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Sustainable Development Councils at National and Sub-National Levels Stimulating Informed Debate: Stocktaking

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STAKEHOLDER FORUM

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If you would like to provide feedback on this paper, get involved in Stakeholder Forum's SDG2012 programme, or put yourself forward to write a paper, please contact Farooq Ullah, Head of Policy and Advocacy at Stakeholder Forum – fullah@stakeholderforum.org.

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(The views expressed in this chapter are personal to the author and do not necessarily reflect the views of the EEAC or any of its councils.)

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Abstract

Sustainable Development Councils (SDCs) have been established as multi-stakeholder formations across the globe since the proposal for such bodies appeared in the Rio 1992 conference. At the core, their purpose is to improve the involvement of organised civil society, and with that also improve the knowledge base in policy-making processes. The article captures the diffusion of such bodies, providing analysis of different models regarding tasks and function, as well as good practice examples and some insights on failures and challenges. As there is little data available for the global picture, the article focuses on Europe, where it is based on surveys and other studies. The analysis shows that in the 1990s there was a stronger spread of SDCs in other regions than in Europe, but saw a later decline. Within Europe the picture is diverse, with a wave of establishments in all parts, followed by lapses mainly in the Eastern parts, and more recently also terminations of councils in Western EU member states. Besides general political factors, key variables are the attitudes of governments regarding stakeholder involvement and the resources needed to pursue sustainable development projects. Despite 20 years of sustainable development experience, the challenge remains to engage civil society. Knowledge societies will not come about by the social media world, or by the NGO community alone. The Rio+20 agenda requires continued bridging, cross-fertilisation and social responsibility, with SDCs as a good place to stimulate informed debate and action.

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1.   Introduction

The notions of better (more and of higher quality) involvement of civil society and access to information are strong elements in the governance of Agenda 21. Sustainable Development Councils (SDCs) can be multi-stakeholder formations used to serve this purpose. Like individual civil society organisations they help improve the knowledge basis in policy-making processes and the future implementation of these policies. For many countries this purpose and/or the institutional proposal was an innovation. SDCs have been established across the globe after the Rio 1992 conference, and in a second wave around the WSSD 2002. SDCs cumulate and widen the functions of individual organisations of civil society. Through their ties to political leadership in sustainability and the expertise combined in the council, they build up an additional weight to the political sounding usually provided by civil society organisations.

This think piece explores the spread ("diffusion") of SDCs for the first 10 years post Rio 1992. Although worldwide data is used, a majority of the empirical basis is limited to the EU and accession/neighbouring countries (section 2). For this European sample, the paper also briefly[1] looks into the functioning and experience of SDCs, some aspects of success and failure (section 3) and ends with conclusions and recommendations (section 4).

2.   Stakeholder Participation, SD Strategies' and SD Councils' Diffusion

2.1   What Agenda 21 Provisions and the Earth Summit Triggered

There is the widespread insight that "[sustainable development] SD cannot be brought about by governments alone",[2] i.e. that moving towards sustainable economic development is a complex processes, which requires the involvement of all societal groups and a "clever mix of governance styles"[3]. This was formulated in Agenda 21, one of the main outcomes of the Rio conference (1992):

> *"One of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision-making." (Agenda 21, paragraph 23.2*).[4]

In this context, the term "participation" is broad, and is usually meant as consultation rather than co-decision. Participation refers to the involvement of a wide variety of societal actors, including governments, businesses, trade unions, NGOs, academics, and civil society as a whole, - in the UN context these are defined as "major groups".[5]

Agenda 21 marks the commitment of the 179 signing countries to improve this aspect of governance, by developing or improving "*mechanisms to facilitate the involvement of concerned individuals, groups and organizations in decision-making at all levels*" (Agenda 21, paragraph

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[1] For a wider and in-depth analysis see Niestroy (2007): While the good practice examples on activities covered here would require an update, the analysis on internal governance and capacities is still valid. Recent insights in some of these respects are covered in this article. This paper built on previous empirical research (Niestroy, 2005).

[2] Meuleman, 2008; Glyn & Rhodes, 2000.

[3] ibid

[4] http://www.un.org/esa/dsd/agenda21/res_agenda21_23.shtml.

[5] See Section III of Agenda 21: http://www.un.org/esa/dsd/dsd_aofw_mg/mg_about.shtml

8.3).[6] It is also reflected in the Principle 10 of the Rio Declaration, which emphasises public access to environmental information, a necessary prerequisite for meaningful participation:

> "Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided." [7]

Putting this principle in practice, in 1998 the countries of the United Nations Economic Commission for Europe (UNECE) area signed the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, usually known as the Aarhus Convention.[8] This has been ratified in 44 countries and by the EU.

Organisation for Economic Co-operation and Development (OECD)/UN guidance documents also assert the importance of stakeholder involvement in delivering sustainable development:

> Sustainable development is essentially a political process, and political structures can tend towards top-down systems of governance. But sustainable development requires the consensus and commitment of society as a whole; experience shows that this cannot be delivered by government planning and acting alone. So participation processes are needed to involve the private sector and civil society, as well as government, in a partnership – processes that will transform governance approaches and facilitate multi-stakeholder involvement in the development and implementation of national strategies for sustainable development (NSDSs). [9]

This OECD/UN guidance refers to a strand of Agenda 21, which calls on all countries to develop national strategies for sustainable development (Chapter 8 paragraph 7):

> 8.7. Governments, in cooperation, where appropriate, with international organizations, should adopt a national strategy for sustainable development based on, inter alia, the implementation of decisions taken at the Conference, particularly in respect of Agenda 21. This strategy should build upon and harmonize the various sectoral economic, social and environmental policies and plans that are operating in the country. The experience gained through existing planning exercises such as national reports for the Conference, national conservation strategies and environment action plans should be fully used and incorporated into a country-driven sustainable development strategy. Its goals should be to ensure socially responsible economic development while protecting the resource base and the environment for the benefit of future generations. It should be developed through the widest possible participation. It should be based on a thorough assessment of the current situation and initiatives. [10]

The call for sustainable development SD strategies (SDS) was repeated in the run-up to the 2002 World Summit on Sustainable Development (WSSD) in Johannesburg, which led to a wave of European countries adopting an SD strategy prior to or shortly after the summit. Table 1 shows how Rio and its respective follow-up conferences/summits triggered the development of SD strategies at national level in Europe (according to different authors).

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[6]   http://www.un.org/esa/dsd/agenda21/res_agenda21_08.shtml.

