ing down key inspection rules opposed by the US biotech industry.

The British proposals are designed to overcome US concern about rival States engaging in ‘fishing expeditions’ into its biotech research. Any inspections will have to be approved by the UN Secretary-General, to whom evidence would be presented. Under the previous plan, there would have been no limits on investigations, which signatory States will have to comply with.

The British government hopes to revive the talks, which have been going on for five years, before the final dissolution of the negotiating panel in November 2002.

Ozone Layer: International Day

On the 15th anniversary of the signing of the Montreal Protocol, the UN General Assembly noted that although the scientific assessment carried out this year concluded that some ozone-depleting agents in the atmosphere are declining slowly, others are still on the increase. Scientists predict that the ozone layer will remain particularly vulnerable during the next decade or so, even if all countries comply with the measures put in place by the Montreal Protocol to control and phase out ozone-depleting substances.

The Secretary-General urged all countries to meet their commitments under the Protocol, and in particular the industrialised countries to continue providing the financial and other assistance that will help the developing countries to do so.

US Senate: Caribbean Treaty Approved

The Senate Foreign Relations Committee recently approved the Protocol Concerning Specially Protected Areas and Wildlife to the 1983 Convention for Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention) which is now subject to Senate ratification.

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The Secretary-General urged all countries to meet their commitments under the Protocol, and in particular the industrialised countries to continue providing the financial and other assistance that will help the developing countries to do so.

International Criminal Court

The Rome Statute of the International Criminal Court entered into force on 1 July. The UN Secretary-General said that the entry into force was an historic occasion “which reaffirmed the centrality of the rule of law in international relations”. It holds the promise of a world in which the perpetrators of genocide, crimes against humanity and war crimes are prosecuted when individual States are unable or unwilling to bring them to justice. And it gives the world a potential deterrent to future atrocities. I congratulate all the States parties (which stand at 75) on taking the lead in ratifying the Statute, and I appeal to all States that have not yet done so to ratify or accede to it as soon as possible”, he said. (MJ)

The Johannesburg Declaration on Sustainable Development*

From our Origins to the Future

1. We, the representatives of the peoples of the world, assembled at the World Summit on Sustainable Development in Johannesburg, South Africa from 2-4 September 2002, reaffirm our commitment to sustainable development.

2. We commit ourselves to build a humane, equitable and caring global society cognisant of the need for human dignity for all.

3. At the beginning of this Summit, the children of the world spoke to us in a simple yet clear voice that the future belongs to them, and accordingly challenged all of us to ensure that through our actions they will inherit a world free of the indignity and indecency occasioned by poverty, environmental degradation and patterns of unsustainable development.

4. As part of our response to these children, who represent our collective future, all of us, coming from every corner of the world, informed by different life experiences, are united and moved by a deeply-felt sense that we urgently need to create a new and brighter world of hope.

5. Accordingly, we assume a collective responsibility to advance and strengthen the interdependent and mutually reinforcing pillars of sustainable development – economic development, social development and environmental protection – at local, national, regional and global levels.

6. From this Continent, the Cradle of Humanity we declare, through the Plan of Implementation and this Declaration, our responsibility to one another, to the greater community of life and to our children.

SELECTED DOCUMENTS

WSSD

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7. Recognising that humankind is at a crossroad, we have united in a common resolve to make a determined effort to respond positively to the need to produce a practical and visible plan that should bring about poverty eradication and human development.

From Stockholm to Rio de Janeiro to Johannesburg

8. Thirty years ago, in Stockholm, we agreed on the urgent need to respond to the problem of environmental deterioration. Ten years ago, at the United Nations Conference on Environment and Development held in Rio, we agreed that the protection of the environment, and social and economic development are fundamental to sustainable development, based on the Rio Principles. To achieve such an objective, we adopted the global programme, Agenda 21, and the Rio Declaration, to which we reaffirm our commitment. The Rio Summit was a significant milestone that set a new agenda for sustainable development.

9. Between Rio and Johannesburg the world’s nations met in several major conferences under the guidance of the United Nations, including the Monterrey Conference on Finance for Development, as well as the Doha Ministerial Conference. These conferences defined for the world a common vision for the future of humanity.

