UN Environmental Policy: Non-State Actors, Trends and the Regulatory Role of the State

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We all want to work for a just, sustainable anthropocene.

In this study of global political ecology:

- We seek to bridge the research gap, identified by the Earth System Governance Project, on the role of the non-state actors upon UN environmental policies.

By analyzing long-term trends:

- In UN architecture and non-state actors’ agency at the UN and
- Their potential impact on national policies, earth system governance and environmental justice.
We analyse long-term trends in the roles of non-state actors at the UN with:

1. A simplified subsystem typology of the UN political system
2. A timeline of UN architecture to understand the redistribution of power
3. Relative coalition influence categories
4. Non-state actor relative influence (Non-conclusive evidence)
5. Corporate policy learning and strategies
6. A comparison of UN and corporate narratives
Synthesis of Hypotheses

> Global Emissions < env. justice

> TNC soft power

< state regulation

<CSO negotiating strength

Shift in UN architecture and agency
1. UN Political Subsystems

![Diagram showing relationships between nation-states, non-state actors, and UN agencies and units.]

- **Nation-States**
  - NS1 “North” States
  - NS2 “South” States

- **Non-State Actors**
  - Peak Corporate Orgs.
  - Civil Society Orgs.

- **UN Agencies and Units**

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Research gap on the agency of non-state actors

Other influences
## 2. Long-Term Trends in UN Architecture

<table>
<thead>
<tr>
<th>PERIOD</th>
<th>EVENTS</th>
<th>CONTEXT</th>
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<tbody>
<tr>
<td>1972-1985</td>
<td>NIEO, Code of Ethics proposal</td>
<td>70 new NS2 members TNCs Criticized-Bhopal</td>
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<td>1990-1993</td>
<td>Rio Summit</td>
<td>Sust. Dev., CSO Access, Binding Agreements</td>
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<td>1993 - 2000</td>
<td>WBCSD</td>
<td>TNCs wake up to UN relevance, green economy</td>
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<td>1997-2000</td>
<td>Global Compact</td>
<td>Corporate participation</td>
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<td>2012-2015</td>
<td>Rio+20, COP-21</td>
<td>Voluntary commitments and green economy</td>
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Inspired by Sagafi-Nejad and Dunning, 2008.
TNCs had previously denied climate change and disregarded the UN as anti-business. In the 1990s, they:

- Decided that the UN was important
- Shifted their peak organizations from the ICC to WBCSD, Global Compact, etc.
- To avoid regulation (Holliday, 2002), WBCSD:
  - Promoted a positive green economy frame, based on voluntary business endeavors.
  - Obtained privileged access to governments and UN agencies, including meetings and appointments to key positions.
  - Influenced the Rio+20 agenda-setting to shift away from sustainable development to green economy and to exclude national and local governance.
A WBCSD meeting
The UN Global Compact
5. Trends in Relative Non-State Actor Influence at the UN

## 6. Shift in UN Conference Objectives

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<td><strong>Objective</strong></td>
<td>Create a new world order for global cooperation on environment and development.</td>
<td>Build on the achievements made since the UNCED and undertake concrete actions and measures at all levels.</td>
<td>Strengthen institutional development partly by revitalizing national sustainable development (SD) councils.</td>
<td>Renewed commitment for SD focused on two themes: (a) a GE in the context of SD and poverty eradication; and (b) the institutional framework for SD.</td>
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<td><strong>Document</strong></td>
<td>Principle 11 Enact effective environmental laws, standards, management objectives and priorities</td>
<td>§40, 162-163 setting and enforcing clear and effective laws;</td>
<td>§101 national and local capacities to analyse, approve and enforce regulatory and incentive frameworks.</td>
<td>§268 National policies and regulatory frameworks which promote private sector development.</td>
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Sources: UN (1992, 2002 and 2012), PrepComs and other UN resolutions
Influence of Non-State Actors at Rio92 and Rio+20

**UNCED 1992 (Eco92)**
- GBOs and TNCs
- National Governments
- UN Agencies
- UN Conferences

**CSOs and Social Movements**

**UNCSD 2012 (Rio + 20)**
- GBOs and TNCs
- National Governments
- UN Agencies
- UN Conferences

**CSOs and Social Movements**

Red arrows indicate greater influence.
Conclusions

- Global Emissions < env. justice
- OSC -> Rio92
- TNC access to decision-makers
- Shift in UN architecture and TNC agency
- TNC frame -> Rio+20
- < state regulation
For a just, sustainable anthropocene

We need, as pre-conditions to:

- **Rebalance power among states, business and civil society, with:**
  - Nation-states’ will and capacity to enforce effective policies and reduce degradation.
  - Enhance civil society’s soft power through a strong coalition alignment.
  - Universalize business commitments to effective green measures.

- **Enhance dialogue to reach mutual understanding and improved governance with:**
  - Global campaigns to increase citizen and business awareness of the planetary limits
  - Best practice
    - Combine market mechanisms with enforced regulations -> best practice
    - Better yet, with business and civil society initiatives.

- **Quotes:**
  - Pope Francis: “global regulatory patterns are needed to impose obligations and avoid unacceptable actions.” (laudato si)
  - Gell-Mann: We cannot “discuss ...global governance ... without looking at ... conflict between differing ideologies.”


UN documents, see article.
Thank you for your participation!

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See www.xapuri.info