

IUCN

2nd World Conservation Congress

by Michael A. Buenker*

The Second IUCN World Congress was held at Amman, Jordan from 4-11 October 2000. With over 2000 delegates from 140 countries representing States and governments, national and international governmental organisations, it was the largest assembly of environmentalists ever to be held in the Middle East. Technically, it was the 21st General Assembly, but at Montreal in 1996 it was decided that henceforth its triennial constituent meetings should be termed World Conservation Congresses. Since its establishment in 1948, IUCN's membership has increasingly been expanding and thus at every constituent assembly is forced to come to grips with managing an ever larger number of delegates. This poses a logistical as well as an organisational challenge in running such a conference. For example, the number of draft motions that are proposed at each World Congress/General Assembly take up more time for discussion during the Congress.

The theme of the Conference was to be Ecospaces, but given the geographical setting and the renewed outbreak of political turmoil in neighbouring Israel and Palestine it was also an occasion to look at environmental issues that affect that area as well as the environmental security dimension. Immediately prior to this event, the Earth Council and IUCN co-hosted a special discussion forum, the so-called Earth Forum, on the principal issues confronting the environment and sustainable development movement at the advent of the new Millennium and to promote the Earth Charter. Parallel to the conference twelve interactive sessions with a diverse range of conservation and development issues also took place. Due to the broad nature of the Congress and plethora of scientific issues discussed, this article shall only focus on procedural matters which affect the future running of the organisation. A second part is devoted toward describing the adopted recommendations and resolutions that have an impact on environmental law and point to what stance IUCN is to take in its involvement with the international community.

I.

Opening Ceremony

The beginning of the Congress was marked with a special ceremony at the Amman Roman Theatre with Queen Noor of Jordan presiding. Special keynote speakers were Jordan's Deputy Prime Minister Mohammad Halaikah, UNEP Executive Director Klaus Töpfer, Former Secretary General of UNCED Maurice Strong and IUCN

President Yolanda Kakabadse. Originally, HRH King Abdullah II was scheduled to welcome the Congress participants, but he was out of town on official business. Thus, Queen Noor reassumed patronship of the Congress as she had secured the hosting of the Congress while her late husband King Hussein was still in office. After pausing for a moment of silence in mourning for the victims of the conflict in neighbouring Israel, she proceeded to give the podium to the Deputy Prime Minister. He stressed Jordan's commitment to the environment and announced that a separate Ministry devoted solely to the environment is soon to be established. He also stressed the importance of focusing on the transboundary co-operation on the management of scarce resources as the vehicle to insure environmental security and peace in the region.

After extending a message of good will on behalf of UN Secretary General Kofi Annan, Klaus Töpfer stated that standards of environmental conservation and sustainable development should be taken as the new measures for human progress. He stressed that in order to ensure a prosperous future for mankind as well as a healthy environment, one needs to learn to live off nature's dividends instead of its capital. The serious economic and social costs of losses in biodiversity must therefore also be considered. He further expressed the need for integrating environmental security issues into policy concepts for ensuring world peace. Maurice Strong spoke on the subject of global interdependence and the need for creating new partnerships between government and civil society in order to jointly confront environmental problems. One must take into account the expanding role of grassroots movements and make use of its potential to bridge cross-boundary gaps in order to develop national environmental polices and formulate new approaches to sustainable development which are aimed to complement each other on the international level. He also made an appeal to IUCN members to give serious consideration to the Earth Charter (see p. 284).

In her concluding remarks, the Queen highlighted how effective IUCN has been at the grassroots, national and international levels. However, she had to criticise that issues affecting the Middle East region have been neglected, in particular in addressing the issue of environmental security. She stressed that environmental security cannot exist without peaceful co-operation between States, and that environmental protection is a pre-requisite for socio-economic security. Especially water scarcity is a potential source of conflict in this and other regions for the years to come. On a positive note, she added that Jordan was about to enter into a formal agreement with Israel that would set up guidelines for sharing water rights to the Jordan river. —

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Director General's Report and External Review

IUCN Director General Maritta Koch-Weser presented a report in which she listed the organisation's significant growth and accomplishments since the last World Conservation Congress. She concluded that great progress has been made toward decentralisation and consolidating regional structure through the creation of regional conservation forums and committees. Besides implementing the new programme and following up on Congress initiatives, she vowed to concentrate on improving the quality of administrative services rendered by headquarters and outposted offices to the members and Commissions. She also addressed the financial problems that had beset the organisation in 1999. However, despite a severe impasse on the liquidity of funds, IUCN was able to successfully tighten its budget without laying off staff and disrupting to Secretariat operations. To avoid such liquidity crises in the future, she announced plans to implement new management systems and launch initiatives for business development and outreach in order to secure new sources of funding.

