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50 years of global environmental governance, from Stockholm 1972 to Stockholm 2022: what next?

Auteur

Lucien Chabason
Senior Advisor

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The story of international environmental governance is marked by four major conferences, the publication of landmark reports and the adoption of major treaties. A first chapter in this narrative, the United Nations Conference on the Human Environment held in Stockholm in June 1972, had a structural effect with the creation of the United Nations Environment Programme and the adoption of the Stockholm Declaration, which sets out the main principles of international environmental policy, and of an action plan. Fifty years on, what remains of these first environmental multilateralism instruments, how have they shaped international and national policies to protect the global environment? And what are the priorities for the future?

A Swedish initiative

By 1972 the Cold War was being eased out by a detente that was marked by the first nuclear disarmament agreements. And although economic globalization was still restrained, there were many warnings about environmental deterioration, culminating in the Club of Rome's report, [The Limits to Growth](#), which had a lasting impression.

It was in this context that Sweden submitted a proposal to the United Nations for a world conference on the human environment as early as 1968. A long preparatory period followed, marked particularly by the reluctance of developing countries to commit to the environment issue, many of which having recently gained independence and sought to determine their own development pathways. It is symptomatic that discussions on the development-environment interface were initiated in the run-up to the conference by the Founex Group¹, the report² of which remains relevant today, particularly regarding the negotiating positions of countries from the Global South.

The UN and environmental governance

In addition to the declaration and action plan adopted in Stockholm, it was the governance issues ("institutional arrangements") that mobilized delegates. In its proposal, Sweden had indicated that "it is not envisaged that institutional innovations are necessary", which implied a rejection of the idea of creating a new agency within the United Nations. Western countries shared this stance, arguing that existing agencies could handle environmental issues under moderate coordination by the UN Secretariat General. France, which had just created an Environment Ministry with mainly leadership and incentive capabilities, also adopted this position³. While Germany, which did not create its own environment ministry until 1985, was also reluctant to set up an environmental structure within the United Nations. Eventually, an intermediate solution was chosen with the creation of the [United Nations Environment Programme \(UNEP\)](#), attached to the General Assembly, managed by a small governing council, a secretariat based in Nairobi and funded by voluntary contributions.

The 1972 Stockholm Legacy

Beyond the search for an institutional compromise, and despite the absence of the Soviet Union and Eastern Europe (while China was present) because of the non-invitation of East Germany, the conference was considered a great success. It marked the recognition of the environment as a new and important issue on the global agenda, the significant beginnings of environmental diplomacy which subsequently flourished, the active participation of civil society and the recognition of the role of science. It resulted in effective spin-offs in participating countries, which were soon to implement the foundations of national environmental policies. Furthermore, the Stockholm conference endeavoured to mobilize all institutions whose activities might have an environmental impact: its legacy thus includes UNEP as well as the major agencies (Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, International Maritime Organization, World Bank) and the existing conventions, such as the International Whaling Convention or the Antarctic Treaty.

UNEP's specific role

However, it was the establishment of UNEP that attracted attention. A report⁴ carried out at its request drew up a historical and thematic assessment after 40 years of activity. What could such a new institution do within its mandate when dealing with a subject as broad and complex as the environment? It could produce assessments based on observation systems and scientific analysis; promote the adoption of environmental law through mechanisms of public international law, in particular treaty law; develop action plans for priority areas; lead and guide the UN family in the environmental field; and contribute financially to environmental protection projects in developing countries. However, given its modest budget, UNEP has focused, with uneven results, on the other dimensions of its mandate.

Its early warning role, embodied in its “Earthwatch” programme set up in 1975, has been entirely fulfilled. But its catalytic function within the UN system has been more difficult to implement. With the emergence of the concept of sustainable development in 1980 (International Union for Conservation of Nature) and especially 1987 (Brundtland Report)⁵, UNEP clearly lost the upper hand, having little involvement in the preparation of the [1992 Rio Conference](#) and not given the chance to steer the new Climate Convention, even though it had successfully set up the [IPCC](#) alongside the World Meteorological Organization. Dispersed in programmes where its expertise was not obvious (e.g. green economy), it recovered from 2010 onwards by successfully negotiating the establishment of the [Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services \(IPBES\)](#) and then by obtaining a strengthening of its governance and resources at the [Rio+20 Conference in 2012](#). The relevance of its report [Frontiers 2016: Emerging issues of environmental concerns](#), in which zoonoses were identified as one of the six emerging risks in the years ahead, is also noteworthy.

Successes and limitations

The period since Stockholm 1972 has seen some major achievements in environmental protection:

- the considerable development of international environmental law, from the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the International Convention for the Prevention of Marine Pollution from Ships in 1973, to the 2013 Minamata Convention on Mercury, the Rio Conventions (climate, biodiversity, desertification), the chemical conventions, and the Convention on Migratory Species; major decisions such as the elimination of chlorofluorocarbons (CFCs) under the Montreal Protocol, the limitations to using certain chemical substances such as dichlorodiphenyltrichloroethane (DDT), the moratorium on whaling, and the reduction of acid rain in industrialized countries, the control of the wildlife trade, the ban on radioactive waste dumping at sea, the prevention of oil spills, all issues that were on the agenda in 1972 and which, having disappeared from the international agenda, must be remembered as concrete achievements;
- the production of high quality assessment reports such as the IPCC and IPBES, the [Global Environmental Outlook \(GEO\)](#), and more recently the [Emissions Gap Report](#).

