INTERNATIONAL ENVIRONMENTAL POLICY AS A LIFE SUPPORT SYSTEM RESPONSE

Renu Khator
University of South Florida, USA

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Summary

During the last four decades, environmental policy has come of age and has become an integral part of any global discussion whether on trade, security or human rights. Nonetheless, serious environmental issues continue to emerge. This manuscript begins with a brief description of the environmental crisis today, followed by a history of environmental policy as an institutional response system. Subsequently, it suggests ways in which environmental policy can respond to the changing needs of the twenty-first century.

1. Environmental Policy Challenges in the Twenty-First Century

The twenty-first century has begun on the following environmental notes:

- 78 million people are being added to the world's population every year and most of this growth is taking place in the poorest parts of the world;
- The burning of fossil fuels has almost quintupled since 1950;
- Nearly one-third of the world's population, about 2.7 billion, will experience severe water shortages within the next 25 years;
- The marine catch has increased four times in 40 years;
- Every year, at least 16 million additional hectares fall to the axe, torch, bulldozer, or chain saw;

- By the year 2020, over 700 000 deaths worldwide will occur annually from exposure to particles, as a result of fossil-fuel burning that could be avoided by a climate control policy;
- Sea levels are rising at the rate of one centimeter a year, threatening to submerge a large number of coastal urban areas within the next 50 to 100 years;
- Millions are displaced each year by ecological marginalization. The number is expected to grow as land and water resources become more stressed and as human encroachment expands to sensitive areas.

Considering these trends, it is safe to assume that environmental issues will continue to crowd the international agenda in the twenty-first century. The quest for scientific verification, which consumed the world community throughout the 1960s and 1970s, has resulted in aggressive scientific discoveries over the past four decades. The most critical need at the moment is to translate scientific discoveries into workable policy actions. The emergence of a consensus is lacking because of lingering disagreements in several areas, including global capitalism versus individual economies, North's consumption versus South's population, territorial security versus diplomatic security, political sovereignty versus global jurisdiction, individual accountability versus global responsibility, and anthropocentric values versus environmental ethics. A consensual resolution of each of these issues is essential in order to develop bio-centric ethics and harmonize environmental needs with other needs for developing and developed countries.

1.1 Global Capitalism versus Individual Economies

The advent of global capitalism symbolized by the creation of the World Trade Organization (WTO) offers one of the most serious challenges to sustainable development. Freer trade and environmental protection have been at odds since the Uruguay Roundtable that outlined the guiding principles of the WTO. In recent years, the WTO established a special Committee on Trade and Environment to help pacify these concerns; however, if public protests such as those that occurred at the 1999 WTO meeting in Seattle are any indication, the tension continues to not only exist but also intensify.

In theory, the WTO embraces the ideals of environmental protection and sustainable development. According to the WTO preamble, "an open, equitable and non-discriminatory multilateral trading system has a key contribution to make to national and international efforts to better protect and conserve environmental resources and promote sustainable development". In addition, many key agreements reached by the WTO specify governmental obligations toward the environment. For instance, the Agreements on Technical Barriers to Trade and on Sanitary and Phytosanitary Measures explicitly directs governments "to take measures to protect human, animal and plant life and health and the environment." The Agreement on Subsidies and Countervailing Measures encourages governments to comply with new environmental legislation by allowing subsidies to industry covering up to 20% of the cost of adapting existing facilities to new environmental standards.

Proponents of freer trade believe that trade relations strengthen environmental

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compliance, by allowing countries to learn from one another and accept higher standards often set by environmentally stringent trading partners, such as the United States and Europe. Lucas and others argue that openness of an economy lowers the toxic intensity of manufacturing output. Some believe that freer trade allows a country's economy to generate additional revenue that can then be invested in better pollution abatement technologies and more efficient processes. Without the additional revenue, it will not be possible for developing countries to make an investment in technology and pollution abatement programs.

The critics of freer trade, however, believe that global capitalism hurts individual economies by forcing countries to "race to the bottom" and relax environmental standards in order to compete, or sometimes even survive, in the unequal global market. They find that as emerging economies engulf themselves in global trade, they are likely to ignore the implementation of environmental regulation, either altogether or partially, and create regulatory chill. The regulatory-chilled countries offer a more conducive environment to industries, particularly pollution heavy industries, looking for relocation or expansion. They set their environmental standards low in order to attract industries currently suffering from environmentally stringent political systems in their own homelands. Transfer of dirty industry from developed to less developed countries (LDCs), even if it is on the invitation of the latter, is called "ecological dumping". Environmentalists point to the relocation of automotive, pharmaceutical and chip manufacturing industries from the United States to Mexico and other developing countries as a form of ecological dumping caused by the forces of the world economy.

Opponents of freer trade also refute the assumption of a positive relationship between economic performance and environmental spending. They believe that freer trade causes higher levels of environmental degradation owing simply to the fact that once people's purchasing power enhances, so does their appetite for consumption. Evidence indicates that countries do not always spend their increased revenues on environmental improvements and even if they do, it is because of the increased environmental degradation already precipitated by higher economic growth. A good example of this scenario is the heavy deforestation in fast emerging economies that, more often than not, occurs under the shadow of the world economy.