[7]   UN GA (1992 a).

[8]   Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, done at Aarhus, Denmark, on 25 June 1998.
http://www.unece.org/env/pp/documents/cep43e.pdf; http://www.unece.org/env/pp/contentofaarhus.htm;

[9]   OECD/UN/IIED (Dalal-Clayton&Bass, 2002), SDS Resource Book, p.177 and thereafter.

[10]   Chapter 8 of Agenda 21 (UN GA, 1992) "Integrating Environment and Development in Decision-making", paragraph 7; http://www.un.org/esa/dsd/agenda21/res_agenda21_08.shtml.

Table 1:   Triggers for the development of a national SD strategy in Europe

Trigger for preparing and SD Strategy	Identified by Niestroy (2005) and subsequent surveys (unpublished)	Identified by Hametmer & Steurer (2007), who identified additional countries
Rio conference (1992)	Belgium (not successful, started then only five years later) Finland Sweden (first attempts: national commitments for ecological sustainability) UK	
Rio + 5 (1997)	Ireland	
Rio + 10 / WSSD (2002)	EU Austria, Denmark, France, Germany Czech Republic Netherlands (only partly successful) Portugal (first attempts 2002, 2nd 2004, finalisation 2007) Hungary (not successful, new commitment for 2004, finalised 2007) Sweden (for first explicit national SDS)	Greece Italy Latvia Luxemburg (1999: no direct link to the internat. development; second SDS/"plan" 2008)
renewed EU SDS 2006	Spain (draft 2007)	Bulgaria (draft 2007) Cyprus (draft 2007)

When working towards an SD strategy, governments often establish national, and regional/sub-national[11] Sustainable Development Councils/Commissions[12]. In the 2002 Johannesburg Plan of Implementation, Governments reconfirmed their commitment to SDCs, stating under Chapter XI (Strengthening institutional frameworks for sustainable development at the national level) that States should:

> *Further promote the establishment or enhancement of sustainable development councils and/or coordination structures at the national level, including at the local level, in order to provide a high-level focus on sustainable development policies. In that context, multi-stakeholder participation should be promoted.* [13]

By including the views of stakeholders and improving the SD knowledge base, these councils have played an instrumental role in developing and implementing SD strategies. As the sections below will show, a large number of SDCs have been at the forefront of sustainable development since the 1990s.

2.2   Global Diffusion of SD Councils

The dynamics of the Rio conference also brought about the creation of an NGO called the

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[11]   NB: In the European context "regional" means sub-national, see for example the "Committee of the Regions", which is one of the EU institutions with advisory functions.

[12]   NB: In the earlier years the bodies used to be referred to as "NCSD", but when the "N" was dropped for convenience, and/or for including the respective sub-national bodies in a comparative perspective, the remainder "CSD" was not clear enough; and the wording and abbreviation shifted to "SD councils" or "SDCs".

[13]   http://www.un.org/esa/sustdev/documents/WSSD_POI_PD/English/POIchapter11.htm#H

"Earth Council", mainly initiated by Maurice Strong,[14] who also became its first chairman. It had the "*goal of activating and servicing a network of NGOs and citizen groups committed to implementing the results of the Earth Summit*" and "*help to build on and improve co-operation among and between components of civil society in ways that add value to, rather than compete with, the activities of others*". The Earth Council considered the establishment of SDCs as one way of doing this, and thus helped setting up many SDCs worldwide. For the Earth Council, the task of SDCs is "*to help governments and civil society to co-operate in implementing the Earth Summit Agenda*".[15]

In its assessment "National Councils for Sustainable Development report 1999-2000" the Earth Council stated that since 1992 SDCs have been established in more than 70 countries globally.[16]

Busch/Jörgens analysed a global sample and came to a similar result, with 80 creations worldwide between 1990 and 2000.[17] According to these authors there is a typical time lag in the diffusion of governance innovations globally (which was the core question of the research) between developed and both developing and European transformation countries. For the case of SDCs they observe, however, the contrary: this innovation spread more to developing countries than to developed countries, with Latin America and the Caribbean establishing the highest number of SDCs over the longest period of time, compared to other regions (see Graph 1). The first countries that established an SDC were Australia and Singapore (1990) and Mauritius (1991).[18] According to the authors, the establishment of the UN Commission on Sustainable Development (CSD) possibly accelerated the proliferation of national SDCs, as it provided national governments with a model for how to create institutions for SD: policy innovations spread more rapidly if they can be detached from the national context where they are practised and a more abstract model is developed that can be applied to a wider range of national context.[19] However, experience in Europe shows that countries look for role models that they deem to be most comparable to the own national situation (see Section 2.3 for further details).

Graph 1:   Global proliferation of SD councils/commissions

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[14]   Founding members: http://www.mauricestrong.net/20100807171/earth-council/earth-council/earth-council-founding-members.html

[15]   All quotes from: http://www.mauricestrong.net/20100807170/earth-council/earth-council/maurice-strong-earth-council.html

[16]   Earth Council, 2000, p.1, 138. Developments used to be reported on the website www.ncsdnetwork.org, which apparently terminated at a certain point. The Earth Council has existed in some regional formation, and in the form of follow-up organisations like Earth Council Alliance (http://www.earthcouncilalliance.org/history.html). Now apparently the Earth Council Geneva is meant to take up some coordination functions of the Earth Council movement (letter by Maurice Strong, 2001 http://earthcouncil-geneva.com/index.php?option=com_content&view=article&id=106&Itemid=27). Some knowledge of the earlier times has moved with respective individuals to the international secretariat of the Earth Charter (which followed the Earth Council's secretariat in Costa Rica), but has not been explored further yet. http://www.earthcharterinaction.org/content/pages/Contact%20Us.html

[17]   Busch, P.-O. and Jörgens, H. (2010), p. 126.

[18]   Busch, P.-O. and Jörgens, H. (2010), p. 126. The bodies seem to have stalled again, as these countries did not report about such an SDC in their report on institutions to the 5th session of the CSD in April 1997:
- Australia: reporting about a number of Ministerial bodies, including the "Intergovernmental Committee on Ecologically Sustainable Development (ICESD)", which is regularly consulting with major groups http://www.un.org/esa/agenda21/natlinfo/countr/austral/inst.htm
- Singapore: reporting how business is taking a more pro-active role in protecting the environment, i.e. this does not address the involvement of stakeholders in decision-making http://www.un.org/esa/agenda21/natlinfo/countr/singapor/inst.htm.
- Mauritius, not reporting on major groups' involvement http://www.un.org/esa/agenda21/natlinfo/countr/mauritiu/inst.htm.

