

ISSUE 1:

Towards Earth Summit III in 2002

REVISED EDITION

by *Derek Osborn*



UNED-UK

**THE MILLENNIUM PAPERS
are a series of discussion
booklets which will be
brought out by UNED-UK
between now and
Earth Summit III in 2002.**



*The first of the
Millennium Papers
takes a strategic view
of the lessons from
Earth Summit II in 1997
and projects forward
to 2002.*

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Preface

DURING THE PAST 12 MONTHS there has been a growing interest around the world in the possibility of creating another major UN conference in 2002, ten years after the first Earth Summit in Rio, to give a new impetus to the whole sustainable development agenda. A number of major studies and initiatives have been launched around the world intended to produce results and recommendations to feed into the 2002 process. Informal discussions about the nature and scope of a 2002 Conference have begun to take place in many different settings and involving many different groups.

At one such recent meeting in the margins of the Governing Council of UNEP in Nairobi in February 1999 there was wide support for an early start to be made on establishing a process for a major international conference in 2002 on the progress of sustainable development and the implementation of Agenda 21, preferably in a major world city away from New York. Several key development, social and environmental issues are beginning to emerge, together with some crucial issues about resources and institutions.

The lecture printed in this pamphlet set out a number of arguments in favour of a major conference of this kind, and offered some suggestions about what might be achievable in 2002. It was first given at the Royal Society of Arts in London in February 1998, and was subsequently published by UNED-UK as the first in their series of Millennium papers. Now, twelve months later, the arguments in it still seem relevant to the emerging international discussion about the aims and objectives of a 2002 Conference. It is therefore being reprinted, unaltered except for this short preface.

Towards Earth Summit III in 2002

by **Derek Osborn**

March 1998

Derek Osborn was co-chair of the negotiations for the United Nations General Assembly Special Session (UNGASS), sometimes known as Earth Summit II, in June 1997 in New York. He is currently Chair of UNED/UK, an NGO which acts as liaison point between United Nations organisations concerned with sustainable development issues and all major groups in the UK. This paper is an edited version of a lecture given by Derek Osborn to the R S A (Royal Society for the encouragement of Arts, Manufactures and Commerce) on 11 March 1998. Another version of the lecture, one in a series of three, "Handing on the environmental baton", will also be published in the RSA Journal, Vol. CXLVI, 1998.

I want to start by underlining the absolute necessity of international action to make progress on some of the major problems in achieving more sustainable development throughout the world, and in protecting the world's environment. There is no alternative way of making progress on some of the big issues. Certainly there must be action at national and local level as well if international agreements are to be meaningful. But we cannot expect to solve all the problems by happy coincidence between myriad well-meaning local and national actions.

We are all familiar by now with the concept of the global commons and the need for concerted international action to care for them properly. For such global concerns as global warming, or the loss of biodiversity on land and in the oceans, action by one or a few countries alone will be ineffective unless matched by others.

But the need for international co-operation on sustainable development does not stop with the global commons. There are many environmental and social problems which overlap national or regional boundaries, or where a common approach world-wide makes for better progress than relying solely on national or local action. Equally we need to make sure that international agreements on other subjects such as trade or investment or enforcement and policing take proper account of environmental and social concerns and objectives. The necessary political will cannot be generated for difficult policies unless there is a sense of shared endeavour and fair burden-sharing between the different parts of the world. So the arrangements for development assistance and for encouraging or

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regulating trade and investment around the world also need to take proper account of the environment and of social policy concerns – again this is one of the familiar messages of sustainable development.

International meetings and processes are also crucial in building the essential trust and partnership between and within nations, in shaping and invigorating action at national and local level, and in helping to generate and sustain interest and commitment at all levels. International meetings can have significance and meaning at many levels – functional, inspirational, educational ... They can be the forum for agreement on new international law or binding agreements. They can agree programmes of action and commitment of resources. They can enable the participants to share experience and know-how, and to establish networks. They can inspire commitment and dedication both from the participants and the many others who are following the proceedings in the margins or from afar. They can forge new means for monitoring issues properly, and ensuring effective implementation of laws and agreements.