The Director General also outlined a report on the follow-up to the Recommendations and Resolutions of the First World Congress. Some delegates criticised that there was no time allotted in the agenda for a discussion on the successful or non-successful implementation of previous WCC resolutions. They stated that, considering how much energy and time goes into discussion and adoption of IUCN recommendations and resolutions, it is imperative to recap on how the organisation was able to follow-up on them, so lessons can be drawn for the future.

Together with Richard Sandbrook, IUCN Regional Councillor for Western Europe, the Director General also responded to an External Review of IUCN's performance which was conducted by independent experts. They concurred with the main conclusion of the review, namely that IUCN's potential is not yet fully realised. While there are many individual accomplishments at the programme level, the overall programme lacks a strategic focus and appears only as a mere list of activities. Thus, one should concentrate on streamlining the programme in order to make it more effective, as well as identifying areas in need of prioritisation. Establishing a tight link between the programme and budget was also identified as a priority.

Membership Guidelines

New membership guidelines were adopted on the basis of the 1996 revision of the Statutes and to further IUCN's efforts towards regionalisation. These set out admission criteria for new members, membership rights and how to increase their participation and influence. The touchiest point regarding membership obligations concerned the payment of dues. The fact that many members were in arrears was the cause for the liquidity crisis, and consideration was given to discontinuing their membership. On the other hand, a great number of Congress delegates were also understanding of the financial problems faced by IUCN members from the developing countries and appealed to give them more leeway.

Following the UN General Assembly's recent decision

to readjust its scale of assessment for determining membership dues and so lower the financial burden of the poorest Member States, the Congress adopted a revised scheme on a sliding scale modelled on that of the UN. This technical adjustment, which takes effect by the year 2002, creates an additional category for the previous ten levels of dues. This group "zero" – affecting 27 State members – thus would only have to pay half their current dues from that period onward. Adrian Phillips, Chair of the Membership and Constituency Development Committee, justified that while the proposal would result in loss of income for IUCN, it would help to ensure retaining membership of the poorest nations.

On the other side, Adrian Phillips noted that a three percent increase in annual membership dues for the period 2002 through 2004 was necessary to maintain value over time, given that the membership dues constitutes IUCN's main source of income. The US reaffirmed its zero nominal growth policy for the budgets of international organisations and opposed the three percent increase. NGOs from Sudan and Bangladesh also objected that an increase would deter non-governmental organisations from developing countries to join. The Director General therefore suggested looking into creating a membership mutual assistance fund.

Commission Review and Renewal of Commission Mandates

After hearing the reports of the Chairs of the Commissions, Gabor Bruszt, Team Leader of the External Review, presented the Commission Review. He stated that as the Commissions are the biggest assets of IUCN, great care should be given to ensure that they fulfil their maximum



Queen Noor addresses the Congress participants.

Courtesy: IUCN

potential. He defined three attributes a Commission must have: a unique competence base, a clear focus and a critical mass of membership. Currently only three of the six Commissions are said to have achieved these requirements, which are the Species Survival Commission (SSC), the World Commission on Protected Areas (WCPA) and the Commission on Environmental Law (CEL). Gabor Bruszt

noted as a general matter that the co-operation and interaction among the various Commissions as well as headquarters and other programme and regional offices of IUCN is in need of further enhancement and suggested that one should work on more joint programming initiatives.

In particular for CEL, he proposed that one should work on devising a joint fundraising strategy for CEL and the Secretariat in order to ensure its financial viability. The advice for the Commission on Ecosystem Management (CEM) was to increase its membership base and work on developing a clear mission statement. The review was extremely critical of the Commission on Environmental, Economic and Social Policy (CEESP) and, in essence, proposed its discontinuation. The reasons cited were its inconsistent performance and lack of a clear focus. Several delegates opposed this motion and insisted that questions of economic and social policy are vital to assist especially developing nations in coming up with feasible policies for sustainable development and that a Commission devoted exclusively toward this goal would best serve this cause.