10. At the Johannesburg Summit we resolve to work together to enrich a rich tapestry of peoples and views in a constructive search for a common path, towards a world that respects and implements sustainable development. Johannesburg also confirmed that significant progress has been made towards achieving a global consensus and partnership amongst all the people of our planet.

The Challenges we Face

11. We recognise that poverty eradication, changing unsustainable patterns, and protecting and managing the natural resource base for economic and social development, are requirements for sustainable development.

12. The deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing worlds poses a major threat to global prosperity, security and stability.

13. The global environment continues to suffer. Loss of biodiversity continues, fish stocks continue to be depleted, desertification threatens more and more fertile land, the adverse effects of climate change are evident, natural disasters are more frequent and more devastating and developing countries more vulnerable, and water and marine pollution continues to rob millions of a decent life.

14. Globalisation has added a new dimension to these challenges. The rapid integration of markets, mobility of capital and significant increases in investment flows around the world have opened new challenges and opportunities for the pursuit of sustainable development. But the benefits and costs of globalisation are unevenly distributed, with developing countries facing special difficulties in meeting this challenge.

15. We risk the entrenchment of these global disparities and unless we act in a manner that fundamentally changes their lives, the poor of the world may lose confidence in their representatives and the democratic systems to which we remain committed, seeing their representatives as nothing more than sounding brass or tinkling cymbals.

Our Commitment to Sustainable Development

16. We are determined to ensure that our rich diversity, which is our collective strength, will be used for constructive partnership for change and for the achievement of the common goal of sustainable development.

17. Recognising the importance of building human solidarity, we urge the promotion of dialogue and cooperation among the world’s civilizations and peoples, irrespective of race, disabilities, religion, language, culture and tradition.

18. We are committed to ensure that women’s empowerment and emancipation, and gender equality are integral components encompassed within Agenda 21, the Millennium Declaration and the Johannesburg Plan of Implementation.

19. We recognise the requirement of improved international cooperation and promote sustainable development.

20. We shall continue to pay special attention to the developmental needs of Small Island Developing States and the Least Developed Countries.

21. We welcome and support the emergence of new regional groupings and alliances, such as the New Partnership for Africa’s Development (NEPAD), to promote regional cooperation, improve international cooperation and promote sustainable development.

22. We recognise the role of the private sector, both large and small companies, have a duty to contribute to the evolution of equitable and sustainable communities and societies.

23. We also agree to provide assistance to increase income generating employment opportunities, taking into account the International Labour Organisation (ILO) Declaration of Fundamental Principles and Rights at Work.

24. We agree that in pursuit of their legitimate activities the private sector, both large and small companies, have a duty to contribute to sustainable communities and societies.

25. We also agree to provide assistance to increase income generating employment opportunities, taking into account the International Labour Organisation (ILO) Declaration of Fundamental Principles and Rights at Work.

26. We agree that there is a need for private sector corporations to enforce corporate accountability. This should take place within a transparent and stable regulatory environment.

27. We undertake to strengthen and improve governance at all levels, for the
 efective implementation of Agenda 21, the Millennium Development Goals and the Johannesburg Plan of Implementation.

**Multilateralism is the Future**

28. To achieve our goals of sustainable development, we need more effective, democratic and accountable international and multilateral institutions.

27. We reaffirm our commitment to the principles and purposes of the UN Charter and international law as well as the strengthening of multilateralism. We support the leadership role of the United Nations as the most universal and representative organisation in the world, which is best placed to promote sustainable development.

26. We further commit ourselves to monitoring progress at regular intervals towards the achievement of our sustainable development goals and objectives.

**Making it Happen!**

29. We are in agreement that this must be an inclusive process, involving all the major groups and governments that participated in the historic Johannesburg Summit.

30. We commit ourselves to act together, united by a common determination to save our planet, promote human development and achieve universal prosperity and peace.

31. We commit ourselves to the Johannesburg Plan of Implementation and to expedite the achievement of the time-bound, socio-economic and environmental targets contained therein.

