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United States
Environmental Protection Agency
Washington, D.C. 20460

JUL 15 1992

The Administrator

MEMORANDUM TO ALL EPA EMPLOYEES

SUBJECT: REFLECTIONS ON THE EARTH SUMMIT

First, let me thank you very much for the warm welcome I received my first day back in the office. I was deeply moved by the declarations of confidence and support thousands of you signed. Not having had a lot of positive reinforcement in Rio it was all the more welcome to come home to some. And particularly satisfying that it came from my own EPA people. So thanks for that.

The United Nations Conference on Environment and Development, the Earth Summit, was a watershed event. In attendance at the Earth Summit were three times as many countries (180) than were present when the U.N. was organized, twice as many as signed the Montreal Protocol, 40,000 participants, 9000 journalists, and over 100 heads of state. It was variously described: by Maurice Strong, Secretary General of UNCED, as "the most important conference in the history of humanity"; and as "a circus," by an anonymous White House staffer who briefed the New York Times on background!

For me personally, it was like a bungee jump. You dive into space secured by a line on your leg and trust it pulls you up before you smash to the ground. It doesn't typically occur to you that someone might cut your line!

The Rio Conference came 20 years after the first great international environmental meeting of recent times — the Stockholm meeting of 1972. The Stockholm Conference raised the profile of international environmental concerns, and many countries followed up by creating environment ministries. But environment in most countries did not become a priority issue, nor were the trade, economic and foreign policies of nations typically reformed to reflect environmental values. The purpose of the Rio conference was to elevate the environment as a priority, and promote better integration of nations' environmental goals with their economic aspirations.

Expectations for the Rio meeting were very high: for specific treaties on climate change and biodiversity; for a wide-ranging statement of principles on forest conservation and management; for an ambitious Agenda 21 with 900 pages of significant, new

international commitments to better environmental behavior; and for new financial resources sought by developing countries — one speech by Maurice Strong indicated \$125 billion estimated total annual need, of which he hoped \$25 billion in new money annually would come from the conference. Inevitably, many of those expectations were not met. But what is extraordinary to me is how many were met, and how much the world did achieve. When I visited Brazil last winter to lay the groundwork for a possible visit by President Bush, neither the Brazilians nor I expected so much would ultimately be agreed to at the Conference.

Achievement: Framework Convention on Climate Change. 154 countries committed to decrease harmful levels of greenhouse gases, develop national action plans, and increase scientific research and monitoring. As you know, the United States stood alone in resisting a commitment to targets and timetables for reducing CO₂ emissions. The Treaty agreed to is a sound basis for addressing and periodically reviewing the problem, the science, economics and technology relevant to climate change. And I believe the United States will have little difficulty stabilizing greenhouse gases. In Rio, I proposed all signatories present their action plans by January 1. The European Community said they would need a year. In sum, on climate change, as the British Secretary of State Michael Howard, a barrister, put it to me, "Rarely have I seen a good brief so poorly argued."

Achievement: Convention on Biological Diversity. This treaty addressed the problem of species loss worldwide, with a commitment to national plans and conservation strategies. The United States decision not to sign was the subject of intense controversy and criticism. In public relations terms we never recovered from it. The decision was not based on opposition to the conservation elements of the agreement, which we support, but our financial and legal concerns related to a proposed regime to single out as especially unsafe biotechnology, and language suggesting that intellectual property rights are subordinate to other rights recognized in the Treaty. The financing provisions, leaving authority with the donee, are also unsound. The U.S. early on supported the need for a biodiversity convention so it was a perverse twist that we alone rejected it. In his speech to the Rio Conference, President Bush announced that the U.S. would exceed the conservation goals of the Convention on Biological Diversity and we will work to fulfill that pledge. Furthermore, I believe the Convention and instruments of implementation will likely be revised in the future and accommodate our concerns. Incidentally, I have begun to hear recently some claims that the biotechnology industry did not have fundamental objections to the Convention. Certainly elements of that industry convinced the State Department, Vice-President's office and White House that the Convention did threaten them; no companies communicated any contrary message, even privately.

Achievement: Forestry — the Declaration of Principles on Forestry and advancement of our "Forests for the Future Initiative," the President's proposal in lieu of a worldwide convention on forests. This Initiative promotes sustainable forest use and also carbon sequestering. The United States and Germany both made forests a priority and committed substantial funds for their protection. I personally negotiated on the Declaration of Principles

and was struck by how offensive developing countries find some of the concepts — "global forest values," "carbon sinks," "international concern." The forest-owning developing countries genuinely fear as "globalization" or internationalization of their resources. Hence, this implacable opposition to a Forestry Convention.

