

**Partners in Development**  
Implementing Rio Conventions and Montreal Protocol through partnership initiatives in India

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## **I. Background**

- 1.1 Ideas like the German '*Vorsorgeprinzip*' (Precautionary Principle<sup>3</sup>) that had first emerged in the 1930s, were being discussed extensively in the sixties. A large group of concerned contemporary scientists, scholars and ordinary people formed the 'Club of Rome', and began analysing environmental problems based purely on available scientific data to come up with alarming conclusions.
- 1.2 In the mid 1950s the city of London experienced a spell, when the air became un-breathable and poisonous due to massive exhaust emissions from burnt fossil fuels, something that later came to be known as the 'London Smog'. The problem was analysed to have originated from the process of rapid industrialisation and the accompanying large scale burning of the 'wrong' fuel (low-grade coals from English mines) by the private sector, and the electricity generating power plants.
- 1.3 The World Bank and the International Labour Organisation in end-sixties felt that pushing industrial growth was not proving effective in reducing poverty and hunger, especially in the third world. There was growing evidence that while the US and the OECD countries had accumulated wealth; the developing countries were falling far behind.
- 1.4 Eventually in 1972, persuaded by Stockholm, governments were forced to re-think their development approaches and the impacts on the environment. Environmental problems were identified as conditions of under-development. As a fallout of this, world legislations in general and the OECD Council in particular (1972 and 1974) introduced the 'Polluter Pay Principle', into the economic development practices. In 1983, the United Nations welcomed the World Commission on Environment and Development under Gro Harlem Brundtland's chair. Around this time, the world witnessed the impact unplanned industrialisation could cause to the environment and humanity from the devastations in Bhopal (1984) and Chernobyl (1986).
- 1.5 The Brundtland Commission introduced the concept of 'Sustainable Development'<sup>4</sup> in its report in 1987 and introduced a new development model that incorporated ecological considerations into the policy-making and strategising processes for answering global challenges – and gave a clarion call to nations of the 'North' and 'South' to cement a global partnership for sustainable development.

## **II. Rio Conventions**

- 2.1 The United Nations Conference on Environment and Development (Earth Summit), held in Rio de Janeiro (Brazil) in 1992, was the first major attempt to review international environmental activities and articulate the concept of sustainable development into a global plan for action. The summit led to the United Nations Commission on Environment and Development (UNCED), and integrated the organisational basis for environment and sustainable development into the United Nations system. Participating governments recognised the need for a global partnership to face and meet the challenges of environment and development.
- 2.2 Three Multilateral Environmental Agreements were showcased at the UNCED. While two of them: the *United Nations Framework Convention on Climate Change* (UNFCCC)

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<sup>3</sup> Precautionary Principle: When there is a reasonable suspicion of harm, lack of scientific certainty or consensus must not be used to postpone preventive actions.

<sup>4</sup> Sustainable Development: In 1987, the World Commission on Environment and Development (the Brundtland Commission), agreed on a definition of sustainable development that is now generally recognised as the standard: 'Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.

and the *Convention on Biological Diversity* (CBD) were adopted during the summit, the *United Nations Convention to Combat Desertification* (UNCCD) was adopted later. However, these three Conventions are referred to as the Rio Conventions. To reduce ozone-depleting substances, the Montreal Protocol had been signed earlier.

- 2.3 The Indian government acceded to the Montreal Protocol in 1992, and ratified the Rio Conventions (all three of them) subsequently. This paper investigates the extent to which principles embodied in the above agreements have been achieved thus far in India, by looking at successful initiatives.

### **III. United Nations Framework Convention on Climate Change**

- 3.1 The UNFCCC contained a number of principles, which though not legally binding, were intended to guide the parties to implement the convention. Parties to the convention were expected to integrate climate policies (measure to arrest the process of climate change by mitigating the emission of Green House Gases, i.e., GHGs) into their national development programmes. It was specified for developed countries that they would have to reduce the level of GHG emissions to the levels in 1990, by the end of the year 2000.