Environmental degradation nevertheless continued after 1975 and often intensified with population growth (doubling of the world's population in 50 years), the development of world trade, urbanization, agricultural intensification, etc⁶. Furthermore, the climate issue, absent from Stockholm, has become a priority that tends to saturate the political agenda. However, it should not overshadow the need for active policies in the areas of chemical pollution, waste management, urban air pollution and freshwater and marine management.

Environmental policy has become a “driver of drivers”, in that it is now involved in steering sectoral policies: energy, agriculture, transport, urban planning and tourism. The environment is no longer only impacted by economic development, it is also becoming one of its drivers. This is the challenge facing environmental policy, which can no longer be conducted independently but must be integrated into the sustainability approach; this mainstreaming has yet to be constructed in terms of governance, despite recent progress in this area.

Towards Stockholm+50 (June 2022): what are the priorities?

Effectiveness and accountability

The post-Stockholm era should not only be about global or planetary concerns but also about the implementation of the shared governance of eco-regions, such as the Mediterranean, Baltic, Alps, Carpathians, the great rivers, and even the polar regions. Such a regional approach could play a key role in future, being more homogeneous with

regard to the specific challenges of the societies concerned (see the Escazú Agreement, [IDDRI 2020](#)), and coming with forms of regional cooperation or political pressure that would usefully complement the major power relationships on a global scale. This era also relates to the major challenge of today and tomorrow, which is the effectiveness, accountability, and rights of civil society to information and participation. The time for building is over and the emphasis is now on more rigorous, effective, and transparent implementation involving socio-economic actors and local authorities.

The process of preparing for the [June 2022 summit](#), which will be marked by the adoption of a declaration by environment ministers at the fifth session of the United Nations Environment Assembly in March, currently being finalized, illustrates this orientation. Few innovations are envisaged at this stage: the unsuccessful negotiation of the draft [Global Pact for the Environment \(GPE\)](#) showed that few States were willing to advance international environmental law at the global level. It is highly unlikely that concepts such as the recognition of the rights of nature or the principle of non-regression will be retained. However, there is potential for the launch of negotiations on a plastics agreement.

Human rights approach

At the same time, outside the traditional field of environmental governance, it is the Human Rights Council that is now making significant progress towards the recognition of the “human right to a healthy environment”⁷ and appointing a special rapporteur on the protection of human rights in the context of climate change. Although some countries do not appreciate the rights-based approach to the environment and will certainly not encourage the generalization of agreements such as [Aarhus](#) in Europe and [Escazú](#) in Latin America and the Caribbean, which recognize the right to information, participation and access to justice in environmental matters. There is thus a tension around this rights-based approach, which represents the future field of expansion of environmental governance.

The fact that international human rights bodies are taking up environmental and climate issues may create a new context for the implementation of international environmental law in future. Unlike UNEP, which has no power to intervene and is not inclined to interfere in national policies, human rights bodies have extensive capacities in terms of national reporting obligations, the examination of critical situations, the dispatch of experts to the field, and even direct referrals by individuals or NGOs.

This is leading to a major distortion between democratic States where information, participation and access to justice can lead to strong pressure being exerted on governments, and those States where organized civil society is undermined and access to justice is limited. This distortion creates an unsustainable situation and can undermine environmental governance if States where rule of law prevails align with lower democratic standards. One would hope, instead, for an upward alignment, which is what the GPE project sought to achieve and which could be taken up from the perspective of human rights to the environment.

Need for a (more) strategic vision of environmental management

While the responsibility for international environmental policy will not shift to Geneva, the dynamics of human rights applied to the environment should contribute to the strengthening of enforcement while at the same time contributing to the fragmentation of global governance. In this regard, the Stockholm Conference would be expected to take a strategic view of global governance. While the creation of the United Nations Environment Organization has not been successful, it is important that a stronger and more strategic coordination of environmental activities is applied within the United Nations.

The Conference could also be expected to adopt a position in the negotiations on plastics, to encourage the inclusion of the One Health approach ([IDDRI, 2020](#)) in the negotiation of the Pandemics Treaty to be launched by the World Health Organization, to support the Climate Change and Biodiversity negotiations, to highlight the need to protect large ecosystems at the regional level, to encourage the World Trade Organization to take environmental issues into account in its reform, and finally to mobilize financial institutions and official development assistance. In short, it is hoped that the Stockholm Conference will go beyond a moment of celebration and high-level exchanges to develop a strategic vision for the decades ahead.

¹ Title derived from a Swiss commune. France was represented by Serge Antoine and Ignacy Sachs.

² Available on the UNEP website www.unep.org

³ In hindsight, it is relevant to note that in view of the system's fragmentation and its low efficiency, the same countries, including France and Germany, campaigned in vain 30 years later for the creation of a fully-fledged United Nations Environment Organization (UNEO). In the meantime, the modest GATT secretariat was transformed into a World Trade Organization (WTO) in 1994.

⁴ Stanley Johnson, "UNEP, the first forty years", 2012, www.unep.org

⁵ https://en.wikisource.org/wiki/Brundtland_Report

⁶ See GEO 5 www.unep.org

⁷ HRC Resolution RES 48/13 of 8 October 2021, adopted with the abstention of Russia, China, India, and Japan.

GOUVERNANCE

MULTILATERALISM

PARTICIPATORY DEMOCRACY