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That is the upside. But international activities and events can fail in as many ways as they succeed. Agreements can fail to materialise, or be so limited as to be tantamount to failure. They can fail to agree concrete action, or to prevent the diminution of available resources. They can result not in meeting of minds and learning, but in reinforcement of prejudices. They can reinforce cynicism and disheartenment both for those attending and those at a distance. Sometimes people grow disillusioned after a bad conference, and fall into a Slough of Despond. All talk and no action, they say.

That is an over-reaction. We live in an imperfect world. No international conference or international process ever has been or ever could be a total success. Always there are some loose ends, some disappointments, and some uneasy compromises. Conversely, total failure is equally rare. There is almost always at least some silver lining in the outcome however disappointing in general. And there is always the necessity and the challenge of doing better next time. How is this to be achieved? That is the central question I want to address.

There is undoubtedly a marked difference between some conferences and others in terms of their outcome. It is sometimes said that every conference is a success, but that some are more successful than others. Some mark a significant move forward in terms of international commitment or understanding of an issue. Others do not. For others again the true significance only becomes clear later. Given the number and potential significance of international events how can we learn from this rich experience and ensure that we get the best out of them?

My first reflection is the importance of establishing long term objectives for any international process and being clear about the nature and function of individual meetings within a long term strategy. An apparently obvious, but often neglected point. Given the time, expense and effort involved in creating any international meeting it is surprising how casually some international meetings are set up, or for what irrelevant reasons of prestige or political kudos, and how amateurishly they are sometimes conducted. At the opposite extreme it is wonderful to participate in a really well structured series of meetings in a successful process and to see the effects that determined leadership of a few, coupled with sheer professionalism in preparations and in the process and handling of meetings can sometimes have in moving events forward, and generating outcomes that may even transcend the best hopes at the outset. We need to do everything we can to nurture and transmit professionalism and informed understanding of how to get the best out of international processes.

Clarity about the purpose of a meeting and its place in an evolving sequence of events helps towards clarity about getting the right participants with the right mandates. If it is a negotiation for an international agreement, then negotiators with the right skills and authority to commit their Governments must be assembled. If the object is to establish or modify programmes of action and to secure or augment resources then those with the authority to discuss budgets and commit resources must be brought in. If the object is to exchange knowledge and information much thought is needed to establish who can usefully learn what from whom, and how to get them together. If the objective is an overview to review progress on a wide front, to establish new agendas and priorities for action, and to review institutional arrangements then those with the strategic authority and influence to settle such matters must be assembled. Glimpses of the obvious perhaps. But again it is surprising how much time is wasted in international processes when key players are absent, or when issues are discussed by the wrong people or by those who do not have full authority to negotiate or commit.

The participation of other players, industry and NGOs and other major groups of society is equally important. Increasingly they are actively involved within countries in shaping and advancing the environmental agenda, not just as the passive subjects of environmental law-making, but as active players whose voluntary co-operation, support and independent action is crucial to progress. By the same token they increasingly need to be actively involved in international activity as sources of ideas and experience, as parties who may undertake their own voluntary agreements on some issues in support of inter-governmental ones, as publicists and disseminators of messages,

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as friends or tormentors. Some progress has been made at Rio and subsequently at the annual meetings of the UN Commission for Sustainable Development (CSD) in developing means for effective participation by these groups in international processes. But arrangements for this are still very ad hoc and are still clouded by mutual suspicion and mistrust and by amateurism or lack of forethought about the requirements for effective interaction in particular situations. There is a lot of work needed here to improve the ways in which the major groups, perhaps particularly industry, can engage more effectively in international processes in the environmental field.

Clarity about purpose and participation count for a great deal. But of course they cannot by themselves achieve success in an issue. Why is it that we seem to be able to make progress on some issues and not on others, and how can this be changed over time?

I want to introduce here the concept of tractability. A problem or issue is tractable if it is capable of being dealt with. An international environmental issue or problem is tractable if it is capable of being brought to a successful outcome by an international process. Tractability is not the same as importance. *Sadly there are many issues of crucial importance to the world which are highly intractable.* Sometimes indeed they are so intractable that it proves impossible to handle or advance them for years at a time until circumstances have changed or careful long preparation has changed the attitudes of the public and of key participants.