The Commission Chairs in turn responded to the criticisms and praise raised in the review of their Commissions. The Chair of CEL, Nicholas Robinson acknowledged the overall positive outcome of the review and outlined the areas the Commission is to improve on. He reiterated CEL's goal of contributing to the establishment of an international legal order that promotes social equity while preserving biodiversity and healthy ecosystems. The mission of CEL, as stated in its proposed mandate, is to engage its environmental legal expertise to: "a) advise governments ... about how to establish and employ environmental law to further sustainability, b) innovate and promote new or reformed legal concepts and instruments [for nature conservation and sustainable development], c) build the capacity in all regions to encourage, establish, implement and enforce environmental law effectively, and d) provide education and information about environmental law ...". Another specific area of concentration the Chair mentioned was to improve efforts to better integrate scientific expertise when developing new environmental law initiatives. The Congress consequently approved the Commission mandates of all the Commissions for the period until the next WCC, except for that of CEESP. However, a special resolution was later adopted in which the CEESP mandate was renewed.

Programme

At the beginning of the Congress, an objection was raised that all Congress documents referred to a "Quadrennial Programme" as opposed to a "Triennial" programme. As stated in Art. 24 of the IUCN statutes, "the World Congress shall normally meet ... every third year." The majority of IUCN members in Montreal considered that lengthening the time period between Congresses would limit the role of the members as well as their opportunity for participation. While the Council may determine the date and venue of each Congress, it is not entitled to exceed the three-year timespan unless exceptional

circumstances force it do so. Adopting a draft programme and budget for the years 2000 through 2004 would, however, mean prejudging such a decision by the Council.

Although, it had been suggested that Congresses should be held less frequently since they are costly and time consuming, the objection was noted and confirmed in a written legal opinion by IUCN's legal advisor. It was agreed to henceforth strike all references to the term "Quadrennial" and replace it by "Triennial" as well as substituting the figure 2004 by 2003 in the agenda and all related documents.

The Director General presented IUCN's new programme for the interim period between Congresses and announced that the two primary conservation goals for this period are to be reversing the trends of biodiversity loss and safeguarding ecosystem integrity. In an effort to move away from a process-oriented, fragmented programme to a result-oriented, integrated programme, one has made use of business management techniques to better structure the Union's activities and thus maximise efficiency. Maritta Koch-Weser introduced a consolidated strategy which focuses on the four goals of knowledge, empowerment, governance and operations (KEGO). To this aim seven Key Result Areas (KRAs) of work were identified:

1. effective management and restoration of ecosystems;
2. institutions, agreements, processes and policies;
3. incentives, including finance for conservation of biodiversity and sustainable use of natural resources;
4. equitable sharing of the costs and benefits;
5. assessment of biodiversity and of related social and economic factors;
6. information management and communication systems; and
7. effective, efficient and accountable management and leadership of IUCN operations.

Projects or resolutions do not have to fit exclusively into a single KRA, but may overlap in several respects. The intention of attempting to categorise all parts of the IUCN programme according to KRAs is to improve upon the overall structure, better co-ordinate the operations of the individual components and help identify what specific activities are to receive priority. It is also thought of a means to better monitor and evaluate progress and make IUCN's operations more transparent for donors and partners.

Finances

In his report on IUCN finances for the period 1996 through 2000, interim Treasurer David Smith noted that expenditures for project activities increased while there was no increase for core expenditures. He also reiterated that the liquidity crisis facing IUCN in 1999 was mainly due to late membership fees. David Smith later introduced the financial outlook for the period until the next World Congress. Based on plans to raise more funds from the private sector, he estimated the growth rate for the budget to be eight percent. He also pointed out that in follow-up to the external review a tight link between the programme and budget is to be established. This is to be achieved by making use of the above-listed KRAs in order to deter-

mine the apportionment of project and core expenditures. The Chair of the Finance and Audit Committee, Jorge Caillaux, was cautious of the targeted growth rate and suggested to concentrate on improving fund-raising skills especially *vis-à-vis* the private sector.

Elections and other business

The chief officers of IUCN, the Commission Chairs in addition to the Regional Councillors which compose the rest of the Council, were elected by secret ballot. The President Yolanda Kakabadse and Treasurer Claes de Dardel ran unopposed and were re-elected to serve another term until the next World Congress. In addition to Nick Robinson, who also ran unopposed for a second term as CEL chair, other Chairs elected were Hein van Asperen (CEM), Denise Hamu (CEC¹), Kenton Miller (WCPA) and David Brackett (SSC, 2nd term). The election of the new CEESP chair is still outstanding and will be done by mail-ballot.