#### *3.2 Case I: CNG in the transport sector in New Delhi*

- The air pollution levels in New Delhi, the capital of India, had reached an alarming level, by the end of the 1990s. In the absence of a major industrial contributor, vehicles were estimated to be responsible for nearly 70 percent of the air pollution load in the city. Lack of proper air quality planning, outdated engine technology, poor quality fuel and lack of transport planning were held responsible for this grave situation. The situation worsened with government inaction. The government remained oblivious to the deteriorating air quality and resorted to only vehicular emission (tailpipe) checking exercises, which was often disorganised and inadequate.
- In the year 1996, the Centre for Science and Environment (CSE), an NGO based in New Delhi, released an eye-opening study, '*Slow Murder: The Deadly Story of Vehicular Pollution In India*', and launched its 'Right to Clean Air Campaign' to improve the state of air quality in Indian cities, especially in the National Capital Region of Delhi. Taking cognisance of CSE's intent to improve the air quality in New Delhi, the Supreme Court of India directed the Delhi Government to take immediate action, and subsequently established the *Environment and Pollution (Prevention and Control) Authority (ECPA)* with statutory powers to control pollution in Delhi.
- The Supreme Court with recommendations from the ECPA intervened to lay down the foundation of an air quality management programme for implementation by the government, by an order in the year 1998. Restriction on old commercial vehicles to ply in the city, augmentation of the public transport system, conversion of public transport vehicles into CNG (compressed natural gas – a substitute fuel) and expansion of the CNG distribution network in the city were the salient features of the order. The court had directed that the entire bus fleet in Delhi had to be converted to CNG by March 31, 2001.
- After a tussle between the private operators and the state government, the transition was completed in 2003. Over the period of implementation of the clean fuel regime in New Delhi, CSE had constantly lobbied the government to take steps in order to facilitate the process of expansion of the CNG distribution system in the city. As a result, Indraprastha Gas Limited (IGL) emerged as the leading producer and distributor of CNG, and one of the first few companies to commercialise the use of CNG. IGL was assisted by the Gas Authority of India Ltd. (GAIL) and Bharat Petroleum Corporation Ltd. (BPCL), two leading public sector companies, to develop its distribution and marketing processes.
- This stands out as a case, where backed by government support and through continuous lobbying by an NGO, the fuel regime in the entire city of New Delhi was transformed

into being one that contributed a lesser volume of Green House Gases to the atmosphere, thereby satisfying the objectives of the UNFCCC. Credit should be given to private manufacturers like Bajaj Auto Ltd., Ashok Leyland and others whose participation made the transformation possible. It should also be borne in mind that here, the judiciary played a pro-active role in making all this happen.

#### **IV Convention on Biological Diversity**

4.1 The Convention for Biological Diversity (CBD, 1992), a legally binding multilateral environmental agreement was introduced in the Rio Summit, and signed by the over 150 governments that participated in the conference. It aims at sustainable development, which integrates economic prosperity, environmental quality and long-term conservation of natural resources.

##### *4.2 Case Study II Dabur India Ltd. 's efforts in conserving biological diversity*

- Dr. S.K. Burman established Dabur India Ltd. more than a hundred years ago. Being the fourth largest fast moving consumer goods (FMCG) company in the country, Dabur India Ltd. has established itself as one of the biggest pharmaceutical companies of India, and has been actively involved to promote *Ayurveda* (The science of use of plant sources for medicinal purposes) as an alternative to the conventional Allopathic system of medicine.
- From times immemorial, Indian sages and men of wisdom have understood and valued the knowledge about the use of plant materials to treat various illnesses. This traditional knowledge has been retained at Dabur and utilised by the company to develop its products.
- Medicinal plants are important biological resources and are often found as endemic species in certain specific locations. The company realised the importance of conserving the medicinal plants and maintaining their stock through *in-situ* conservation measures. It was extremely crucial for the company to conserve the species of the medicinal plants, which were used as raw materials for developing the formulations by the company.
- Dabur conceptualised the 'Plant for Life' programme to protect certain plant species (which were endemic to certain location and were used as raw material by the company) that grew in the mountainous regions of the country. Under the project high-tech greenhouses were established to develop and conserve rare and endangered species of medicinal plant species. Local farmers were taken into confidence and encouraged to grow these endangered plant species, and develop satellite nurseries of the stocks spread out over mountain villages.
- Association of 'farmers group' from the local communities and their involvement in the conservation of the rare plant species by the company has helped in conserving the biological diversity on the one hand, and on the other provided a livelihood opportunities for the marginalised farmers in the mountainous areas of the country.
- The above illustration is an example, where a private company that values traditional knowledge, has teamed up with 'Farmers Groups' and community based organisations to conserve the biological diversity especially of endangered medicinal plant species in remote locations in the mountainous areas of India. It has also developed a system of sustainable use of the plant species and helped in sharing the benefits with the local farmers. The (three) objectives of the Convention of Biological Diversity (conservation of biological diversity, sustainable use of the plant resource and sharing the benefits arising from the use of the plant resource) have, therefore, been appropriately accomplished through this partnership.

#### **V. United Nations Convention to Combat Desertification**

5.1 The adoption of the United Nations Convention to Combat Desertification (UNCCD, 1994) highlighted the need to frame strategies at the national and regional levels especially for countries susceptible to desertification and droughts, in order to reverse the process of desertification, and mitigate the ill effects of drought.