Achievement: Agenda 21 — perhaps the most remarkable achievement of the conference. 900 pages of action plans — adopted by consensus by all 180 countries present — on addressing issues ranging from protecting the atmosphere and oceans, guidelines for Environmental Impact Statements, toxic release inventories, public participation, community right-to-know, safe drinking water. Many of these ideas, community right-to-know, TRI, EIS, were championed by the United States. Agenda 21 is an extraordinary new consensus on standards against which to measure the performance of governments. No doubt the press, non-governmental groups and environmental ministries will mine these documents for ideas, and will use them to hold governments and industry accountable for their actions for years to come. Just as in the field of human rights, these declarations will have the force of new expectations and will be a big stick with which to beat recalcitrant governments.

Achievement: The Rio Declaration or the Earth Charter. This declaration, a kind of "Stockholm Two" represents a compromise statement of principles with something for both the developed and developing nations. In a broad sense the Declaration embodies the general positive political emphasis UNCED put on environment and development needs. Its language is not all felicitous but it endorses economic instruments, a first for a U.N. document.

The Rio Conference had far-ranging impacts beyond the individual agreements negotiated:

- * It significantly heightened environmental concern worldwide, and in effect, was a 14 day crash course in environmental education. North and South America, Europe and Japan received saturating press coverage. I don't know about Africa, China or India.

- * It marked the arrival of the international environmental issue as one which will engage questions of trade, energy, technology transfer, bilateral funding, multilateral organizational commitments and structures. It launched the environment as a major new consideration in foreign policy. Prior to Rio, there was a tendency to limit or constrain environmental objectives to other forums, such as the GATT. Now developing nations are beginning to pursue trade and objectives in environmental treaties, where developed countries are finding it difficult to resist them.

- * It created a new and compelling rationale for engagement and cooperation between the North and the South, including funding commitments. Rio marked the arrival of a new basis for developing countries to make demands on developed countries. As traditional security and strategic claims have

waned after the Cold War, developing countries have begun to appreciate that they have a new rationale for demanding concessions from richer countries: how they use their forests and burn fossil fuels, or whether they conserve species all matter to people in developed countries who will pay to influence new policies. Europe and Japan will be more susceptible to these new claims by developing countries than the U.S., I suspect, and this increasingly will isolate us.

* From the conference new and significant financial commitments were drawn from Germany and Japan, and to many marked the arrival by these countries as international environmental leaders. The precedent of a major international agreement being concluded without the United States, was also much commented on. As I mentioned, in my view, the biological diversity treaty will be altered to satisfy the main U.S. concerns. The European Community and Brazil promised as much in their signing statements. In my opinion, a transition is taking place: countries with enormous economic resources are beginning to acknowledge social and environmental obligations commensurate with their economic power. This, in fact, has long been an objective of the U.S. foreign policy and we welcome this shared leadership.

One key question that remains in my view is why was so little asked of the developing countries? The lessons of Eastern Europe - the importance of democracy and free markets - are clear. The lessons of Mexico's experience are also clear. In Mexico, a liberalized economy open to trade and investment has resulted in more than \$25 billion in net inflows of capital over the past few years, an amount that dwarfs any conceivable foreign aid to which they might have aspired. And now Mexico is spending one percent of their GNP on the environment. We are in a new era where trade, not aid, will provide needed resources. I was virtually alone in pointing to these realities but because of the U.S. position on biodiversity I simply was not heard.

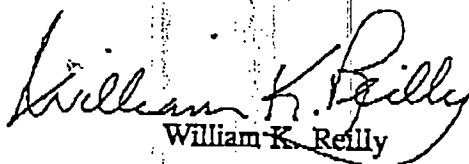
Another key question, frankly, is why did the United States play such a low-key defensive game in preparing for Rio? We assigned a low priority to the negotiations of the biodiversity treaty, were slow to engage the climate issue, were last to commit our President to attend Rio. We put our delegation together late and we committed few resources. No doubt this contributed to the negative feelings toward the United States.

I feel strongly that the press did not fairly portray the U.S. contribution to the conference, yet it is the impression many took away. The President's speech was well received in view of the fact that we considered the content of agreements a substantive success. We experienced a public relations set back internationally, counting on the notion that lonely defiance has its champions at home, and when it is principled it is often vindicated by history.

Where do we go from here? We will need to continue the momentum of international cooperation on the environment, especially with Europe and Japan, and work to articulate more clearly the real reforms needed in developing countries, where arguments about the conditions placed on assistance will inevitably ensue. I suspect all governments worldwide will need to adjust to the higher environmental expectations of our own people.

I'll close with a book recommendation I consider required reading: Changing Course by Stephen Schmidheiny. It lays out a path for the future of environmental leadership for industry, by someone who has championed that cause.

Finally, if the new world order does not result in a new, higher priority for planetary stabilization — the oceans, atmosphere and forests and the rest — it will be disappointing to many. If it does, it will demand a new sophistication and capacity to integrate our economic priorities with new international environmental priorities on the part of governments and their leaders.


William K. Reilly

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To : Katie McGinty

Katie

Attached is a recent memo to employees at the Environmental Protection Agency which nearly apologizes for the Administration's shameful showing at the Rio summit. Hopefully you can pass some of the information contained in Mr. Reilly's memo to Sen. Gore's strategists and speechwriters.

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