[19]   Busch, P.-O. and Jörgens, H. (2010), p. 130, with further references.
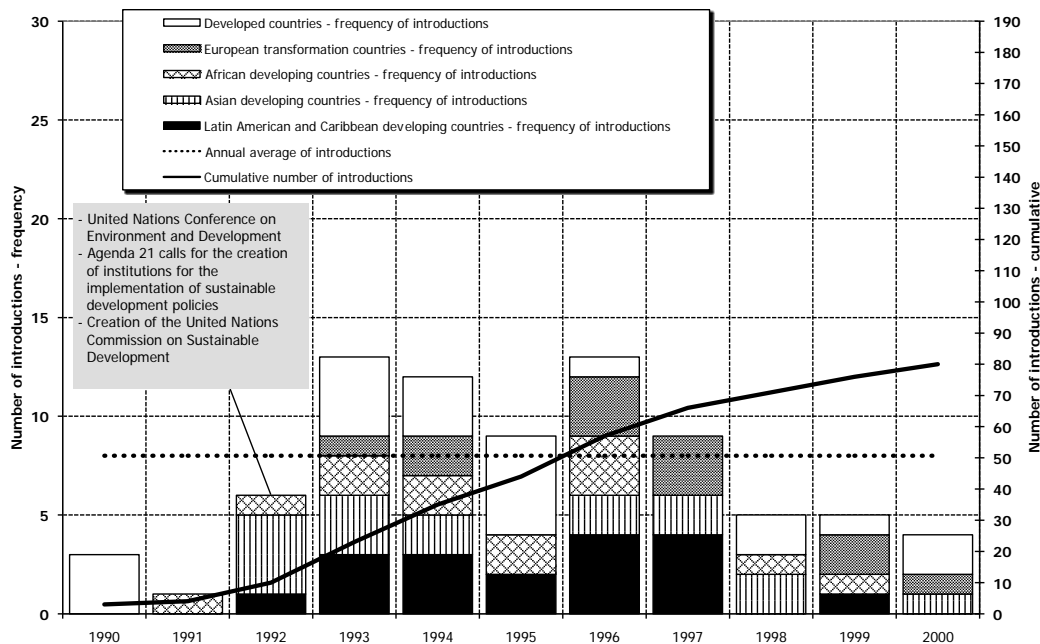
Source: Busch/Jörgens, 2010, p. 126

Unfortunately, the timeframe of the analysis in this research stopped prior to the WSSD 2002 and was only updated in 2005 for a core sample of 43 OECD and European transformation countries. This means, no data has been collected on SDCs globally since the WSSD, at least not systematically and/or verified, neither has any qualitative analysis on experience outside Europe been done. It would be highly desirable to rectify this deficiency in preparation of the UNCSD 2012.

There are only indications available on the current picture of existing SDCs, based on anecdotal inquiries to NGOs active in the CSD and Rio+20 preparation, UN bodies, and some governments. These have so far not revealed SDCs outside of Europe that are currently active. However, according to the *Asian Practitioners Network for Sustainable Development*, with different levels of insight in different countries, there are a number of SDCs in that region. This should be further explored and analysed, as well as looking more broadly to all global regions.

There is some correlation between the development of an SD strategy and the establishment of an SD council. A government that starts gearing policies towards sustainable development typically establishes an SDC to involve civil society, inter alia to improve implementation. Importantly, a country with an SDC will have a "living" SD strategy, while in countries with no or little civil society involvement the efforts to work on SD then to be somewhat less vigorous (however some exceptions do exist). There also are some cases with an informal landscape of civil society organisations as drivers in SD policies, but without an institutionalised dialogue and consultation with government.[20] This might occur more often in Europe or OECD countries than elsewhere, as civil society tends to be organised to a greater degree. However, there is some indication that the graph on the existence of SD strategies (Graph 2) suggests a wider degree of diffusion than it would turn out if the country-specific situations were researched in detail on the actual usefulness of these strategies and correlated against the existence of a SDC.[21]

In Europe not all countries that are marked as green (see Graph 2) have an SD strategy that

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[20]   Given the lacking database, it is difficult to exemplify countries here.

[21]   The authors of the graph also state the empirical problems in the related background note
http://www.un.org/esa/dsd/dsd_aofw_nsds/nsds_pdfs/NSDS_map_bg_note.pdf

goes beyond the status of a document, adopted by the respective government and/or parliament. However, in some case it is likely that governments might report the existence of an SD strategy, but give no evidence of how it is used as process in practices and/or as a communication tool. Furthermore, the SD strategy may not be measurable, regularly reviewed and further refined.[22]

Graph 2: The "unverified" picture of SDSs worldwide

**National sustainable development strategies:
The global picture 2010**
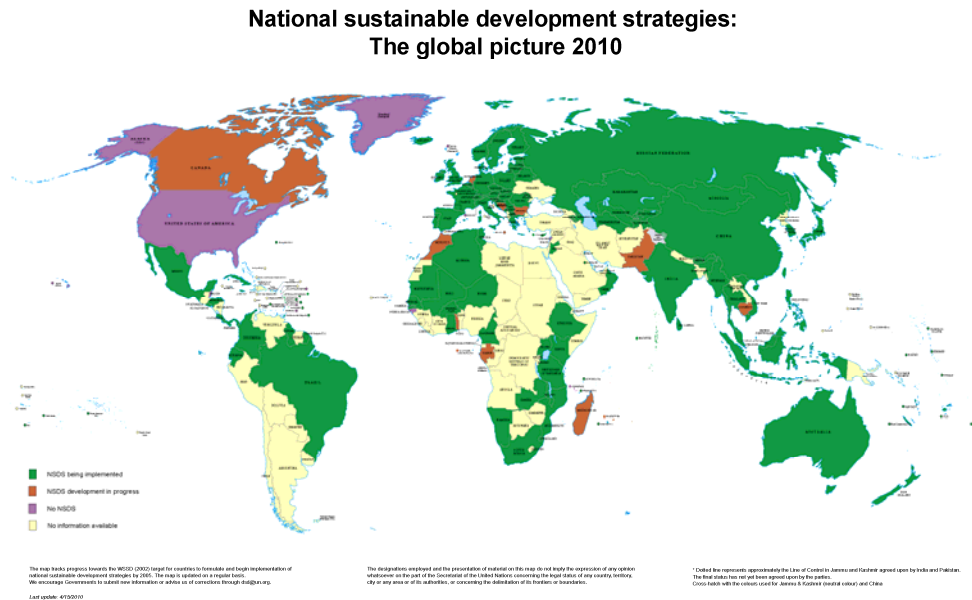
Source: http://www.un.org/esa/dsd/dsd_aofw_nsds/nsds_pdfs/NSDS_map.pdf

2.3   Diffusion in Europe [23]

Sustainable Development Councils (SDCs)

In Europe, early adopters of **SD councils** were Belgium, Finland and the UK, which began establishing multi-stakeholder bodies [24] in 1993,

- the Belgian Federal Council for SD (FRDO-CFDD – Federale Raad voor Duurzame Ontwikkeling / Conseil Fédéral du Développement Durable)
- the Finnish National Commission for SD (FNCSD)
- the UK "Roundtable on SD"
- France created an SDC in 1993, but it was only until a few later that the CFDD (Commission française du développement durable) became operational and active.

