance | |
| Japan | 250 billion yen \$30 million | Education assistance targeted mostly at developing nations, particularly in Africa Will extend emergency food aid to save children in southern Africa from famine Announced it would provide cooperation in environment-related capacity building by training 5,000 people from overseas | 2002-2007 2002-2007 |
| Ireland | 8 million euros | Amount that has been allocated to emergency funding in response to the humanitarian needs of the African region | |

REACTIONS TO JOHANNESBURG PROCEEDINGS

A. Non-governmental Organizations

1. Environmental Groups

Environmental NGOs were generally dissatisfied with the results of the WSSD. Governments and corporate leaders were criticized for their lack of action on issues such as trade and development aid, privatization of public services, biodiversity and over-consumption in developed countries. There was a general concern that international trade agreements continue to trump those involving the environment.

The reaffirmation of the Kyoto Protocol was received positively by at least three major NGOs (Canadian Environmental Network, Greenpeace and Friends of the Earth). Scepticism remains, however, that not enough is being done to reduce greenhouse gas emissions. Progress in the areas of water and sanitation was also well received by all groups, although privatization of water remains a concern.⁽⁴³⁾ Debate continues surrounding the manner in which the WSSD confronted the problems of toxics, ecological debt, corporate accountability, genetic engineering and forests. Overall, reactions were, at best, mixed. Both the Canadian Environmental Network and the International Institute for Sustainable Development expressed discontent at the lack of action on Rio principles over the last decade.⁽⁴⁴⁾

2. Labour Groups

The International Confederation of Free Trade Unions (ICFTU) was the major group representing labour at the WSSD. Labour shared certain summit priorities with environmental NGOs, and subsequently shared their disappointment in areas such as agriculture, energy, biodiversity and, to an extent, water.⁽⁴⁵⁾

(43) Friends of the Earth, "Earth Summit: End of Term Report," 2002, <http://www.rio-plus-10.org/en/info/rio+10/118.php>.

(44) Canadian Environmental Network, "CEN's Forum on the WSSD," <http://www.cen-rce.org>; International Institute for Sustainable Development, "Briefcase for the World Summit on Sustainable Development," <http://www.iisd.org/briefcase/ten+ten.asp>.

(45) ICFTU, "World Summit for Sustainable Development: Good intentions, but a lack of concrete commitments," 6 September 2002, <http://www.icftu.org/displaydocument.asp?Index=991216469&Language=EN>.

A leading impetus, however, of labour's involvement at the WSSD was to underline Rio Declaration Principle 1, that human beings are at the centre of sustainable development, and to emphasize the "social pillar" of sustainable development. Labour was relatively pleased with the attention that these issues received at the WSSD.⁽⁴⁶⁾

The idea that Type II agreements⁽⁴⁷⁾ and partnerships should be the primary tools for advancing sustainable development was put forward and emphasized by labour groups. Given the emphasis on partnerships throughout the WSSD, labour may be pleased regarding this outcome. Overall, labour responded positively to the general outcomes of the Summit but was displeased by the lack of concrete action.

3. Business Groups

Overall, the business response to the WSSD and the Plan of Implementation was positive. Comments made by Sir Mark Moody-Stuart, Head of the Business Alliance for Sustainable Development, at the concluding session suggested that business goals of emphasizing partnerships and good governance as tools to implement sustainable development had been achieved. As examples, he quoted the Global Mining Initiative, Responsible Care in the Chemical Industry, the Sustainable Forestry Initiative, and partnerships in agriculture and health or in biodiversity.⁽⁴⁸⁾

There is usually little common ground between environmental NGOs and business. Despite this fact, Greenpeace and the World Business Council for Sustainable Development (WBCSD) held a joint press conference on the need for a global framework to address the risks of climate change. Though the two groups emphasized that conflict between them would likely continue, they also managed to find some common ground that enabled them to form a consensus on this issue.⁽⁴⁹⁾

(46) *Ibid.*

(47) Type II agreements are those made on a voluntary basis outside of the text of the Summit. Type I agreements are those that are included in the text of the Plan of Implementation.

(48) International Chamber of Commerce, "Business Backs Summit Goals," 4 August 2002, http://www.iccwbo.org/home/news_archives/2002/stories/joburg%20communique.asp.

(49) WBCSD, "Traditional adversaries call on governments for an international framework to address the risk of climate change," 28 August 2002, http://www.basd-action.net/docs/releases/20020828_kyoto.shtml.

