

Sustainable Development International and European Aspects

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Concept of Sustainable Development

- What does sustainable development mean? Generally accepted that it relates to economic (and social) development and its relation to the natural environment. Many economic decisions have significant environmental (and social) impacts. Human life and economies are depend on nature: use of natural resources, raw material, energy, water, land; economic processes transform them into products with changes in their characteristics, produce waste, pollute air, water, land, etc.
- The concept of „carrying capacity of the nature”, the earthly ecosystem, the ecological balance should be maintained overexploitation, ‘over-pollution’ avoided: „it is an asset which can be used but not abused” (First EAP EEC 1973)

Concept of Sustainable Development

- What should be sustained/sustainable? Economic growth or the ecological equilibrium - the carrying capacity of the earthly ecosystem to be able to provide humans with resources necessary for our life and to absorb pollution and waste?
- Sustainable economic growth or sustainable economic development? (Wording of the EU Treaties: Maastricht, Amsterdam, as a task/an objective of the EU to promote SD)
- The Earth can survive without humans but humans cannot survive without the nature, the ecosystem
- Definition of „sustainable development”, „sustainability”: it is a principle, a goal, a procedure
- The precise meaning of the notion is still unclear: inflationary use of the expression: very different activities are „sustainable” to give them a „green colour”, it became a substitute for „positive, favourable development”, it is more a guideline to policy action than a meaningful legal concept (Kramer)

Living within limits: a „one planet living”

- A study developed for the Rio+20 conference (2012):
- „If everyone lived the global middle class lifestyle of London or Shanghai we would need three planets to support us. And yet the average citizen of Bangladesh consumes the equivalent of just a third of a planet. What we need is *one planet living* where people can live happy healthy lives within a fair share of the world’s resources having left sufficient space for wildlife and wilderness.”
- The time is up to recognise the planetary boundaries in a world with a growing human population (7 billion in 2011, estimated to grow to 9 billion in 2050) and to take multilateral action
- Ecological footprint
- Environmental justice – equal right to development



Using tools like the Ecological Footprint to manage our ecological assets is essential for humanity's survival and success. Knowing how much nature we have, how much we use, and who uses what is the first step, and will allow us to track our progress as we work toward our goal of sustainable, one-planet living.

Components of the ecological footprint

- Land area necessary for the absorption of carbon-dioxide emissions from the consumption of fossil energy (carbon, oil, etc.)
- Area for settlements (buildings)
- Area for production of food (arable land)
- Forest areas
- Areas for fisheries