Also, Germany reacted early to the Rio conference by creating a new council. However the council was not created under the SD label, instead it was called the "Advisory Council on Global Change" (WBGU, Wissenschaftlicher Beirat Globale Umweltveraenderungen), and was to focus on environmental challenges. Today the council is composed of academics and other experts from different disciplines. It reports both to the Ministry for Environment and for Development Cooperation, and has elaborated a number of agenda-setting pieces of analysis. Other creations in the 1990s include:

- National Council on Environment and SD in Portugal (CNADS, Conselho Nacional do

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[22]   See the so-called "S M A R T " criteria for an SDS: **S**pecific (with targets), **M**easurable (with indicators), **A**chievable, **R**ealistic and **T**ime-bound (start date and target year)

[23]   The website of EEAC, the network of European Environment and Sustainable Development Advisory Councils, provides systematic information about SD and environmental advisory councils in Europe, their origins, mission, composition and activities, as well as links to the individual councils' websites: http://www.eeac.eu/councils

[24]   For the differences in composition see section 3.

Ambiente e do Desenvolvimento Sustentável, 1998) and
- "Comhar" – the National SD partnership in <u>Ireland</u> (1999).

The UK has remained a strong country in this approach for SD governance, with a British Government Panel on Sustainable Development following the above-mentioned Roundtable, and finally the creation of the SD Commission in 2000, which had been proposed in the UK Government's SD strategy "A better quality of life"[25]. For a decade the UK SDC had been one of the world's most active SD councils. In terms of capacity the SD council was the largest in Europe. Unfortunately, the UK SDC is no longer active. In 2010 the UK government decided to cease funding for the Commission, which led to the termination of all operation in April 2011. The other SDCs discussed above are still in place.

The 2002 WSSD triggered anoter wave on newly established SDCs:
- the <u>German</u> Council for SD (RNE - Rat für Nachhaltige Entwicklung, 2001)
- the <u>Austrian</u> Forum for SD (Forum Nachhaltiges Oesterreich, 2002, following a previous Council for SD created 1997 called "ÖRNE")
- the <u>Czech</u> Government Council for SD (RVUR - Rada vlády pro udržitelný rozvoj) and the (new) French National Council for SD (CNDD - Conseil National du Développement Durable), both set up in 2003, with the latter succeeded in 2010 by the CNDDGE (Comité National du Développement Durable et du Grenelle [26] de l'Environnement), which combined a very successful stakeholder process (the "Grenelle de l'Environnement" [27]) with the previous attempts to work on SD in a multi-stakeholder setting;
- the <u>Luxemburg</u> High Council for SD (CSDD - Conseil Supérieur pour un Développement Durable, 2005), and
- the <u>Hungarian</u> National Council for SD (NFFT - Nemzeti Fenntartható Fejlodési Tanács, 2008).

The WSSD also prompted other countries such as Malta and Slovak Republic to establish SDCs (see section 3 below). However, these councils are currently inactive. Other countries have also created agency-type institutions, which usually have a multi-stakeholder board and the task to organise civil society involvement in the process of developing a SD strategy (e.g. Romania and Greece).

There are also a number of SD councils at regional (sub-national) levels:
- <u>The Catalonian</u> CADS (Consell Assessor per al Desenvolupament Sostenible de Catalunya) was created in 1998 with an academic composition.
- A number of Commissions or Councils for SD have been established in <u>German Laender</u>, most notably the Baden-Wuerttemberg (NBBW), created in 2002 with an academic composition.
- Some "devolvement" activities took place during the decade of the UK SDC. After the termination of the UK's SD Commission, a new 'Commissioner for Sustainable Futures' was created in <u>Wales</u> in 2011. The Commissioner's role is supported by Cynnal Cymru, enabling the views and experiences of the wider community in Wales to be shared with the Commissioner and fed into his advice to government.

At local levels there have been capacity building activities in the framework of Local Agenda 21. While a full examination of Agenda 21 delivery is out of scope of this think piece, one example has been Sweden. <u>Sweden</u> has been particularly active in promoting SD at local levels, including

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[25]   UK Government, 1999, para 5.25.

[26]   NB: The term goes back to a negotiations between the state, trade unions and employers, which took place in "rue de Grenelle" in 1968, leading to an agreement on wages etc. that ended a state crisis.
http://en.wikipedia.org/wiki/Grenelle_agreements

[27]   http://www.legrenelle-environnement.fr/

financial support for local SD programmes. To date, Sweden is the only country where all municipalities have initiated such processes.[28] There was also a *National Committee on Agenda 21* established between 1995 and 1997, which fostered these efforts. A second *National Committee on Agenda 21 and Habitat* (2000-2003) was created with stakeholders from NGOs, business and labour organisations and the research community. These stakeholder groups were meant to help coordinate and develop the local implementation of Agenda 21, as well as the Habitat Agenda.[29]

Environmental Advisory Councils
With the recognition of ecological problems, the 'environment' evolved as own separate policy field. As a result some governments established **environmental advisory councils**. First mover countries in Europe were:

- Sweden (MVB - Miljövårdsberedningen, 1968),
- UK (RCEP - Royal Commission on Environmental Pollution, 1970) and
- Germany (SRU - Sachverständigenrat für Umweltfragen, 1971).