B. Government of Canada

The Canadian government's response to the WSSD has been very positive. The Honourable David Anderson, Minister of the Environment, stated in a closing press conference that "WSSD achieved what we hoped it would. WSSD was a success." In citing the Summit's successes, the Minister specified the recognition of an integrated approach to sustainable development and the emphasis placed on partnerships.

EARLY SIGNS OF IMPLEMENTATION

For all the rhetoric regarding the implementation of sustainable development at Johannesburg, its success will be seen only in tangible results. According to some, early signs of implementation show reason for concern rather than reassurance.⁽⁵⁰⁾ Discussion has begun concerning certain projects outlined in the Johannesburg Plan of Implementation specifically relating to the New Partnership for African Development (NEPAD), an initiative that has been conceived and developed by African leaders as a vision and program of action for the redevelopment of the African continent. NEPAD has a budget of US\$60 billion for African development projects and is specifically included in the Plan of Implementation as follows:

62. (b) Support the implementation of the vision of NEPAD and other established regional and subregional efforts, including through financing, technical cooperation and institutional cooperation, and human and institutional capacity-building at the regional, subregional, and national levels, consistent with national policies, programmes and nationally owned and led strategies for poverty reduction and sustainable development, such as, where applicable, poverty reduction strategy papers...

62. (j) Deal effectively with energy problems in Africa, including through initiatives to:

(i) Establish and promote programmes, partnerships and initiatives to support Africa's efforts to implement NEPAD objectives on energy, which seek to secure access for at least 35 per cent of the African population within 20 years, especially in rural areas;

(50) Fred Pearce, "Giant Congo hydroelectric project is a 'betrayal,'" *New Scientist*, 30 September 2002, <http://www.newscientist.com/news/print.jsp?id=ns99992839>.

(ii) Provide support to implement other initiatives on energy, including the promotion of cleaner and more efficient use of natural gas and increased use of renewable energy, and to improve energy efficiency and access to advanced energy technologies, including cleaner fossil fuel technologies, particularly in rural and peri-urban areas.

The projects proposed are the Grand Inga hydroelectric project and the trans-Saharan gas pipeline, both of which have raised considerable doubts as to their sustainability.⁽⁵¹⁾ The Inga project would generate 40,000 megawatts of electricity, enough to sustain all of Africa's current energy needs (based on minimal requirements). It is estimated that the dam will cost US\$6 billion, with another US\$10 billion or more required to connect Africa's main population centres. The trans-Saharan pipeline is similarly priced at US\$6 billion. Several projects of this nature would quickly consume the financial resources of the partnership, diminishing the opportunity for other programs in support of sustainable development. Scepticism has also been expressed because the transmission routes seem to largely ignore access to rural areas and many of the plans for the energy involve exporting it to Europe, not using it in Africa.⁽⁵²⁾⁽⁵³⁾ The emphasis placed on rural energy needs in paragraph 62 of the Implementation Plan (see above) would seem, therefore, to have been diminished by these plans.

Other statements from countries in the developing world also point to their unwillingness to integrate environmental concerns into their clear need for economic development. For instance, at the Eighth Conference of the Parties to the UN Framework Convention on Climate Change in late 2002, it was clearly stated that the developing world was not willing to put any effort into mitigating emissions in the near future. In light of these examples, the concept that economic development can occur, and must occur, in tandem with environmental goals might be seen by some to have been marginalized even in the brief period following the WSSD.

(51) *Ibid.*

(52) *Ibid.*

(53) Briony Hale, "Africa's grand power exporting plans," *BBC News Online*, 17 October 2002, <http://news.bbc.co.uk/2/hi/business/2307057.stm>.

CONCLUSION

Many comparisons have been made between the Rio and Johannesburg summits. The outcomes of Rio were significant documents for building a framework to achieve sustainable development, and for tackling some major global environmental challenges. It has been recognized by many, including the Secretary-General of the United Nations, that, while the outcomes of Rio were important and are still very relevant, concrete results have been lacking in the 10 years following UNCED. The intent of the Johannesburg conference, therefore, was to focus on improving implementation.

Another notable difference between the two summits lies in the tools chosen for the task of achieving the goal of sustainable development. While Rio, and particularly Agenda 21, involved many groups from civil society, there was an emphasis on government action. Johannesburg stressed the need for partnerships between government, civil society and industry. Many in the environmental NGO community saw the increased involvement of industry as a clear threat to their interpretation of sustainable development. Only time will tell whether this new approach can achieve measurable and significant results on the road to a more sustainable planet.