We can characterise some of the features of a tractable international issue in the field of environment or development:

- widespread understanding and acceptance of the underlying science and facts;
- a serious and clearly identifiable threat or risk if collective international action is not taken;
- a clear and accepted causal chain so that the problem can be attributed to identifiable causes;
- feasibility of actions to eliminate or moderate the causes of the problem at reasonable or acceptable economic cost and working with the grain of the market;
- feasibility of establishing an equitable burden-sharing for dealing with the problem, particularly as between the North and the South.
- practicability of implementation and enforcement.

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In addition to these fundamental tractability requirements any successful process needs traction or driving. It needs:

- some active protagonists or champions;
- sufficient time for preparation and negotiation;
- sufficient political focusing and build up in the media and among local groups and communities about the significance of the international event in local and national terms.
- good chemistry and rapport between the principal individual players in the negotiations.
- sufficient identity of purpose within each of the principal countries about the objectives – countries are often hamstrung by lack of unity at home which gives them insufficient room for manoeuvre.

I set these points out at some length because they provide a clue to the crucial issue – how to make the most important issues more tractable over time. How can we get a grip on the great issues and really move them forward?

It is worth considering what have been good processes and what less good. The series of meetings from the late eighties onwards on the protection of the ozone layer are often spoken of as one of the success stories of international environmental action. And it indeed fulfilled every one of the tractability criteria – or rather over time it was made to fulfil all the criteria.

In spite of all these substantial advantages the negotiations had their share of difficulties. They extended over a number of years and were only brought to the comparatively successful position we are now in by outstanding efforts by a number of individual champions over the years, the establishment of a strong international network involving both Government and the business and NGO worlds, and continued media and public interest in the problem and its solutions.

Compare this with climate change. The tractability of the issue has so far been a great deal less than for the ozone layer on almost every count. The underlying science is making steady progress, but is still uncertain on some key issues particularly over timescales. The impacts and the dangers and risks of climate change they represent in different parts of the world are only gradually coming into clear focus. The causes of climate change are multiple, and they involve almost all human activity, not just a few multinationals. The measures and policies that might be taken to mitigate the causes or to adapt to the changes are complex, and politically and economically difficult. They raise acute problems of equity, particularly between the North and South. And the targets and measures to achieve them will raise acute problems of implementation and enforcement. No wonder that progress so far is limited,

in spite of the quality of the input by individuals and the degree of press and public interest throughout the world.

Even so it is making better progress than the international Biodiversity process. For biodiversity scores badly on every single one of the tractability tests. There is no single definition of biodiversity itself, or of how to assess the extent of its loss or what would constitute appropriate protection of it. There is no clear agreement as to the significance of its loss, or the value to be placed on protecting it. There is no general agreement on the actions needed to protect it or on their costs. There is an enormous problem of equity between North and South.

But biodiversity is by no means in the worst place of international environmental concerns. Concerns about the world's forests has not yet even got to the stage of international negotiations, but only to an open-ended exchange of views. Concerns about the fresh water are in a similar state. Concerns about the management of the oceans are by contrast almost buried by a multitude of overlapping agreements and bodies, even while many of the fishstocks and other marine resources of the world face collapse from over-fishing and exploitation.

All of these examples concern environmental issues, and success or failure in agreeing measures to regulate or ban the use of products, processes or practices so as to protect the environment. When it comes to action programmes or agreements as to the deployment of resources the story is even less good. Although there have been many good programmes to promote sustainable actions in practice at ground level, the history of the last few years is strewn with failed or reduced programmes, and half-fulfilled or abandoned promises of resources from donors. Much needs to be done to rebuild trust and confidence in this area – and to avoid making commitments which cannot be honoured.