These establishments followed a longer tradition for such advisory bodies, which had already existed for other policy areas, such as economics. This is the case in the Netherlands, for example:
- The "Council for the Rural Areas" (RLG - Raad voor het Landelijk Gebied, 1997) is a successor of the Advisory Council for Nature Protection that was established in 1946 (NB - Natuurbeschermingsraad).
- The Advisory Council for Housing, Spatial Planning and the Environment (VROM-raad – Raad voor de volkshuisvesting, de ruimtelijke ordening en het milieubeheer, 1997). The council was an amalgamation of three bodies, established in 1965 and 1974. In 1997 there was an overhaul of the system, which resulted in each Ministry getting its own advisory body for respective policy fields, all of which had a composition of wider expertise (i.e. beyond academics). Next to these "policy councils" the Netherlands used to have a system of research councils,[30] which were meant to identify insufficient knowledge for societal questions. One of these bodies was the 1981 Advisory Council for Research on Spatial Planning, Nature and Environment (RMNO - Raad voor Ruimtelijk, Milieu- en Natuuronderzoek), which in the 2000s took up many activities of an SD Council. There is no real explanation for the termination of the Council in 2009: it was among the most productive "research councils", but this concept was considered unnecessary, and all these "research councils" were terminated.

In Denmark, the "Danish Nature Council" (Naturrådet) succeeded the Nature Protection Board (1988-1996) and Nature Conservancy Council (1917-1988); however in 2002 the then incoming government terminated the Council. Similar creations in environmental policy were the
- Austrian Association for Agricultural Research (1977), which has become policy-oriented.
- Finnish Council for Natural Resources (FCNR, 1977/1980), which is composed of members of Parliament and experts.
- State Environmental Council of Poland (PROS - Panstwowa Rada Ochrony Srodowiska), as well the State Council for Nature Protection (PROP - Panstwowa Rada Ochrony Przyrody), both were established in 1985 with academic compositions.
- Slovenian Council for Environmental Protection (CEPRS, 1990), which was established by

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[28] There might also be lessons to be learned for the current economic crisis many countries are currently going through: Sweden faced a rather deep economic recession during the mid-1990s, which, as much as environmental challenges forced thinking of new solutions. Many of the efforts launched in the name of Local Agenda 21 sought to tackle both, by employing jobless people directly in municipal environmental projects or seeking to create new "green" jobs in the private sector.

[29] http://www.prosus.uio.no/susnordic/sweden/local_authorities/

[30] Typically referred to as "sector councils", which is somewhat confusing, as it does not refer to policy sectors (as, for example, agriculture, transport, energy)

the Parliament.
- Irish Heritage Council (1995), which also has some executive functions.
- Environmental Council of Cyprus (in 1996: wider mandate for SD).
- Walloon Environmental Council for SD (CWEDD - Conseil Wallon de l'Environnement pour le Développement Durable, 1985) and the Flemish Environment and Nature Council (Minaraad - Milieu- en Natuurraad van Vlaanderen, 1991), both of which have a multi-stakeholder composition.
- Spanish Environmental Council (CAMA - Consejo Asesor de Medio Ambiente, 1994), which terminated in 1998 and was re-established in 2004 [31], which is chaired by the Minister for Environment.
- Hungarian National Council on the Environment (OKT - Országos Környezetvédelmi Tanács, 1996) has a multi-stakeholder composition of a tripartite kind (see below: environmental NGOs, academia, business).
- The Croatian Council for Sustainable Development and Environmental Protection (SORZO - Savjet za održivi razvoj i zaštitu okoliša) got a wider remit in 2007 (SD was added) and succeeded previous formations from 1995, 2001 and 2004.The National Environmental Council of Italy (CNA – Consiglio Nationale d'Ambiente) was established in 1986.

Countries that already had such an environmental advisory council at the time of the Rio Conference or the WSSD typically chose between two ways to follow the call of these summit for better involvement of civil society by, for example, establishing SD councils of a multi-stakeholder type. They either:

a. widened the remit of the body to include SD, but continued with the previous stakeholder composition (i.e. did not necessarily live up to the goal of improved stakeholder involvement).
b. created an SDC complimentary to an existing (environmental advisory) body, with a multi-stakeholder composition.

The former situation occurred in the Netherlands. The relative abundance of advisory/stakeholder bodies led to a general reluctance to create a special SD council. As mentioned above, existing councils, and in particular the RMNO, took up tasks and activities that are normally done by an SDC. Internationally known, and with UN participation in the respective Steering Committee, the RMNO became the organisation of a "peer review" of the Dutch SD policies. For similar reasons, the Netherlands have not developed an explicit SD strategy: This partly goes back to the country's tradition for developing National Environmental Policy Plans ('NEPP'), with the latest stemming from 2001, which lead to the attitude that the NEPPs can be taken as an SD strategy.

The Netherlands have recently undertaken another revision of advisory bodies, and merged the two above mentioned councils with one for transport and water-management to a larger body called *the Council for Environment and Infrastructure*.

In the other three pioneer countries (Sweden, the UK and Germany), environmental advisory councils have continued operating as highly reputable bodies. Some research has been undertaken on their roles and impact, having inter alia an important early-warning function as well as keeping the long-term view.[32] The Swedish MVB has seen some changes in activities and composition since the current government came into place in 2006; and it was recently turned into an environmental research council (instead of policy). The new UK government in 2011 stopped funding its SDC and terminated the Royal Commission on Environmental

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[31] By Environment Minister Christina Narbona, who is now member of the Global Sustainability Panel.

[32] Key pieces of work: a) on the SRU: Timm, 1989, Koch&Hey, 2009. b) on the RCEP: Owens&Rayner, 1999; Owens et al. 2004.

Pollution. The only veteran that has remained alive and kicking (but with internal renewal) is the German Environmental Council SRU. For the policy area of SD (in a more confined sense) this means that Germany is currently the country in Europe with the most backing from advisory bodies in the related policy fields namely the Environmental Council (SRU), the Council for Global Change (WBGU) and its SD council (RNE).