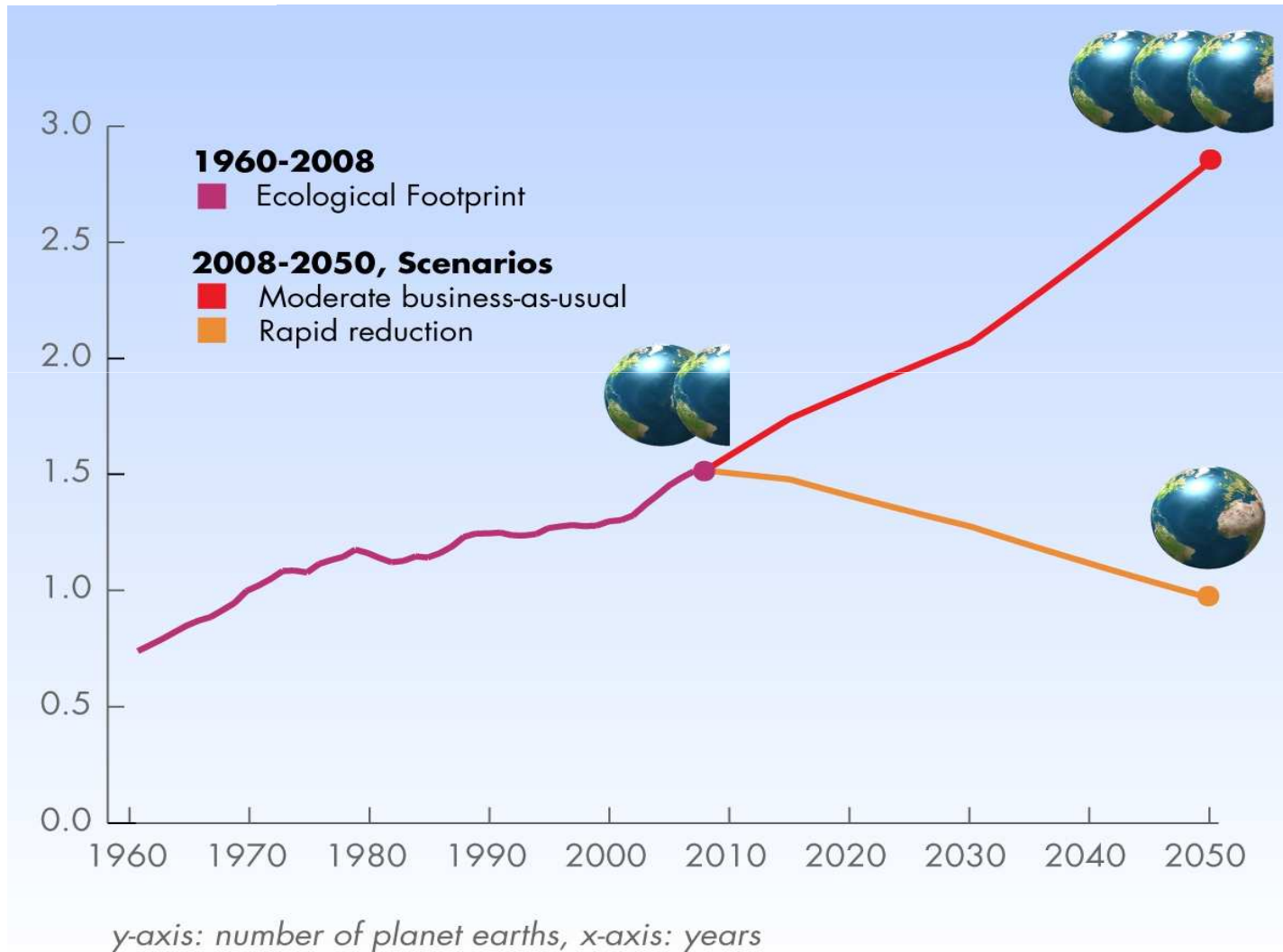




Do we fit on the planet?

- If everyone lived the lifestyle of the average American we would need 5 planets.
- In 2006 – the humanity’s total ecological footprint was 1,4 planet – humanity used ecological services 1,4 times as fast as Earth could renew them.
- The average ecological footprint per capita was 2.2 hectare, which is 2.5 times more than in 1961.
- There was 1,3 billion hectare biological active land area, and 6.1 billion people, thus 1.8 hectare per person (average.)
- Now there are 7 billion peoples (2011)

World footprint



Concept of Sustainable Development

Stockholm Declaration on the Human Environment

1972

Principle 2:

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

Concept of Sustainable Development

Bruntland Report

- *„development that meets the needs of the present without compromising the ability of future generations to meet their own needs”*
Bruntland Report (1987)
- The definition's two key concepts are 'needs' of the world's poor and the idea of *limitations of effects of economic growth* on the environment's ability to meet present and future needs.

Concept of Sustainable Development

Rio Declaration on Environment and Development (1992)

- Principle 3: „The right to development must be fulfilled so as to equitably meet developmental and environmental *needs of present and future generations*”
- Principle 8: „To achieve sustainable development and a higher quality of life for all people, States should *reduce and eliminate unsustainable patterns of production and consumption* and promote appropriate demographic policies”

Agenda 21

- a programme for action necessary to reach sustainable development
- political commitment at the highest level on development and environmental cooperation
- it confers responsibilities first of all on governments – including the European Community within the areas of its competence – to develop strategies, plans, programmes for the implementation of tasks detailed in the Agenda, within the framework of a global partnership. The Agenda 21 programme aims at the elaboration and implementation of sustainable development patterns to be applied worldwide