Honorary membership was granted to four individuals for outstanding service in the field of conservation. In addition to the former IUCN Director General, Sir Martin Holdgate, and former Species Survival Committee (SSC) Chair, George Rabb, two ICCEL members were awarded this distinction: Parvez Hassan, who was CEL Chair from 1990-1996 and former IUCN Legal Advisor, and Elizabeth Mann-Borgese, who is head of the International Ocean Institute. Following the Commission awards, the Wolfgang E. Burhenne Award for outstanding contributions to the field of environmental law was presented for the first time. The award was bestowed posthumously on Cyrille de Klemm. His widow, Amalia Thaler Klemm, received the award in his name and announced that the Cyrille de Klemm Fund has been established in his memory. This fund is intended to provide financial assistance to scholars of environmental law.²

Closing Ceremony

The final resolution to be adopted during the closing ceremony on Wednesday, 11 October was a *Vote of Thanks to the Host Country* (GOV16), the Hashemite Kingdom of Jordan. The Director General also extended personal thanks to Queen Noor, King Abdullah II, the late King Hussein and all royal family members who supported the Congress. In gearing up for Rio +10, she also made an appeal to IUCN members toward making species extinction a strong priority. The date and venue for the 3rd World Conservation Congress is yet to be determined, but a state official from Guatemala was present to launch its bid as host country.

II.

Resolutions and Recommendations with impact on Environmental Law

Altogether, the Congress adopted 104 resolutions and recommendations on a wide range of topics. This report shall focus on only those which have implications for Environmental Law. A series of recommendations were dedicated to give an impetus to state members to ensure that existing treaties and other agreements are ratified and

implemented within their own national borders or to promote new initiatives designed to fill gaps within existing legal regimes, such as that regarding the Antarctic, by calling on the Secretariat and/or its Commissions to offer its expertise to the inter-governmental fora concerned. To this effect, a very general resolution, the *Implementation and Monitoring of International Conventions* (GOV005) was adopted, which requests the Director General to strive for better implementation of the conventions, treaties and other international agreements concerning nature conservation by placing the expertise available within IUCN at the disposition of States requesting assistance, and to have the Secretariat's component programmes to monitor the implementation progress, as well as proposing pilot actions and to assist in activities of IUCN members in carrying out stipulations of international agreements. An example of an initiative for creating a new international environmental law instrument is the recommendation on *A Martens Clause for Environmental Protection* (CNV019), which proposes to borrow from an almost century-old principle of customary law pertaining to state conduct during times of war and to apply it to the protection of the environment. For more details, please see the article by Dinah Shelton and Alexandre Kiss on (p. 285).

Turning to specific legal regimes, the recommendation *Antarctica and the Southern Ocean* (PRG034 rev. 2) calls on all Non-Consultative Parties to the Antarctic Treaty, which have not already done so, to ratify the Protocol on Environmental Protection. Further, it urges the States already party to the Protocol to "ensure that its provisions are mandatory in the domestic legal context;" "bring into force Annex V on Protected Areas ...;" "complete, as a matter of priority, the elaboration of rules and procedures relating to the liability for damage ... [annex]." It also recommends strengthening the capacity of the IUCN Antarctic Advisory Committee which as an inter-commission task group is to offer its expertise at meetings of Antarctic Treaty system components in order to help achieve the objectives listed above, as well as to assist in devising new environmental policies and regulations not yet covered. For other policy initiatives suggested by IUCN for this region, see the full text of this resolution on p. 314.

On the other side of the globe, the resolution *IUCN's Work in the Arctic* (PRG004 rev. 2) recognizes the need for an IUCN Arctic strategy and action plan since IUCN is expected to receive full Accredited Observer Status with the Arctic Council in October 2000. IUCN thus pledges to concentrate on developing approaches to integrated ecosystem management and ecological integrity and environmental security that are custom-tailored for this region. From the legal perspective, a special focus should be put on the rights and needs of Arctic indigenous peoples, as well as the needs of other permanent residents of the Arctic. In the spirit of this resolution, CEL has also decided to sponsor a study on the Arctic Legal Regime.³