So far I have spoken about the single issue international processes and their tractability or lack of it. I want now to discuss the role of the overview processes, of Conferences such as Rio of the Governing Council of UNEP and the annual meetings of the Commission for Sustainable Development. It is sometimes suggested that it is only the comparatively hard-edged negotiations for particular legal agreements that are really significant, and that the overview meetings are peripheral at best, or expensive time-wasting at worst. It is urged that the world has had enough of big wide-ranging UN Conferences on the model of the Rio Earth Summit, the Cairo Population Conference, the Copenhagen Social Summit and the Beijing Conference on Women. It is argued that this kind of event is too diffuse and noisy to produce effective results, and can only result in disappointed expectations after all the effort and expense that is put into organising them.

These meetings can spread understanding of the Big Picture.

I want to argue against that view. I want in particular to assert the particular significance and importance of the kind of over-view meeting which is represented by the Rio Earth Summit, the Governing Councils of UNEP and the annual meetings of the United Nations Commission for Sustainable Development. These are the meetings that shape agendas and priorities, and help to create the conditions in which the individual negotiations can prosper. These too are the opportunities for new issues to be identified and brought to the fore; and for new players both in Government and in other worlds to learn from others and to begin to make their own mark. These meetings can spread understanding of the Big Picture. They can unblock institutional barriers or establish new institutional structures. They can institute the long-term co-operative scientific or analytic work which gradually builds understanding and consensus about the nature of global problems and possible solutions. They can establish or alter priorities; they can enable the environmental world to engage with and affect the different worlds of development, trade, agriculture, industry, finance and perhaps encourage world leaders to alter the balance between them; they can engage the attention and participation of world industry and other major groups; they can be the occasion for major review of the balance of interests between North and South and other groups of countries, and the terms on which they can co-operate in pursuit of the common goal of sustainability.

The overview meetings cannot themselves be the occasion for detailed hard negotiations on particular issues – the wrong people will be present, and the agendas will be over-loaded. But they can have a key role in changing the climate and context of debate on the particular issues, and so on their tractability. A successful overview event can bring some issues to a point where agreements become possible or even essential, and others to a point where serious negotiations can begin. It can push forward shared analysis of the underlying science and causes of problems. It can help to identify new approaches to the cost of solutions, to burden sharing and the terms of North South co-operation. It can make the intractable tractable.

If this analysis is right now is the moment when we should begin planning in earnest for the next great Sustainable Development Summit envisaged for 2002, ten years after Rio, and to begin to identify the impetus which the prospect of that future event could give to progress on a number of present issues.

The Earth Summit at Rio in 1992 was a major success in this regard, and helped to advance the cause of sustainable development throughout the world. World leaders signed two major international conventions there on Climate Change and Biodiversity. The Rio Declaration on Environment and

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Development proclaimed 27 Principles to guide sustainable development. A major programme of action for implementing sustainable development throughout the world (Agenda 21) was adopted together with a set of principles to guide the sustainable management of forests. A basis for providing new and additional resources to the countries of the south to assist them in the transition to more sustainable patterns of development was also agreed.

This was not a chance outcome of that Summit meeting. Indeed most of the issues had already been settled before the participants arrived in Rio. The Climate Change and Biodiversity Conventions were complete and only needed to be signed by the Heads of Government when they arrived. And most of Agenda 21 and the 27 Principles were already complete. They were themselves built on the ferment of ideas and discussions that had followed the seminal Brundtland report in 1987. But that did not make Rio a waste of time. On the contrary it was only because the world knew that Heads of Government and many thousands of other participants from all parts of society were coming to this great and intensely publicised occasion and that millions more throughout the world were following or engaging in the event that the negotiators laboured mightily over the preceding two years to have all the agreements ready in time. The future fact of the Summit generated its own momentum or bow wave. It created the conditions in which the negotiations of the Conventions and Agenda 21 and the 27 Principles had to be made to succeed. It made possible what had long seemed impossible.

In some ways the energy generated by the Rio process and the issues put on the agenda there are still the most powerful positive driving and integrating force in the whole global sustainable development agenda. Even so progress since then has been patchy. In some parts of the world, on some issues, and in some sectors of society Agenda 21, the Principles and the Conventions have helped significantly to strengthen and guide the drive towards more sustainable patterns of development. But in other areas and other issues progress has been much less good, and has even gone backward in some cases. Political and public attention has seeped away. The annual meetings of the UN Commission for Sustainable Development have had some limited success in maintaining pressure on particular issues, but have not in general had the degree of preparation, or of public and political attention that would enable them to make substantial progress or to halt the decline in the overall levels of aid to the South. A general conclusion now widely accepted is that it is not practicable for the United Nations to review the whole of Sustainable Development

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and Agenda 21 every year. The CSD ought to be more modest and more selective, and deal with a limited number of topics each year.