Agenda 21

- Section I Social and economic dimensions
 - Chapter 4: Changing consumption patterns
 - Chapter 8: Integrating environment and development in decision-making
- Section II Conservation and management of resources for development
- Section III Strengthening the role of major groups
- Section IV Means of implementation
 - The Commission on Sustainable Development (CSD) was created in December 1992 to ensure effective follow-up of UNCED, to monitor and report on implementation

Johannesburg World Summit on Sustainable Development (2002)

Johannesburg Declaration

- From our origins to the future:
- Point 5: „...we assume a collective responsibility to advance and strengthen the interdependent and *mutually reinforcing pillars of sustainable development - economic development, social development and environmental protection* – at the local, national regional and global levels.”
- (three interlinked components „pillars”)

The „two pillars approach”

- Keeping the ‘pillar approach’, however, Gerd Winter suggests to define sustainable development as:
- a structure with a fundament – biosphere (environment, natural resources), and two pillars – economy and social welfare - standing on it, since the biosphere is fundamental for socio-economic development

Johannesburg Declaration

- From Stockholm to Rio de Janeiro and to Johannesburg: it reaffirms the commitment to Rio Declaration and Agenda 21
- The challenges we face: Point 11: „We recognize that poverty eradication, *changing consumption and production patterns* and protecting and managing the natural resource base for economic and social development are overarching objectives of and essential requirements for sustainable development.”

Johannesburg Action Plan of Implementation

- Part III: Changing unsustainable patterns of consumption and production:
- Common but differentiated responsibilities
- Development of a 10 year framework of programmes to accelerate the *shift towards sustainable consumption and production* to promote social and economic development within the carrying capacity of ecosystems by *de-linking 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”



RIO+20

United Nations Conference
on Sustainable Development

Rio de Janeiro, Brazil

1992 + 20 years 2012 (20-22 June)

- Rio+20 was the biggest UN conference ever held, with broad participation of leaders from Government, business and civil society, UN officials, academics, journalists and the general public. Some key figures from Rio+20:
- Over 100 Governments were represented at the Head of State level; participants included 57 Heads of State, 8 Vice-Presidents, 31 Heads of Government and 9 Deputy Prime Ministers. Additionally, 487 Ministers attended.
- More than 500 official and side events at the Riocentro Convention Centre (over 9 days from 13-22 June)
- Total area of Riocentro: 571,000 m², of which 100,000 m² was constructed for Rio+20.
- Shared infrastructure of 600 workstations.



RIO+20
United Nations Conference
on Sustainable Development

Rio de Janeiro, Brazil
20-22 June 2012

Outcome of the Conference: „The future we want”

I. Our common vision

II. Renewing political commitment

III. Green economy in the context of sustainable development and poverty eradication

IV. Institutional framework for sustainable development

V. Framework for action and follow-up

VI. Means of implementation

(a „soft law” Document – a kind of Declaration of 283 paragraphs and 53 pp.)



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I. Our common vision

- Introduction, general aspects:
- Participants reaffirm their commitment to sustainable development and to ensuring the promotion of an economically, socially and environmentally sustainable future for the planet and for present and future generations
- They reaffirm, *inter alia*, the importance of freedom, peace, security, respect for human rights: right to development, to an adequate standard of living, right to food, the rule of law, gender equality, empowerment of women, the overall commitment to just and democratic societies for development
- They strengthen international cooperation, e.g. need to achieve economic stability, sustained economic growth, promotion of social equity, protection of the environment, gender equality, etc.
- Urgent action is needed to achieve sustainable development: green economy, poverty eradication, concrete and urgent action



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II. Renewing political commitment