5.2 *Case Study III: Tata Group and Watershed Management in a drought-prone area*

- The Tata Group with 200,000 employees across India is the nation's largest private employer. It operates more than 80 companies ranging from software and automobiles to steel, consumer goods and telecommunications. Through its philanthropic arm, the Tata Trusts (Sir Ratan Tata Trust and Sir Dorabji Tata Trust), the Tata Group has been extending support for various developmental activities especially for the poorest communities residing in the most backward and hostile environments in the country.
- With support from the Tata Trust, *Samaj Pragati Sahayog* (SPS, which loosely translated means, Association for Social Advancement) an NGO working in the drought-prone tribal district of Dewas in Madhya Pradesh (a state in Central India) has been actively involved with watershed management and livelihood security measures for the inhabitants of the 50 tribal villages in the region.
- Interventions over the last 10 years that included drought-proofing, micro-irrigation, sustainable dryland agriculture etc. in these communities has worked wonders. These efforts have resulted in addition of one billion cubic metres of water storage in the region, drinking water security for 20,000 people, a three fold increase in irrigated land, a doubling of the value of the agriculture output, 90 percent decrease in indebtedness and 80 percent decline in migration.
- With substantial assistance from the Tata Group, SPS has established a Resource Centre (Baba Amte Centre for People's Empowerment) to train and support the activities of other NGOs and community based organisations (CBOs) to work on water resources management in other arid and semi-arid locations of the country.
- Here is an example of a partnership between a private company and a NGO, working with communities in dry areas on conservation of land and water resources, and thereby helping to counter the process of desertification and mitigate the adverse effects of drought situations, which is in consonance with the general obligations of the UNCCD.

## **VI. Montreal Protocol 1987**

6.1 The sudden discovery of the 'ozone hole', over Antarctica in 1986 hastened the process of negotiations on the Montreal Protocol, which had begun in 1985. The Montreal Protocol was the first international agreement proposed with the object of reducing the emission of Chlorofluorocarbons (CFCs) and other substances that depleted the ozone layer, thereby exposing earth and human beings to the ill effects of Ultra Violet (UV)-B radiation. The world was realising the need for international partnership and cooperation to mitigate environmental problems, which surpassed political boundaries and posed overwhelming threats to humanity.

6.2 *Case Study IV: The ECOFRIG Campaign*

- Concerned with the ozone depleting effects of chlorofluorocarbons (CFCs), the international community had entered into an agreement in the form of the Montreal Protocol seeking *inter alia* to phase out CFCs in several applications. The Protocol that was signed by over 140 countries, also established a Multilateral Fund to help developing countries in the implementation process.
- One major application of CFCs is in the refrigeration and cooling industry. Although hydrofluorocarbons (HFCs) was advocated as the substitute to phase out CFCs, it was soon found out that the HFCs had a high Global Warming Potential (GWP), nearly 1000 times more than Carbon dioxide (CO<sub>2</sub>).

- In 1992, Greenpeace started a campaign with hydrocarbon (HC) as the substitute refrigerant. Hydrocarbon technology was propagated for use as the coolant and for insulation in refrigerators. HC was extensively used by the Germans in nearly all of their refrigerators, and carried the German Blue Angel ecolabel. The HC technology was established as a safer substitute and was being pushed by global corporations in the refrigeration business.
- Though the first prototypes of the environment friendly refrigerators (ECOFRIG) were manufactured in India in 1992, the changeover from the conventional CFCs to the HCs was impeded. The reason being that it was cheaper to continue manufacturing using CFC technology, and there was lack of consumer awareness and political will in the country. India had to phase out CFCs by 2010, being a party to the Montreal Protocol.
- However, with the involvement of premier research institutions in the R&D of HC technology, and their subsequent dissemination and awareness generation through a sustained Ecofrig Campaign that was also pioneered by CUTS in India, consumers began to understand the need for the switch over. The government machinery at all levels all the while supported this. Eventually, companies like Godrej and Videocon adopted HC technology in India.
- The above illustrates how the civil society partnered with the government to create an enabling environment for the private sector to invest in a technology that aimed at phasing out ODS from India...thereby consolidating commitment to the principles of the Montreal Protocol.

## VII. Conclusion

7.1 Analysis of the cases outlined above, reveals that each of the partnerships thrived due to certain reasons:

- the parties involved in the partnership had a common understanding of the 'central' purpose of the partnership;
- there was little or no conflict of interests between the partners, and effectively interest of the partners complemented each other; and
- the initiative was taken up by one of the parties, and then it joined hands with other parties to develop a formidable coalition for realising the purpose of the partnership.

7.2 Investment (public and private) played a pivotal role in helping each of the partnerships in progressing towards achieving the objectives of the multilateral environmental agreements. As has been stated in the World Development Report 2003, the world community is grappling with the following new strategies and goals to face the challenges of poverty, hunger and infant mortality, especially in the developing countries...

- The private sector is more committed to sustainable development, with greater use of triple-bottom-line accounting by firms and greater use of environmental and social criteria by investors.
- Governments and civil society are supporting the Convention on Biodiversity, the Convention to Combat Desertification, the Convention on Climate Change, and the Millennium Development Goals. And the civil society is demanding more private and public accountability.

7.3 Given this trend, the world could look forward to an increase in similar partnership endeavours in the future.....*Partners in Development.*

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