The resolution *Conservation of Mountain Ecosystems in Europe* (PRG023 rev. 1) requests the Director General to actively participate in the preparations for the United Nations International Year of the Mountain in 2002 by undertaking measures for the conservation and sustain-

able use of mountain ecosystems and to consider interest in creating a Secretariat component programme on mountain ecosystems. European countries with mountain ecosystems are urged to adopt policy measures for agriculture, urban development, transportation and tourism which are designed to minimise harmful exploitation of natural resources of mountaineous regions and leave the local ecosystems intact as far as possible. It also makes a strong appeal to the state parties of the Alpine Convention, in association with the Commission Internationale pour la Protection des Alpes (CIPRA), to support the adoption of the Protocols to this Convention and to ensure that its provisions are carried out to the fullest extent. Further, other European States sharing cross-boundary mountains systems are encouraged to develop similar multilateral arrangements that seek to promote sustainable conservation of mountain biodiversity which are consistent with the preservation of the cultures and traditions of the people living in these areas

Recognising the importance of networks for co-operation among protected areas, especially the Alpine Network of Protected Spaces, the resolution on *Protected Areas of International Importance in the Alps and the Mediterranean* (PRG024 rev. 1) requests the WCPA and Environmental Law Centre "to continue and accelerate their work on a legal framework permitting joint and global management of a cross-border natural area aimed at harmonising regulations and involving local, regional and national participants of the States concerned" as well as the "Director General to intervene with governmental and non-governmental participants, within the framework of the trans-boundary conference on Mont Blanc, to accelerate the creation of an international operational management structure for the sustainable conservation of this prestigious space."

The recommendation on the *Convention on the Protection of the Mediterranean Sea against Pollution* (CNV011 rev. 1) urges the contracting parties to this Convention to ratify the amendments made to the Convention and six of its implementation protocols. The modified version of the 1976 Barcelona Convention, in addition to further new Protocols, was signed in 1995 but to this day has only been ratified by nine of the fifteen parties necessary. The entry into force of these modifications is necessary so that the protection measures for the Mediterranean can be implemented more effectively.

In light of last year's Erika disaster off the French coast, a recommendation on *Ocean Pollution by Oil* (PR G050 rev. 1) was adopted, which requests member States of the International Maritime Organisation (IMO): "a) to take steps to modify existing legislation in order to reinforce preventive measures against marine pollution by petroleum and hold polluters accountable; ... b) accelerate implementation of the International Convention for the Prevention of Pollution from ships (also referred to as "MARPOL") provisions aimed at replacing single-hull vessels with double-hull vessels; ... [and] d) raise the limits of financial compensation by the International Oil Pollution Compensation Funds (FIPOL)." In order to set right ecological damage, it further advocates that in all cases of

marine pollution, whether they are the result of accidental oil spills or occur through wilful discharge, the perpetrators should be charged to the same degree as applies for harm done to individuals and property damage. To this effect, the relevant components of IUCN are urged "to examine the question of environmental and economic costs of oil pollution and contribute to the CBD⁴ process on defining environmental responsibility."

The recommendation on *Land Use Policies and Legal Tools for Coastal Conservation* (PRG047 rev. 2) is another general call to carry out fully international treaty provisions and improve upon existing legislation. It is lamented that of the roughly eighty international treaties and agreements, which relate to the environmental protection of the world's coastal areas, most are insufficiently implemented. States with a coastline are therefore strongly urged to step up efforts to halt the degradation of shores caused by abusive occupation and expanded use for human activities. In the legal sphere the resolution, in particular, advocates the creation and reinforcement of "legislation in order to prevent or minimise disturbances created by overexploitation or misuse of coastal resources, marine or terrestrial pollution, fragmentation of the natural environment, the demands of tourism, uncontrolled expansion of aquaculture, mariculture, and the introduction of exotic species." Further, it is suggested to carry out policies for managing coastal areas through land protection by enforcing "the common law or unwritten law of local communities whose occupation or use of the land furthers the aims of coastal conservation," promoting "procedures or means of transferring existing rights over the public maritime domain in order to recover the conservation purposes of occupied space," as well as using protective constraints and incentive measures to promote and facilitate long-term conservation of private property.

Legal Aspects of The Sustainable Use of Soils (PRG057), notes the growing consensus among the soil science community on the need for improving environmental law and policy in this field. The resolution "welcomes the initiative of the Environmental Law Programme to form the Working Group on Legal Aspects of the Sustainable Use of Soils to prepare guidelines and explanatory material relating to principles and elements of national legislation and policy to assist States to manage" soil and land degradation problems. In addition, it is to investigate the need for and feasibility of an international instrument for the sustainable use of soils. All IUCN members are invited to provide support to the Working Group, in particular, by offering scientific advice so to make sure that the legislation they develop integrates "the ecological needs of soil and their ecological functions for the conservation of biodiversity and the maintenance of human life."