- Reaffirming the Rio principles and past action plans: from Stockholm Declaration (1972) through the 1992 Rio Declaration and Agenda 21 and the Johannesburg Declaration and Plan of Implementation to subsequent UN conferences and summits in economic, social and environmental field
- Importance of international conventions: e.g. UN Framework Convention on Climate Change, Biological Diversity, Desertification, etc. – to accelerate the implementation of SD commitments
- Assessing progress and **remaining gaps in implementation**: in the integration of 3 dimensions: 1/5 of population (1 billion people) still live in extreme poverty with public health threats; by 2050 the world's population will exceed 9 billion (now it is more than 7 billion), two thirds living in cities
- High levels of unemployment, particularly among young people
- Climate change is a persistent crisis, affects all countries and economies
- Support for developing countries is needed in particular African countries
- Progress has been made at regional, national and local levels, programmes, legislation, institutions have been established



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III. Green economy in the context of sustainable development and poverty eradication

- Green economy – important tool for achieving SD and poverty eradication, sustained economic growth, for improving human welfare, employment, while maintaining the healthy ecosystems of the Earth
- Green economy policies should be consistent with international law
- It should respect national sovereignty over national resources, needs of developing countries, to strengthen international cooperation, to avoid discriminatory restriction on trade,
- It should promote sustainable consumption and production
- Urgent action is needed on conservation and sustainable use of biodiversity and ecosystems, natural resources, promotion of sustained, inclusive and equitable global growth



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IV. Institutional framework for sustainable development

- Need for a strengthened institutional framework ensuring effective governance at local, national, regional and global levels
- Promoting full participation of all countries in decision-making
- Enhancing the participation of civil society and all stakeholders
- Further role of the UN Economic and Social Council
- Establishment of a universal intergovernmental **High Level Political Forum** to replace the former Commission on Sustainable Development
- Its tasks will be: to provide political leadership, guidance, recommendations, to provide a platform for dialogue, to promote transparency and implementation, enhance decision-making
- Need to strengthen international environmental governance, the role of the UN Environment programme (UNEP)
- Importance of international environmental agreements, e.g. Basel Convention (on transboundary movements of hazardous waste), Rotterdam Convention (PIC for hazardous chemicals), Stockholm Convention (POP)



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V. Framework for action and follow up

- Thematic areas and cross-sectoral issues (addressing implementation gaps):
- poverty eradication
- food security and nutrition, sustainable agriculture, sustainable fisheries
- Water and sanitation: halving by 2015 proportion of people without access to safe drinking water and basic sanitation, reduce water pollution
- Energy – provide for basic human needs, to facilitate 1.4 billion people worldwide who are currently without them; improving energy efficiency, increasing the share of renewable energy – addressing climate change
- Sustainable tourism, sustainable transport, sustainable cities and settlements
- Health care, prevention of serious diseases (HIV, AIDS)
- Promoting full and productive employment, decent work for all, social protection
- Oceans and seas – reducing marine pollution, protecting biodiversity



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V. Framework for action and follow up (cont.)

- Developing areas, regional efforts
- Disaster risk reduction
- Climate change – widest possible cooperation, further reduction of greenhouse gas emissions, launching of a Green Climate Fund
- Biodiversity, forests protection; its role in ecosystems, global development; commitment to reduce the rate of, halt and reverse the loss of biodiversity
- Desertification, land degradation, drought
- Mountain regions
- Sound management of chemicals and waste management
- Sustainable production and consumption – fundamental changes required, adoption of the 10-year framework of programmes - voluntary
- Mining
- Education
- Gender equality and the empowerment of women



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V. Framework for action and follow up (cont.)

- **Sustainable development goals:** commitment to the full and timely achievement of Millennium Development Goals:
- The **Millennium Development Goals** was developed in 2000 by the UN to be achieved by 2015. It was signed by all UN Members and several international organisations:
 - eradicating extreme poverty and hunger,
 - achieving universal primary education,
 - promoting gender equality and empowering women
 - reducing child mortality rates,
 - improving maternal health,
 - combating HIV/AIDS, malaria, and other diseases,
 - ensuring environmental sustainability, and
 - developing a global partnership for development

Specific targets and deadlines are set, financial assistance by the World bank, IMF and other sources