Economic and Social Committees

There is another type of councils that have become relevant for SD policies: the so-called **Economic and Social Committees** (or Councils, "ESCs"). Such bodies have been established in many European countries, and also outside of Europe (notably in Latin-America, Asia and Africa) with the missions to give advice in all areas of social and economic policy, as well as negotiating agreements between employers' associations and trade unions, which typically make up large parts of their membership, also called "social partners". This model for dialogue between civil society organisations (and with government) is more common in countries with a more (neo-) corporatist tradition. In the EU there are 20 member states with an ESC, and there are various reasons in countries for not having established such a body.[33] These traditions for a more pluralist or more corporatist style of civil society involvement also have an influence on the composition and work style of SD councils, as well as for the relation between the SDC and the ESC where both types exist. ESCs are typically much larger and more representative in a formal sense than SD councils, which leads to different work styles, for example that negotiations rather than dialogue and quest for innovative solutions and outreach prevail. In legal terms they often have a stronger position, as they are often enshrined in the respective constitution. Beyond the general areas of social and economic policies only few ESCs are dealing explicitly with SD matters, for example the Dutch ESC (Sociaal-Economische Raad, SER). The Dutch SER has issued a number of pieces of advice on SD policies over the years, and on such occasions established working groups with a wider spectrum of stakeholders, in particular environmental NGOs, which are not member of the SER.[34] An interesting development in this respect took place in France in 2008, where the ESC was transformed into an *Economic, Social and Environmental Committee* by widening remit and adding environmental NGOs to its membership.[35] Also Ireland recently moved into this direction: The SD council ('Comhar') was abolished (not so in France), and the environmental "pillar" was added to the membership of the existing ESC. In both cases it remains to be seen how much focus on SD will be given.

Parliamentary Committees for SD

To complement efforts for a cross-cutting SD approach, some countries also establish a Committee/Commission for SD in the Parliament, at the moment the most explicit one with this remit is the German Parliamentary Committee for SD.[36] Other countries build on existing traditions in their Parliaments, for example for Audit Committees like in the UK[37] and might widen their remit. A few of the multi-stakeholder SD/environmental councils presented above where established by the Parliament (e.g. the Slovenian Environmental Council CEPRS) and/or have members of Parliament from all parties as members next to civil society members (e.g. the Hungarian SD council NFFT).

2.4   EU Advisory Bodies and Provisions of the EU SD Strategy

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[33]   EESC, 2010.

[34]   The last in 2010, http://www.ser.nl/nl/publicaties/adviezen/2010-2019/2010/b28646.aspx. Summary in english: http://www.ser.nl/~/media/Files/Internet/Talen/Engels/2010/2010_03_en.ashx

[35]   EESC, 2010, p.24; http://www.lecese.fr/index.php/les-groupes

[36]   http://www.bundestag.de/bundestag/ausschuesse17/gremien/nachhaltigkeit/index.jsp

[37]   Environmental Audit Committee (http://www.parliament.uk/eacom)

At the EU level, the *European Economic and Social Committee (EESC)* is one of the two EU advisory bodies, established with the Treaty of Rome (1957). It consists of "*... representatives of the various categories of economic and social activity, in particular, representatives of producers, farmers, carriers, workers, dealers, craftsmen, professional occupations and representatives of the general public*" (Art. 193, Treaty of Rome). With the Treaty of Nice (2001) the reference to "organised civil society" was added.[38] The mission is kept broad and is defined as "exercising advisory functions".[39]

The EU Commission also regularly establishes so-called "High-level Groups" of experts for external knowledge input in selected policy fields, for example the High-level Group on competitiveness, energy and the environment,[40] or other advisory committees such as a recently convened group of economists advising Commissioner Potocnik on resource efficiency.

The revised EU Sustainable Development Strategy (EU SDS) of 2006 invites the EESC to "*play an active role in creating ownership inter alia through acting as a catalyst to stimulate debate at EU level*", and "*to prepare input to the biennial progress report of the Commission including a collection of best practices of its members*".[41]

In response, in 2006 the EESC established the *Sustainable Development Observatory (SDO)*.[42] This is a sub-group of the committee, which issues opinions on SD policies. The SDO and the EESC as a whole in September 2011 adopted two position papers: one for Rio+20, and another one on the EU 'resource efficiency flagship' and the SD strategy.

The EU SDS also calls on Member States to:
"*...consider strengthening or, where these do not yet exist, setting up multi-stakeholder national advisory councils on sustainable development to stimulate informed debate, assist in the preparation of NSDSs and/or contribute to national and EU progress reviews. National sustainable development councils are meant to increase the involvement of civil society in sustainable development matters and contribute to better linking different policies and policy levels, also by using their network of European Environmental and Sustainable Development Advisory Councils (EEAC)*".[43]

Existing SDCs and other councils have continued to work on these tasks, including cooperating at an EU level in EEAC. The SDCs contribute to strategy developments of the EU and policy making areas of SD.[44] The strengthening of councils has taken place in a few cases, improving SD governance in EU member states. However, recently there has been a slow down of SD strategies and roll-backs with council terminations and mergers (see Table 2). At the moment, there are around 25 advisory councils active in Europe on SD and/or environmental policies.[45]

Table 2:   SDS adoption, review(s) and Participation / SDC establishment

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[38]   Treaty of Nice, Art. 257: ".. The Committee shall consist of representatives of the various economic and social components of organised civil society, and in particular representatives of producers, farmers, carriers, workers, dealers, craftsmen, professional occupations, consumers and the general interest." <http://europa.eu.int/eur-lex/lex/en/treaties/dat/12001C/htm/C_2001080EN.000101.html>
        Treaty of Lisbon, Art. 300.2: "The Economic and Social Committee shall consist of representatives of organisations of employers, of the employed, and of other parties representative of civil society, notably in socioeconomic, civic, professional and cultural areas."

[39]   Treaty of Lisbon, Art. 300.1.

[40]   http://ec.europa.eu/enterprise/policies/sustainable-business/policy-integration/high-level-group/

[41]   European Council, 2006, paragraph 39.

[42]   http://www.eesc.europa.eu/?i=portal.en.sdo-observatory

[43]   European Council, 2006, paragraph 43

[44]   Its Working Group SD has recently elaborated a statement on "UNCSD ► Rio [20plus]: The 'Green Economy' Agenda in the context of SD and Institutional Framework for SD" and EEAC will hold its Annual conference 2011 on these topics.

[45]   Plus a number of councils in related policy fields like energy, transport, agriculture.