The resolution on *IUCN Policy Statement on Sustainable Use of Wild Living Resources* (PRG016) moves that the IUCN adopt a progressive policy statement which recognises the consumptive and non-consumptive uses of biological diversity as being of fundamental value to economies, cultures, and well-being of all nations and peoples. In view of the limited availability of biological

products and ecological services, it thus calls for the promotion of adaptive resource management. IUCN thereby commits itself to ensure that the use of wild living resources is equitable and ecologically sustainable. To this purpose IUCN and its Commissions should assist wherever possible in establishing institutional structures, which provide positive incentives and impose negative sanctions to this effect. (For the full text of the resolution and the connected policy statement, see p. 315). The adoption of this resolution is a remarkable feat in that the text was acceptable to all member NGOs who represent a wide array of views that are often diametrically opposed to each other, i.e. those of animal rights' activists and those who defend the hunting rights of indigenous peoples.

In follow-up to CEL's proposal during the 50th Anniversary of IUCN at Fontainebleau in 1998, the resolution on the *Establishment of an International Academy of Environmental Law* (PRG012 rev. 1) welcomes the initiative to pursue the establishment of an international institute which is "to further advance the development and implementation of environmental law at global, regional and national levels through teaching, training, research and related activities." The CEL Chair and the Director General are requested "to identify, take into account and collaborate with existing international and regional training and research institutions and programmes, and to develop a detailed statement of goals, functions and structure and legal form of the Academy for consideration of the Council." As the location of the Academy is yet unclear, the possibility of an internet-based long-distance learning programme is also under study.

As was announced during the Earth Forum, the IUCN Director General has entered into an executive agreement with the Earth Council and the United Nations University for Peace to establish, on pilot basis, an International Ombudsman Centre for Environment and Development (OmCED). This institution is to provide a non-adversarial, non-judicial but flexible mechanism to address current and potential environment-related conflicts at the trans-boundary and local level. The resolution of the same name (PRG058) welcomes the establishment of OmCED, and requests the Director General to provide professional guidance and assistance when appropriate and necessary. However, the resolution cautiously points out that the amount of IUCN's participation in this process will be dependent on available financial resources. A final decision on IUCN's relations with OmCED will not be rendered until the pilot phase has concluded.

Related to this topic, the recommendation *Natural Resource Security in Situations of Conflict* (PRG054 Rev. 1) calls on all members and components of IUCN "to develop a greater understanding of the underlying causes of conflict particularly in the manner it affects the conserva-

tion of biodiversity." Toward this aim the IUCN should encourage the exchange of data and experiences gained from conflict management and work with the international community to develop measures designed to reduce the potential harm for the environment during armed conflicts. Further, IUCN members are urged to alert the UN Security Council and other appropriate entities to conflict situations that relate to the control of natural resources. As we shall see in the following recommendation, the current situation in neighbouring Israel already gives impetus to develop a formal procedure as to how to alert the UN Security Council to the implications for environmental security in this region as well as other further conflicts with similar repercussions.

NGOs from Egypt, Morocco, Tunisia, Afghanistan, Pakistan and Saudi Arabia, submitted a draft motion entitled *To Secure the Environment of Gaza Strip, West Bank and Jerusalem* (CNV030, see p. 316). In it, concern is expressed that in addition to the loss of human life, the conflict severely impacts on the environment. It moves that the WCC support efforts to bring the violence to an end and protect the environment, and urges respect for humanitarian as well as environmental principles consistent with International Law and Agreements. An appeal is made to the international community to help ensure environmental security and to prevent deterioration of



Congress Building at Amman's Sports City complex. Courtesy: IUCN

resources in the region, and affirms that the peace process offers an opportunity to build relations to better protect human life and the environment. The US delegation noted that the WCC is not the appropriate forum to address such issues and raised doubts whether such a recommendation could assist the peace process at all and moved to abstain from this recommendation. Delegates representing New Zealand, Australia, Guatemala, the Russian Federation and Japan also abstained. In keeping with the Euro-Arab dialogue, France issued a statement on behalf of the EU that since environment and security was a Congress topic, IUCN should do all that it can to support the peace process. The delegate of Jordan, as well as those of other Middle Eastern States, stressed that the recommendation does not seek to remedy the political situation, but concerns only the environmental aspects of the conflict. Due to the fact that the recommendation is indeed formulated in such a neutral way and is not directed at a particular party of the conflict, the motion was found suitable for adoption by the majority of delegates.

