a) What are the expectations for the outcome of Rio+20, and what are the concrete proposals in this regard, including views on a possible structure of the Outcome document?

Rio+20 provides an opportunity to reinvigorate multilateralism in sustainable development through reversing what has gone wrong over the last 20 years. Taking advantage of this opportunity requires specific recommendations that equate to actions and an epistemological shift that balances and integrates sustainability’s three pillars in a repair of the structural flaws in the UNFCCC/Kyoto model that has led to a misunderstanding of the nature of climate change between 1985 and 2009. The changes required, particularly in the face of the policy and monetary capital supporting the current challenged process requires examining past successes for guidelines that can be integrated within today’s context to bring greater equilibrium to a process that now focuses on market and technology at the expense of both people and the environment.

To achieve the goal of a working multilateral process that continues to engage the countries that mostly contribute to emissions, those that will continue to increase their contributions, and those that will be most affected by the outcomes of climate change means forging incentives for all to continue to meaningfully participate in crafting the incremental solutions rather than artificially constructing an unenforceable legal structure upon an already fragile system. The ultimate goal should still be a comprehensive and binding global climate change agreement but to get there, reaching both within and outside of the UNFCCC may prove more effective to getting real results in real time. Recalling the comments of Mexico’s Foreign Minister Espinoza at COP16 in Cancun in the face of a single country’s challenge to an agreement by the other 194 members, consensus is not unanimity. Even with such official statements, the UNFCCC process as consensus diplomacy faces serious challenges and there is mounting evidence that collaboration may move processes more effectively by creating conditions that encourage rather than preclude, and that retain key countries rather than driving them to disengage from the issues of climate change and from the regime.

Consider:

- The Montreal Protocol is a frequently cited example of multilateral success. Like the UNFCCC, it is a framework with vague objectives and no specific obligations for its signatories. Its hallmarks are the capability for rapid modification to incorporate developing scientific information and technical advances with the ability to incite credible regulatory commitment. In accommodating alternatives developing out of science to promote effective public policy, it spawned successor agreements and removed competitive advantages for non-parties. Despite its differences from the UNFCCC,
potentially transferrable factors that led to success include trade-related environmental measures, built-in flexibility for risk and uncertainty, and its provision of specific guidance on engaging developing countries. Other good practices that break down rather than reinforce barriers to sustainability goals, reduce transaction costs and increase legitimacy should be referenced as starting places for structuring the Outcome document.

- Trust is a prerequisite to durable legally binding agreements. Rebuilding confidence and trust in the regime is served by eliminating arbitrary divisions between countries, sectors and within systems to increase flexibility to changing science, political and economic systems while supporting incentives and reordering priorities that put people and the environment on a par with market systems and technologies.

b. What are the comments, if any, on existing proposals: e.g., a green economy roadmap, framework for action, sustainable development goals, a revitalized global partnership for sustainable development, or others?

Many of the current proposals are exclusionary of other goals. Many if not most rely on market mechanisms as the overriding primary indicator. Adopting a “both/and” approach instead of “either/or” assumptions allows bottom-up to meet rather than compete with top-down efforts. Both are needed, but need to be reinforcing of the basic tenets of sustainable development that expose the limitations of relying almost exclusively on financial arrangements and technology funding that relegate the protection of the Earth and human welfare to the equivalent of a business plan calling for a commodification of the commons. This requires redefining the “green economy” as a fundamental principle of sustainability in human and environmental terms that include a definition of global public goods and a vision of attaining a high quality of life for all.

Some reasons why current approaches are divisive and ultimately unsuccessful are that they privilege economic methods, metrics and techniques over knowledge co-generation through asymmetrical collaboration such as what has been shown to be effective between indigenous communities and biologists in co-managing natural resources.

Working at this type of knowledge interface of cultures, disciplines and interests involves people at the community level in policy-relevant participation, in gathering data, interpreting expert opinions within local contexts, and direct participation in national level discourse that transcends sectoral priorities and offers suggestions that can be replicated in other global locations through integration into the UNFCCC structure. What is needed is to enhance the sustainable development concept with appropriate new indicators. The universal and measurable indicator of human health in action frameworks, which is evidenced in successes and failure metrics by agriculture, disaster risk reduction, energy, climate change, trade and labor policies among others, the pillars of sustainable development are aligned with appropriate attention to the social and environmental values that operate to support healthy global economies.

c. What are the views on implementation and on how to close the implementation gap, which relevant actors are envisaged as being involved (Governments, specific Major Groups, UN system, IFIs, etc.)
The goal of implementation is to make practical, not merely rhetorical progress. Rigid processes that impede this goal need to be restructured with priority given to institutional development that allows for the legal framework to evolve within the institutional processes, and including the full range of appropriate actors in policy development and implementation.