Country	SD strategy from	SDS reviews, revisions and other activities	Participation / SDC established
Austria	2002	2010 national SDS agreed (joint federal and regional)	2002 *
Belgium	2000	2003/04 review 2004-08 revised SDS (+ 1 region) 2009-13 draft for revised SDS	1993 (reinforced legal basis in 1997)
Czech Republic	2004	2006 Progress report 2007 2nd Progress report 2010 revised SDS	2003 [mixed body] *
Germany	2002	2004 Progress report 2006 SD Indicator Report 2008 2nd Progress and Indicator report, Reports from Ministries 2009 Peer Review 2012 next Progress Rep. planned	2001
Denmark	2002	2009 Revised SD Plan	[Danish Nature Council dissolved in 2002]
Spain	2007	-	- Environment Council CAMA (stakeholder type) since 2004
Finland	(1990 report, 1995 report) 1998 SDS	2003 Progress report 2006 revised SDS, SD Indicators 2011 planned new SDS	1993 [mixed body]
France	2003	2005 Peer Review 2006 revised SDS 2008 Progress report 2010 new SDS adopted	1993-2003 CFDD 2003-2008 CNDD from 2010: CNDDGE
Hungary	(NEP 1997, NEP-2 2003) Nat.Env.Program 2003-08 2007 SDS	[Biennial SD Action Plans]	- Environment Council OKT (stakeholders) since 1995 - SDC established by Parliament in 2008
Ireland	1997	2002 since 2003: reporting on indicators for all sectors 2010/11 review under way	1999 (terminates end of 2011, SD tasks moved to National ESC)
Luxemburg	(1999)	2004 SD law 2008/09 review 2010 adoption of a revised SD law	2005 (reinforced legal basis in 2010)
Netherlands	*(NEPPs: 1989, 1993, 1997, 2001)* *2002/03 SD Action Programs*	*2007 Peer Review*	*no SDC, other councils engaged in SD (RMNO – terminated 2009, SER, RLG / VROM-raad → merged to RLI 2011) ** *
Portugal	(NEP 1995) (SDS drafts 2002, 2004) 2007 SDS	2009 first biennial progress report	1998
Sweden	1994-98 "green Sweden" 1999: Env. Quality Object. 2002 SDS	2004 revised SDS, SD Headline Indicators 2006 revised SDS, SD Indicators 2008 update	- Environment Council from 1968 (remit changed to research in 2011) - SD Commission [mixed] from 2007
Slovenia	2005 National Development	2012 new Development Strategy	- Environment Council

	Strategy	(2013 – 2020) planned	from 1993 - SD Council established in 2011
UK	1994 SDS 1999 2nd SDS	2004/05 review 2005/06: SDSs in regions 2007: SD Indicators, Action plan	2000 (succeeding a Roundtable for SD, 1994), terminated in 2011

Red: strong connection (adoption of an SDS and establishment of a council)   Blue: weak connection

All Member States listed here reported in 2007 to the European Commission on progress with their SDSs, as requested by the renewed EU SDS from 2006 (NB: most other MSs also reported).

* restructuring or currently no activities

** in 2011 a multi-stakeholder platform for Rio+20 is established

Sources: Own surveys; Gjoksi et al. (2010).

The following section 3 gives an overview on missions and functions of SDCs in Europe.

3.   Internal Governance, Tasks and Capacities of SD Councils: an Overview

Given the limits of this think piece and the focus on recent stocktaking, this section gives broad overview of internal governance, tasks and capacities of SD and other councils. The findings presented in this section are based on a study from 2007.[46] There are basically three functions and activities of SDCs:

1.   Giving policy advice:
- advice of CSOs/stakeholders/experts to government,
- comments on government proposals/SDS.

2.   Acting as "agent"/intermediary/facilitator between and amongst stakeholders (governments, business and civil society):
- agenda setting
- joint advice/think-tank
- mutual learning/capacity building
- dialogue with government.

3.   Communicating with multipliers and into a wider civil society for:
- raising awareness
- broadening the knowledge base
- stimulating involvement via council members, by conferences/media and by stimulating/fostering projects.

The survey in Europe revealed, that all councils have a core mission to give policy advice. Most also act as agent, while the wider outreach activities include, for example, organising pilot projects. Recent experience shows that there is room for spreading the agent function: Few councils so far are active in the business community beyond their respective members. However, there are good practice examples for the green economy agenda,[47] which might trigger a broadening of links and projects in this arena.

These functions and capacities apply to most councils in Europe which are "independent", i.e.

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[46]   Niestroy, 2007, with examples on good practice in all areas of activities.

[47]   For example the work on a "German Sustainability Code ... to strengthen the green economy and provide the respective guidance. It would be directed at all financial market players as well as all companies seeking to gear their activities to the principles of sustainability." http://www.nachhaltigkeitsrat.de/en/projects/projects-of-the-council/deutscher-nachhaltigkeitskodex/

they are made of civil society representatives only, including the chair. This is also seen as a prerequisite to the "advisory function". However, there are also other political traditions that foresee a close dialogue between stakeholders and government. Often the council is seen as a platform for such dialogues (e.g. France). Overall, in the relation to their governments the concepts of councils may strike the balance between "not too close and not too distant". In general, it is beneficial to have a "one stop shop" for civil society to express its views with an SD council. For a council it is favourable if there is a coordination mechanism with its respective government. Councils in Europe follow different lines of political culture:

- Soft links:

  In some countries there are government representatives who act as observers in the council. In other countries, there are other methods of continuous, daily interaction with government officials (see below).

- Embedded/mixed Councils:

  A special type of council is the "embedded/mixed council", which is government led and/or dominated by government. These bodies are more or less a government coordination body with stakeholder involvement. In principle, the views presented to government remain those of individual CSOs, and/or some ad-hoc overlap might occur in discussion. The conflict and compromise lines likely remain fragmented. Such councils are rather a dialogue platform for CSOs and the government, or there is also the aim to come to joint agreements. There might also be a mixed version with an independent vice-chair, or working groups with independent chairs which might issue joint advice.

- Independent Councils:

  Dialogue with government comes on top of their work and takes place in various ways. For example, in bilateral meetings with working group chairs there are opportunities to invite operative units to provide input on agenda points.

  Having leadership for SD "at the highest level" has been concluded as the most desirable arrangement. For independent councils this is best provided if they are linked to the Prime Minister's office, which means that office is the primary contact for an SDC. The relationship with the Prime Minister's office gives an SD council the opportunity to make SD a priority to a new incoming government.

An overview of the different types and capacities of councils is displayed in Annex 1. Table 3 summarises the differences between independent and embedded councils.