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VI. Means of Implementation

- Reaffirming the importance of the means of implementation set by former Plans and programmes : Agenda 21, Johannesburg Plan of Implementation, Doha Declaration, etc.
- Financing: all countries should set sustainable development as a priority in allocating funds
- Specific targets and deadlines are set, financial assistance is agreed by the World bank, IMF and other sources (e.g. ODA = Official Development Assistance for countries committed to poverty reduction)
- Technology: continuation of transfer of technologies to developing countries, agreed in Johannesburg
- Capacity building: UN Agencies and international organizations support developing countries to develop resource efficient inclusive economies
- Trade: open, non discriminatory, equitable trading system plays a critical role in sustainable growth and development
- Commitments to implement concrete policies plans and programmes, projects and actions to promote sustainable development and poverty eradication

Treaty on the European Union

- TEU (after Lisbon) Art. 3 (3): „The Union shall work for the **sustainable development of Europe** based on balanced *economic growth* and price stability, a highly competitive market economy, aiming at full employment and *social progress*, and a high level of protection and *improvement of the quality of the environment*.”
- Art. 3 (5): „In its relations to the wider world, the Union shall contribute to the sustainable development of the Earth.”

The EU Environmental Action Programmes

- 5th EAP (1992) titled: „*Towards Sustainability*” – lifts sustainable development into the principles of the EU environmental policy. It calls for significant changes in current patterns of development, production and consumption and behaviour. It recognises that further economic and social development depends on the quality of the environment and its natural resources
- the EU considered sustainable development as a policy and strategy goal for not only its environmental but for the other EU policies. It states that the „word ‘sustainable’ is intended to reflect a *policy and strategy for continued economic and social development without the detriment of the environment and the natural resources on the quality of which continued human activity and further development depend.*”

The EU Environmental Action Programmes

- 6th EAP (2002) titled: „*Our Future, Our Choice*” – forms a basis for the environmental dimension of the EU Sustainable Development Strategy. Its priorities are:
 - climate change,
 - preservation of nature and biological diversity,
 - protection of the environment and human health, improvement of quality of life,
 - resource efficiency, resource management
 - waste management.

Evaluation of the VI. Environmental Action Programme

- Final assessment (2011): large majority of actions have been or are in the process of being completed, however there are shortfalls, e.g.:
- biodiversity decline was not halted, general trend is negative (e.g. over-exploitation of the marine environment, fisheries)
- no progress in sustainable use of soils
- health protection: the negative impact of chemicals still continues; particulate matters (PM) and ozone depletion remains major problem in urban areas, access to water is insufficient
- resource use and waste generation is still increasing
- pressures from unsustainable production and consumption is growing
- climate change: share of renewable energy target 12% by 2010 was not achieved, greenhouse gas emissions (e.g. in transport)
- poor implementation of environmental legislation; there are shortcomings in information, in monitoring and in inspections

Preparation of the VII. Environmental Action Programme

- Public Consultation (12 March – 1 June 2012): Commission Document on the EU environment policy priorities for the 7th EAP: „**A better environment for a better life**”
- EU Environment Council Conclusions of 11 June 2012 on the framework:
- It should be a strategic document, a framework for achieving a 2050 vision for a green Europe (EU strategies for resource efficiency, for biodiversity, low carbon economy, e.g. staying below 2°C increase in temperature, reducing greenhouse gas emissions by 80-95% by 2050, etc.)
- Better implementation, enforcement, monitoring and strengthening of environmental policy and legislation
- Continuation of policies and activities started under the 6th EAP
- Development and implementation of a comprehensive EU Adaptation Strategy (to climate change)
- Transition to a **green economy**: better integration of the environment into relevant policies
- Strengthening more sustainable production and consumption
- Using measures to create a **circular and green economy** (life-cycle concept, waste reduction, reusing, recycling - waste-hierarchy)

The EU Sustainable Development Strategy

- Sustainability process: Lisbon Strategy (2000): *„to become the most competitive and dynamic knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion”*
- 2001 Gothenburg European Council: *„in the long term economic growth, social cohesion and environmental protection must go hand in hand”*
- Cardiff Process (1998) the EU integration strategy: development of sectoral strategies to integrate environmental requirements into other policies