- The previous two Earth Summits, the United Nations Conference on Environment and Development (UNCED) in 1992 and the World Summit on Sustainable Development (WSSD) in 2002 together with the Convention on Biological Diversity’s (CBD) Aichi Biodiversity Targets, the Hyogo Framework for Action 2005-2015 and the Millennium Development Goals (MDGs) provide a framework for achieving sustainable development. Implementation has been incomplete and many gaps remain in areas ranging from human health, to disaster reduction, migration and the oceans. For example, the Millennium Development Goals (MDGs) could achieve a renewed prominence through integration with other sustainable development initiatives. The current MDG framework does not address growth or governance in its 60 goals for peace, development, the environment, human rights, the vulnerable, hungry, and poor, Africa, or the United Nations. Rio+20 is an opportunity to link the MDGs to Sustainable Development Goals and establish targets beyond 2015. Similar opportunities exist with other actions and frameworks.

- Pushing the legal framework in advance of institutional revisions weakens an already brittle structure. Strength, stability and binding authorities must develop rather than launch prematurely offering incentives such that no state benefits from withholding and no state accrues benefits by failing to comply.

- A more flexible process requires a restructured interaction among policy actors to reflect the interdependence between local, national and multilateral processes. NGOs, frequently cited as the most effective local implementation agents for poverty eradication, education and capacity building, adaptation and disaster reduction and relief, need direct and specific support from the multilateral system and from governments rather than being considered either competitive or a “necessary inconvenience.” Directly involving civil society in setting policy as well as in local implementation of action supports prioritizing institutional development over the development of a legal framework - a necessary requirement to rebuild trust. It also gives local interests a voice in any policy as NGOs can represent those interests more authentically than governmental bodies whose foci are often sufficiently (and often appropriately) different from the local community.

**d. What specific cooperation mechanisms, partnership arrangements or other implementation tools are envisaged and what is the relevant time frame for the proposed decisions to be reached and actions to be implemented?**

Unavoidably, the necessary partnership development and trust building processes take time and while immediate action on climate change is critical, avoiding a process breakdown through intractable conflict and stalemate requires taking the time to develop meaningful inclusion. This is true at national and multinational levels. To address the immediate requirements for action while rebuilding workable multilateral processes, new and borrowed mechanisms can be
engaged to move climate change mitigation and adaptation action forward while building flexibility, inclusion and incentives into the multilateral UNFCCC/Kyoto process that allow for its continuation and evolution. For example, the following could be considered singly or in combination:

- Building bridges rather than artificially separating trade and climate change communities; incorporating learning from international trade law lessons about the fragmented and cyclical nature of international laws to create climate change incentives comparable to the drivers of trade negotiations, possibly through inserting climate change chapters into RTAs (regional trade agreements) which move faster than multilateral processes. RTAs could include geopolitical and security interests for conclusion of regional climate change agreements.

- Convening groups of countries for bilateral and regional climate change agreements and purposefully including the diverse range of institutions now relegated to non-decision making (like the Civil Society Organizations) in current regime complexesvi. Incorporating successes and working mechanisms into combined multilateral standpoints that reward political support for climate change action, discourage free-riding, and leverage actions such as RTAs with strong commitments for GHC emissions, health and adaptation commitments.

- Linking sustainable development to poverty reduction, considering differentiating responsibilities by GDP, per capita GDP, total emissions, per capita emissions and population/environment interrelationshipsvii in bilateral and mini-lateral actionable decisions building towards multilateral agreements.

Conclusion:
The current Kyoto Protocol is a top-down agreement that has proven to be very rigid. It is dominated by market mechanisms with insufficient regard for social and environmental values and methods. With complementary climate agreements, it could transform from what many see as the only structure providing a legal basis for climate change action into a more workable system within our emerging multi-polar world. Trade and climate change in cooperative alliance can act together to dissolve arbitrary barriers and include the appropriate actors at the right points in the process for swift and durable movement. Concepts like variable geometry (also known as enhanced cooperation) can enhance and make the UNFCCC more viable, more realistic, and more trustedviii.

Successful policy interlinks efforts to address ecological, social, economic and cultural issues. It interweaves local and regional actions with regional, national and multilateral processes and agreements which can become permanent and binding, yet flexible.

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viii Examples of this approach include the UN Convention on the Law of the Sea, WTO and the creation of the Montreal Protocol.