Earth Charter and Draft International Covenant (CNV018 rev. 1, see p. 316) was another motion which was subject to great controversy. The original draft text called upon IUCN members to endorse and adopt, as appropriate, the Earth Charter as a statement of fundamental values to guide the achievement of sustainability throughout the Earth and called on State Members to

codify the principles for sustainability set forth in it. The Earth Charter is thus thought to complement the IUCN Draft International Covenant on Environment and Development, which in turn is designed as a rough draft for a hard law instrument that integrates principles on environment and development from existing international declarations and binding agreements.⁵ The Earth Charter, as opposed to the Draft Covenant, is a declaration by the people making an appeal to decision-makers worldwide toward building a just, sustainable and peaceful global society. During the discussions, however, many state delegates objected that the document cannot be adopted in this form as their home governments would first need to set up formal hearings to review the Earth Charter or are yet to render a decision whether even to consider it at all. The adopted version toned down the language to read that the Director General, in consultation with IUCN members and Commissions, is to examine and review the document and make a recommendation at the Third Session of the World Conservation Congress as to an appropriate response.

In view of IUCN's recent appointment as Observer to the General Assembly of the United Nations,⁶ the resolution *IUCN's Relations with the United Nations System* (GOV007 rev. 1, see p. 314) requests the IUCN to review its role how to contribute most efficiently to the work of the UN since it is the only international organisation with expertise in issues of the environment, biodiversity, and nature conservation and sustainable natural resource use. The first step should be to arrange to open a formal office for the IUCN Observer Mission at the UN Headquarters in New York City. Further, the Environmental Law Programme is requested "to continue monitoring documents of the United Nations and to undertake an ongoing review of the agenda of the United Nations, in order to advise the Secretariat and the other Commissions on any agenda items and other ongoing relevant issues in which the IUCN and the assembled expertise of its commissions should assist the work of the United Nations." The Environmental Law Programme is also to provide a regular list of UN documents relevant to the environment as a service to the Union and post it on the Internet web site of IUCN.

In gearing up for the 10-year review of the United Nations Conference on Environment and Development, the resolution *Preparing for Rio +10* (PRG013 rev. 1) "urges IUCN's Council, Commissions and Secretariat to undertake all steps necessary in order to ensure that IUCN will be able to offer valuable input during the preparations for and during the Rio+10 conference." Further, the Director General is requested, should funding be available, to form a working group that is to facilitate networking and collaboration among NGOs who are also interested in taking part in the Rio+10 process.

Lamenting the lack of information and insufficient involvement in international environmental affairs by the popularly elected representatives in local, regional, national and trans-national assemblies, the resolution *Co-operation with Parliaments* (GOV012, see p. 317), calls upon the Director General to negotiate a memorandum of understanding with the Secretary-General of the Inter-Parliamentary Union (IPU) in order to intensify co-operation with the IPU and its member parliaments. The hope is to "develop and maintain the necessary contacts and exchange of information with IPU member parliaments throughout the world who approach IUCN for advice on certain matters or express a general interest in policy questions pertaining to environmental conservation and sustainable development."



Notes

¹ Commission on Environmental Education.

² The *Jordan Times*, mistakenly reported on October 10, 2000 that the widow of the late Wolfgang E. Burhenne, Françoise Burhenne-Guilmin presented the award. To allay worries of readers of this journal and his fellow ICCEL members, the author would like to remark that our editor-in-chief is still, of course, alive and well.

³ In conjunction with the West Coast Environmental Law Institute, Vancouver, Canada.

⁴ Convention on Biological Diversity.

⁵ A second revised text of the IUCN Draft International Covenant on Environment and Development (IUCN Environmental Policy and Law Paper No. 31 Rev.), prepared by the IUCN CEL in collaboration with ICCEL, has been distributed among Ministries of Justice and Ministries in charge of environmental affairs in the hope of stimulating debate in the United Nations General Assembly on the prospects of adopting such a Covenant.

⁶ See UNGA Resolution 54/195 from 17 December 1999, as reprinted in EPL 30 (1-2), p. 92.