Some political economists believe that participation in the world economy has the potential to destroy local economies by making them dependent on external forces. Sustainable economies are local economies, they argue, because they generate and distribute costs and benefits locally. People are more inclined to preserve their environment if they can directly relate to the implications of their actions. In the global economy, it is often impossible for people to identify the true impact because the benefits of the global market (cheaper product costs and enhanced job opportunities) are immediate and local, while the costs (pollution and other forms of environmental degradation) are distributed over generations and spatial distributions. For example, the transfer of the drug manufacturing industry from the United States to Mexico generates immediate and localized benefits for both. American consumers pay less for drugs produced by cheaper labor abroad, while Mexicans experience new jobs and higher wages. However, in the long run, neither Mexicans nor Americans benefit. The new production processes generate new environmental and health issues for Mexicans,

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forcing them to pay for externalities in terms of lost human lives and degraded water streams. The assumption of Mexican prosperity through new jobs and enhanced wages is also misleading in the long run, because as the purchasing power increases so does the cost of living. Similarly, Americans bear the cost of a declining economy and lost jobs, leading to social tensions and unrest. Mexico's plight becomes worse in a few years because its local economy becomes dependent on the global economy and Mexico can no longer opt out of participating in it. The resulting dependent relationship creates an exploiter-exploited relationship for which the World Trade Organization does not offer any solution.

Many cases filed in the International Court of Justice or with the GATT/WTO in recent years indicate that tougher environmental standards in one country do not necessarily encourage their trading partners to do the same. In fact, the reverse seems to be the case. In the highly publicized tuna dispute between the United States and Mexico, Mexico's right to sell in the US market tuna caught, despite the fact they were caught by environmentally unsafe methods, was upheld. This means that the US had to allow Mexican tuna to come to its market even though it prohibits its own fishermen from using the practices employed by Mexicans.

1.2 Northern Consumption versus Southern Population

The North-South tension is perhaps most visible in the debate related to the Earth's carrying capacity. While both, North and South, agree that the Earth's carrying capacity is finite and that human impact is fast approaching the critical threshold, they disagree over who is accountable for it and whose responsibility is it to reverse it. Northern countries blame Southern countries, who also happen to be more populous, for growing too much too rapidly, while Southern countries blame Northern countries for consuming too much too quickly. Population control is an issue, according to the industrialized countries of the North, because each person adds stress to the limited resources of the Earth. Considering that the global population is already 6 billion and should reach 8.9 billion by 2050, Northern countries demand that Southern countries put more stringent population control policies in place. Southern countries, on the other hand, view this advocacy for population control as an infringement on their cultural values and personal choices.

Southern countries further argue that Northern countries, because of their frivolous consumption patterns, place a disproportionate burden on the Earth's carrying capacity. With only 16% of the world's population, Northern countries emit 48% of the greenhouse gases. The amount of greenhouse gases emitted by the 250 million Americans is the same as that of 4 billion people in the Southern hemisphere. US per capita CO^2 emissions are 5.7 tonnes as opposed to only 0.5 tonnes in the Southern hemisphere. According to the United Nations Human Development Report, while deforestation is concentrated in developing countries, over half the wood and nearly three-quarters of the paper is used in industrial countries. The per capita waste generation in industrial countries has also increased by three times in the past twenty years.

According to Brown and Kane, food processing in the US is grossly inefficient. 78% of the US grain is used to raise cattle for meat, and the yield ratio of grain to beef

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production is only 21:1. They further claim that an American consumes as much resources in his/her lifetime as do 35 Indians or 50 Bangladeshis. The Earth's carrying capacity is directly dependent upon the level of consumption, rising up to 10 billion people if every one is willing to live at the Bangladeshi consumption level, but dropping to less than 5 billion if every one aspires to live at the American standards.

Many writers believe that environmentalism is a ploy of the North to ensure the continuation of its own consumption levels by restricting the growth potential of the South. Since the human population has already crossed the 5 billion mark, it is unreal to aspire that everyone could enjoy the same level of consumption as enjoyed by the North, and hence the need for the North to control the South. Furthermore, they argue that global sinkholes, most of which are located in the South (rainforests, for instance), must be preserved in order to absorb global waste (such as CO^2 emissions), most of which is produced by the North. Environmentalism, they claim, validates the North's expansion into the South under the rubric of the global public good.

Since the first United Nation's conference on Human Environment in 1972, the North-South tension has been intensifying. At the Stockholm meeting, the tension was primarily philosophical, as countries questioned the definition and scope of environmental issues. Today, the tension is strategic, as countries dispute over the following three areas: (a) which environmental issues should be considered as priority issues, (b) who is historically responsible for creating the problems in the first place, and (c) who is responsible for bearing the fiscal burden. Southern countries demand, first and foremost, that Northern countries take the lead by reducing their CO^2 emissions and waste generation. Second, they also assert that the North should assume the cost of additionality (the cost of environmental protection over and beyond their developmental allocations), so that they are not forced to divert their resources from development. Finally, the South stresses that the North must help in rebuilding or strengthening Southern economies so that environmental resources do not become victim of developmental pressures. While international forums have tried to build a common understanding between the North and the South, more work clearly needs to be done.

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