If that is right we need then to create other less frequent opportunities for an across the board review and for regenerating energy across the world at the highest and broadest level. The review of achievements five years after Rio at the Special Session of the United Nations General Assembly in 1997 was a more plausible opportunity for a genuine across the board review. It might have been the occasion for facing up to the failures since Rio, and for renewing and strengthening the commitments made at Rio. But in the event there was again insufficient preparation and public attention to generate the political will for stronger commitments, and with a few significant exceptions the main conclusions of the Special Session did not go much beyond reasserting the objectives of Agenda 21.

Earth Summit II had essentially the same agenda as Rio itself, and would similarly have needed a full 2 years preparation at local, national and regional level to have built up sufficient public awareness of the issues around the world to have been able to make significant progress forward towards new international agreement or action. It would have been difficult in any circumstances to have generated sufficient political or public appetite to attempt such a major build up of activity so soon after Rio. But with significant economic problems in many countries during the mid – 90s and with an extensive international programme of other major conferences on other topics between 1992 and 1997 it proved impossible for the world to mobilise attention on Earth Summit II in sufficient time to achieve significant movement among any of the main players. The result was that negotiators at the Earth Summit II had little room for manoeuvre, and no political impetus to modify existing positions in the interests of securing new agreement and action.

At the end of the Special Session it was however agreed to have a further review of progress in 2002, ten years after the first Earth Summit in Rio. This will be the biggest opportunity for a comprehensive effort to push forward the sustainable development agenda throughout the world that is likely to arise for at least the next ten years. We need to take action on it now. 2002 could and should be more like 1992 in Rio and less like 1997 in New York. It could be made the occasion for a big push forward. It is an opportunity not to be missed. We all know that there is a mass of unfinished business in the sustainable development agenda. The environment is deteriorating. The pressures of population and unsustainable consumption are increasing. The natural world and biodiversity is suffering. Poverty is endemic. Inequalities between and within countries are growing more acute. Globalisation is opening up the whole world to the free market. But proper guidance or regulation of this market to protect the environment and social goods is lagging behind. 2002 is a prime opportunity for a new generation of active

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champions to seize hold of the sustainable development agenda and push it forward vigorously.

If that is to be achieved preparations and awareness raising for 2002 need to start now. There needs to be time for:

- thorough analysis and preparation of the issues;
- effective political mobilisation around the issues in all parts of the world involving all parts of society;
- a full-length international negotiation to define the issues and to bring them to a head.

A possible scenario of future events might include the following main elements:

1998 – Studies and consultations with all parts of society and in all parts of the world to identify key issues that might be advanced by international processes culminating in a summit in 2002

1999 – Elaboration of policy options and networking them nationally, regionally and internationally.

2000 – Definition of issues and objectives, and establishment of negotiating frameworks and agendas. The Millennium General Assembly which the Secretary General, Kofi Annan, has called for in that year could be a key occasion for defining the vision. Regional conferences in the five Continents could help build awareness and define the issues of most concern in the different parts of the world.

2001 – International Negotiations, and further local and national meetings.

2002 – A new Summit Conference to take decisions and establish implementation machinery.

Such a process would not of course supersede other international negotiations on individual topics, or the regular cycle of meetings of CSD, UNEP and other relevant international bodies. Nor should it interfere with all the activity already going on at regional, national, local and community level to implement Agenda 21 and promote sustainable development, and all the efforts of business and other major groups to make sustainability a practical reality in their work. But it should help to reinforce and energise all those other processes by giving them an important and significant event – a new Earth Summit in 2002 – as a goal or end date by which world leaders would

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be looking for significant achievements and agreements at all levels.