Table 3:   ***Types of SD Councils: Differences between embedded and independent councils and what they have in common***

Embedded Councils (in the sense of having the heads of Government/a Minister as regular members or chair of the council)	Mixed Councils	Independent Councils (exclusively having members from civil society, private sector, and/or local policy level)
The sender is partly identical with addressee. Immediate administrative response is possible, for example regarding implementation of advice.	Ad persona or representative appointment Eminent persons Promoting SD Building bridges in political culture Fostering public debate	Addressing Government as a "critical friend". Addressing partners within government; outreach to groups outside Government (Watchdog-function)

For the "embedded/mixed" type of SDC a drawback has been observed in Europe. If the council

is led by the Prime Minister (or another Minister), and may include some stakeholders, there is a tendency for the government to operate the SD council and to omit the expertise and views of civil society stakeholders.[48] As Brizga (2011) puts it for the case of Latvia:

> "*This Council is attached to the Cabinet and it serves as a co-operation and opinion exchange platform. The Council is chaired by the Prime Minister and it is composed of members of the Parliament, the Cabinet, planning regions, local governments, social partners and non-governmental organizations. The Council is dominated by development planning representatives, but other groups are under-represented and the Council lacks consultative character.*"

There is anecdotal evidence that this has occurred in many SDCs established outside of Europe and led to standstills or terminations. The attitude of governments regarding stakeholder involvement is a key variable for the functioning of SD councils.

It should be noted that Agenda 21 or any other global outcomes do not differentiate between government and non-governmental actors in the 'multi-stakeholder' approach. However, it seems to be an important element of SD governance that government coordination for SD is one side of the medal and stakeholder dialogue the other, with the two sides understanding that it is the same medal and cooperating accordingly. The government coordination function should hence not be called "SD council", and this term should be reserved for stakeholder dialogue between non-state actors or with the government.

Another important element is how to create stability for SDCs. In light of the global economic crisis, many governments are making budget cuts. As a result many SDCs are vulnerable to terminations by changing governments. The future of many SDCs also depends on countries' political tradition. In some countries a 'SD law' with provisions for governance is considered best (e.g. Belgium, Luxemburg). Others do not find this effective and build more on dialogue with all political parties, (e.g. Germany, France, Netherlands, Portugal).

The government attitude regarding stakeholder involvement might also be reflected in the resources provided for an SDC. While conducting wider stakeholder dialogue requires significant funding, an SDC with core functions works with moderate means. The consultation process in France called "Grenelle de l'Environnement" (see section 1) is a impressive example how energetic and concerted wider stakeholder involvement can be organised. Although it was expensive, it was regarded as credible and legitimate (with some disappointment in the follow-up, to be noted). However, it is an example for a "one-off" (with some positive spin-off effects), if set up properly an SDC can help keep SD on the political agenda. Both the government and civil society agree there is a need to communicate across the gaps, and pitfalls to develop progressive sustainable development policies. However there is room to increase awareness, willingness and capability for building bridges between different backgrounds, fields, organisations, levels, etc. This is where some kind of capacity building would be beneficial. An SD council can do a lot in these respects, bringing together stakeholders (representatives) from different backgrounds and working actively on bridging gaps between different arenas.

4.   Conclusions

There have been successes and failures of SD councils. Any of the above mentioned approaches might not be sufficient to provide for the continuation of SD councils or any other mechanism for SD governance. As recent examples in Europe have shown, newly elected governments might abolish certain institutions such as SD councils regardless of their effectiveness.

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[48]   See for example the Slovak Government Council for SD, where an "expert committee" is composed of a number of Ministries: http://www.tur.vlada.gov.sk/1458/expert-commitee-for-sd.php

There are examples of successful SD councils, with respect to all their functions of advising government and raising awareness about sustainable development. SD circles in Europe clearly acknowledge cultural and political diversity. There should be, in any case, some baselines; for stakeholder involvement, - a good basis for dialogue, sharing of experiences and maybe more.

SD councils are not a panacea. They are a good and simple model for some kind of structured approach for civil society involvement in policy development and monitoring. There are, and should be, other, and more legally binding mechanisms for participation, as foreseen in 'Strategic Environmental Assessment' or other 'Impact Assessment' attempts. An SD council is more of an advisory body, which works in conjunction with its respective country/government to monitor SD strategies. However, it needs to be reminded and clarified that the key purpose of an SD council is civil society involvement. So while they have an important role in promoting the creation of integrated policy, an SDC is not the coordination mechanism of the government. Mixed bodies should hence have a sufficient number of civil society members, and for the advisory function it is useful to establish sub-groups of these members.

First and foremost, civil society organisations need to be established: without them, there can be no SDC. Governments can foster this wherever needed, and should be interested in doing so for the various reasons given above. Given the somewhat disappointing developments in this respect in the global picture sketched above, also organisations of development cooperation should put more emphasis on the self-organisation of civil society in their capacity building programs for SD.

In sum, civil society organisations play an important role in SD governance. And SDCs are responsible for opening up SD dialogue between government and non-state actors. Without them, there would less evolved and effective fora for public discussion on the social, economic and environmental opportunities of sustainable development.

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Annex 1: Types and capacities of (SD) councils and similar bodies

Type	Government body		Independent (advisory) council			
Chair	PM (or Minister)		(Minister)	Independent		
Characteristics \ **Capacity**	govt. coordination body with some stakeholder involvement	govt. lead / dominated coordination body/ dialogue platform	stake-holder/ expert council	stakeholder / expert council, with a few govt. representatives as members or observers	stake-holder/ expert council	stakeholder / expert council, with watchdog/ strong monitoring capacity
Coordination of government departments	● ● ●	● ● ●	--	--	--	--
Address government in the council itself	● ●	● ● ●	● ● ●	● ●	●	●
1. <u>Advice</u> of CSOs/ stakeholders to government, comments on government proposals/SDS	● (no joint advice)	● ● (no joint advice)	● ● ●	● ● ●	● ● ●	● ● ●
2. <u>Agent/ intermediary/ facilitator:</u> Dialogue of stakeholders among each other:	--	●	● ●	● ● ●	● ● ●	● ● ●
- agenda setting	--	●	● ●	● ● ●	● ● ●	● ● ●
- joint advice / think-tank	--	--	● ● ● (in working groups)	● ● ●	● ● ●	● ● ●
- mutual learning / capacity building	--	●	● ● ● (in working groups)	● ● ●	● ● ●	● ● ●
3. <u>Communicating</u> with multipliers and into a wider civil society:						
- via council members, by conferences/media	--	● ●	● ● ●	● ● ●	● ● ●	● ● ●
- by stimulating/ fostering projects	--	(●)	(● ●)	(● ● ●)	(● ● ●)	● ●
	(SR)	CR, FI	ES, SE	BE, IE, NL, PT	AT, DE, FR, HU, NL, UK / Catalonia, Flanders	UK (terminated 2011)

● ● ●   Primary capacity
● ●   Side-capacity / applies to a lesser extent
●   Indirect capacity (or done in addition to core tasks)
( )   some do, some do less

Source: Niestroy, 2007