32. From the African continent, the Cradle of Humankind, we solemnly pledge to the peoples of the world, and the generations that will surely inherit this earth, that we are determined to ensure that our collective hope for sustainable development is realised.

We express our deepest gratitude to the people and the Government of South Africa for their generous hospitality and excellent arrangements made for the World Summit on Sustainable Development.

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**Global Judges Symposium**

**The Johannesburg Principles on the Role of Law and Sustainable Development**

We affirm our commitment to the pledge made by world leaders in the Millennium Declaration adopted by the United Nations General Assembly in September 2000 to spare no effort to free all of humanity, and above all our children and grandchildren, from the threat of living on a planet irredeemably spoilt by human activities, and whose resources would no longer be sufficient for their needs.

We express our firm conviction that the framework of international and national law that has evolved since the United Nations Conference on Human Environment held in Stockholm in 1972 provides a sound basis for addressing the major environmental threats of the day, including armed conflict and attacks on innocent civilians, and should be underpinned by a more determined, concerted and sustained effort to implement and enforce these legal regimes in concert with their objectives.

We emphasize our commitment to the Universal Declaration of Human Rights and the UN Human Rights Convention, and recognize their close connection with sustainable development and upholding the Rule of Law.

We recall the principles adopted in the Rio Declaration on Environment and Development and affirm adherence to these principles which lay down the basic principles of sustainable development.

We affirm that an independent Judiciary and judicial process is vital for the implementation, development and enforcement of environmental law, and that members of the Judiciary, as well as those contributing to the judicial process at the national, regional and global levels, are crucial partners for promoting compliance with, and the implementation and enforcement of, international and national environmental law.

We emphasize the importance of the peaceful resolution of conflicts to avoid situations in which weapons of war degrade the environment and cause irreparable harm directly through toxic agents, radiation, landmines and physical destruction and indirectly destroy agriculture and create vast displacement of people.

We recognize that the rapid evolution of multilateral environmental agreements, national constitutions and statutes concerning the protection of the environment increasingly require the courts to interpret and apply new legal instruments in keeping with the principles of sustainable development.

We emphasize that the fragile state of the global environment requires the Judiciary as the guardian of the Rule of Law, to boldly and fearlessly implement and enforce applicable international and national laws, which in the field of environment and sustainable development, will assist in alleviating poverty and sustaining an enduring civilization, and ensuring that the present generation will enjoy and improve the quality of life of all peoples, while also ensuring that the inherent rights and interests of succeeding generations are not compromised.

We agree that the Judiciary has a key role to play in integrating Human Values set out in the United Nations Millennium Declaration: Freedom, Equality, Solidarity, Tolerance, Respect for Nature and Shared Responsibility into contemporary global civilization by translating these shared values into action through strengthening respect for the Rule of Law both internationally and nationally.

We express our conviction that the Judiciary, well informed of the rapidly expanding boundaries of environmental law and aware of its role and responsibilities in promoting the implementation, development and enforcement of laws, regulations and international agreements relating to sustainable development, plays a critical role in the enhancement of the public interest in a healthy and secure environment.

We recognize the importance of ensuring that environmental law and law in the field of sustainable development feature prominently in academic curricula, legal studies and training at all levels, in particular among judges and others engaged in the judicial process.

We express our conviction that the deficiency in the knowledge, relevant skills and information in regard to environmental law is one of the principal causes that contribute to the lack of effective implementation, development and enforcement of environmental law.

We are strongly of the view that there is an urgent need to strengthen the capacity of judges, prosecutors, legislators and all those who play a critical role at national level in the process of implementation, development and enforcement of environmental law, including multilateral environmental agreements (MEAs), especially through the judicial process.

We recognize that the people most affected by environmental degradation are the poor, and that, therefore, there is an urgent need to strengthen the capacity of the poor and their representatives to defend environmental rights, so as to ensure that the weaker sections of society are not prejudiced by environmental degradation and are enabled to enjoy their right to live in a social and physical environment that respects and promotes their dignity.

We are also aware of the view that the inequality between powerful and weak nations in terms of their relative capacity and opportunity to protect the sustainable development of the shared global environment places a greater responsibility on the former to protect the global environment, and

We feel reassured that the implementation and further development of interna-