Revision of the EU SDS

- 2006: Key environmental objectives of the renewed strategy: prevention and reduction of pollution, promotion of sustainable consumption and production
- **Guiding principles:** integration of economic, social and environmental considerations; integration of environmental requirements into other policies; *precaution*; *polluter pays*
- **Key priorities until 2010:** climate change and clean energy; sustainable transport; sustainable consumption and production; conservation and management of natural resources, public health; social inclusion, demography and migration; global poverty and sustainable development challenges
- **2009:** The Council urges the **necessary reform of the EU SDS**, new challenges for it: energy security; adaptation to climate change, food security and land use.

New Strategy for Jobs and Growth: Europe 2020

- The aim is to move European economies out from the economic crisis and to lift the EU onto a new more sustainable growth path

Priorities:

- 1) smart growth: economy based on knowledge and innovation
- **2) sustainable growth:** promoting a more resource efficient, greener, more competitive economy
- 3) inclusive growth: high employment, social and territorial cohesion
- Links between the EU SDS and Europe 2020 should be enhanced

Priority 2: Sustainable Growth

- Promoting a more resource efficient, greener, more competitive economy. 2 „Flagship Initiatives”:
- A) *Resource efficient Europe*
Aims: structural and technological changes to decouple economic growth from resource and energy use; to reduce CO₂ emissions; to enhance competitiveness and promote greater energy security, promotion of changes in consumption and production patterns
- B) *An industrial policy for the globalisation era*
Aims: to establish a modern, competitive industrial base; greater energy and resource efficiency in industry; greening the economy

Sustainable development in international law

- It is not yet a legally binding norm or a principle of international customary law
- Many international treaties and soft law instruments express the need for 'sustainable' economic and social development, which reconciles the developmental interests with the sound management of environmental resources
- There are further principles widely accepted in international law, the aim of which is to promote sustainable development, for example in the area of environmental protection
- They are expressed in international treaties and national legislation, soft law documents, declarations, strategy papers, and used by international and national courts
- Some of these principles aiming to reach sustainable development are so generally accepted and supported that they are being recognised as customary international rules

2002 New Delhi Declaration of Principles of International Law Relating to Sustainable Development

- (ILA Resolution 3/2002) identified 7 principles:
- The duty of States to ensure sustainable use of natural resources
- The principle of equity and the eradication of poverty
- The principle of common but differentiated responsibilities
- The principle of the precautionary approach to human health, natural resources and ecosystems
- The principle of public participation and access to information and justice
- The principle of good governance
- The principle of integration and interrelationship, in particular in relation to human rights and social, economic and environmental objectives

Principle of environmental integration (Art.11 TEU)

- “Environmental protection requirements must be integrated into the definition and implementation of the Union’s policies and activities, in particular **with a view to promoting sustainable development.**”
- Continuous greening of other (economic) policies to reduce their harmful effects on the environment
- Environmental protection requirements: objectives, principles and conditions (Art. 191 TFEU) are to be set by other policies as their own ones, together with other sector specific objectives; it links together EU environment and other policies
- Continuous task: „definition and implementation” of policies
- Not a mere political guideline but a legal rule, it must be met by EU legislation, however, there is no priority over other policy objectives, a balance should be find

Principle of precaution (Art. 191 (2) TFEU)

- 1992 Rio Declaration, Maastricht Treaty, Fifth, Sixth EAP
- „Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.” (Rio Declaration)
- New types of risks to human health and the environment due to scientific, technological development, e.g. chemicals, GMOs: their effects are not predictable to 100% certainty
- Potential, uncertain threats; no definitive scientific proof exists for their nature, seriousness, durability, cumulative effects, etc.
- Reversal of burden of proof: not the one who opposes but the actor has to prove that it won't cause harm to the environment
- Commission Guidelines (2000): considers it as a general principle, it applies to health protection as well
- Reflected in EU legislation, e.g. on GMOs, REACH (plus in case law of the Court of Justice of the EU and General Court)

Thank you for your attention!