The first step to be taken in 1998 might be the establishment of national co-ordinating groups or networks in interested countries to begin to plan ahead on these lines. The objective for 1998 might be for each such group to produce a short report summarising issues and possible objectives to be delivered internationally by or in 2002, backed up by a set of more detailed analyses of some of the key issues.

Having taken informal soundings with a number of groups and individuals UNED/UK has recently taken steps to initiate a preparatory consultation in 1998 within the UK on these lines. It will seek to involve all major groups in a number of workshops and Round Tables at national and regional level, and to commission a number of position papers on the key issues. The objective is to produce by the end of the year an annotated agenda of issues and proposals embodying as wide a consensus as can be achieved amongst all major groups of society involved in the process which could be offered to Government and others as a contribution to further action and preparations in 1999.

Internationally UNED/UK is seeking to establish contact with similar groups and networks in other countries. Initial contact is being established through the CSD NGO Steering Group in New York. There may be further opportunities for extending the network and partnership during the CSD meeting in New York in April 1998.

We need to think hard about all these issues and the bounds of the possible during this first year of consultation and analysis. Too little ambition and we shall not develop the momentum to overcome inertia and the many obstacles in the path of progress on many of the major issues. Too much build-up on the wrong issues, and unrealistic expectations can be created leading to inevitable disillusionment. UNED/UK's consultation this year is intended to help scope both the opportunities and the pitfalls that might arise for an Earth Summit III in 2002.

This first analysis will then be used during 1999 to consult more widely to establish a broader basis of understanding and consensus nationally and internationally of the issues which would be worth putting into more formal negotiation in the years 2000-2002. We want to ensure that Summit effort can be concentrated on a big push forward on challenging but attainable goals.

Now, what does all this mean? What issues are we talking about? What matters could be advanced and made more tractable by a 2002 event? I hesitate here – not for lack of material and ideas about issues that need advancing, but because it is important not to be too prescriptive at the outset. The whole point of initiating a very broadly-based process at this stage is that it should be inclusive and open to everyone's ideas and aspirations. We aim to provide an

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opportunity for people and countries around the world to shape the issues and the agenda. Nobody has the right to predetermine outcomes. Nevertheless everyone is entitled to put forward their own vision and hopes.

So in that spirit only I would like to bring this lecture to a close by offering you my own provisional wish-list or set of aspirations for some of the elements that we might hope to bring off at a 2002 Summit:

- new forms of partnership between the countries of the north and the south both multilateral and bilateral, and involving the private and voluntary sectors as well as Governments
- new deals on development assistance, and the channelling of private sector investment in more sustainable ways,
- making international agreements on trade and investment give better recognition to sustainable development...
- new institutional arrangements to handle environmental and sustainable development issues better at international level.
- international legal instruments, Conventions or protocols on key issues, such as further steps on climate change, biodiversity, forests, oceans chemicals, ...
- better implementation and enforcement of international environmental agreements
- international recognition and support for the parts played on sustainability by all the major groups in society.

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Conclusion

The 21st Century will need to be just as much concerned with the environment and with sustainable development as the late 20th has been. The sheer weight of growing human production and consumption and the continuing growth of world population will itself guarantee that. International activity will be a key part of finding the solutions. 2002 could be a defining moment for facing up to this challenge in the new century, and regenerating the momentum of the drive towards more sustainable patterns of development. But the achievement of that objective needs preparations to start now.

*“Over the bleached bones
of numerous civilisations are written
the pathetic words ‘Too late’.”*

Martin Luther King

UNED-UK's primary objective is to promote sustainable development through facilitating the involvement of stakeholders in the work of the United Nations and in monitoring the work of the UK in implementing international agreements on sustainable development.

UNED-UK aims to encourage activities that result in a multi-sectoral approach to the promotion of sustainable development; environmental protection, social equity and economic development, through:

- facilitating the involvement of stakeholders in the policy work of the United Nations and other inter-governmental institutions in the area of sustainable development and in particular in the work of the UN Environment Programme, the UN Development Programme, and the UN Commission for Sustainable Development;
- helping to mobilise the UK political process, through all relevant institutions and particularly through the UK parliament and the EU;
- contributing to the preparation of national reports to the UN Commission on Sustainable Development;
- dissemination of information.

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