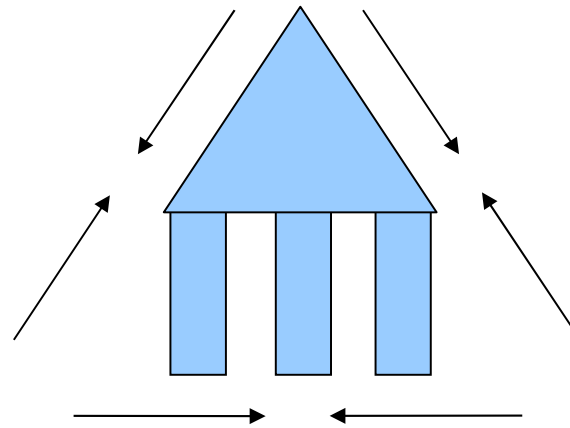


A Framework for Sustainable Development

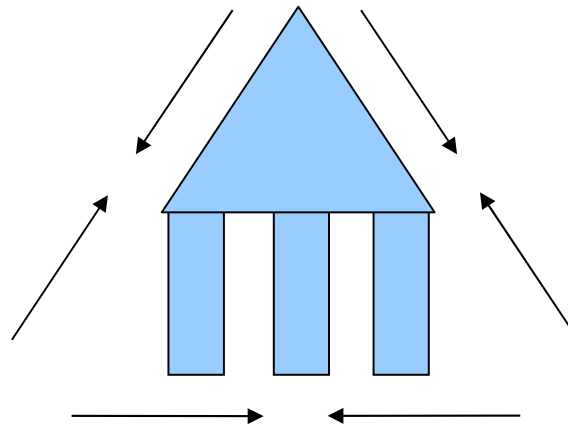
with Case Studies in
Global Warming, Corruption, and Organized Crime



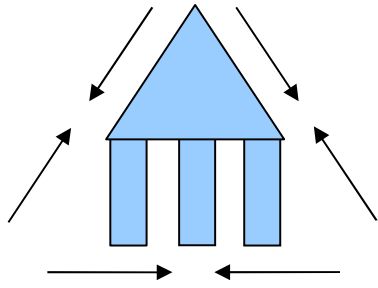
Wayne Moses Burke
Patrick Benz
Daniel Feltsman

Brad Good
Sofia Perazzo
Maria Herbruger

The Framework



Wayne Moses Burke
Patrick Benz
Daniel Feltsman



Defining Sustainable Development

The Framework

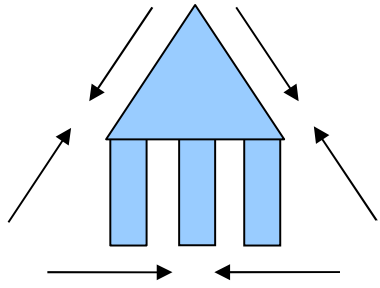
Civil Society
The Private Sector
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Case Studies

Global Warming
Corruption
Organized Crime

“[d]evelopment that meets the needs of the present without compromising the ability of future generations to meet their own needs.”

1987 UN World Commission on Environment and Development Report



The Pillars of Sustainable Development

The Framework

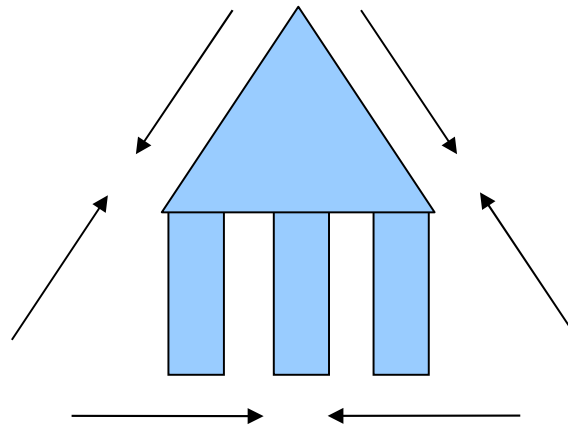
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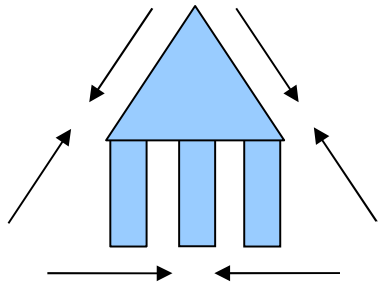
Global Warming
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- Good Governance
 - Result of application of responsibilities
- Environmental Sustainability
 - Responsibilities must be used
 - Will must exist
- Cultural Sensitivity
 - Definition
 - Culture includes corporate
 - Implies awareness and respect
 - Local acceptance required
 - Cultural understanding + external knowledge and experience
- Must become normative

Civil Society



Wayne Moses Burke

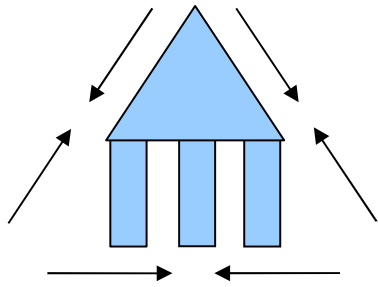


Defining Civil Society

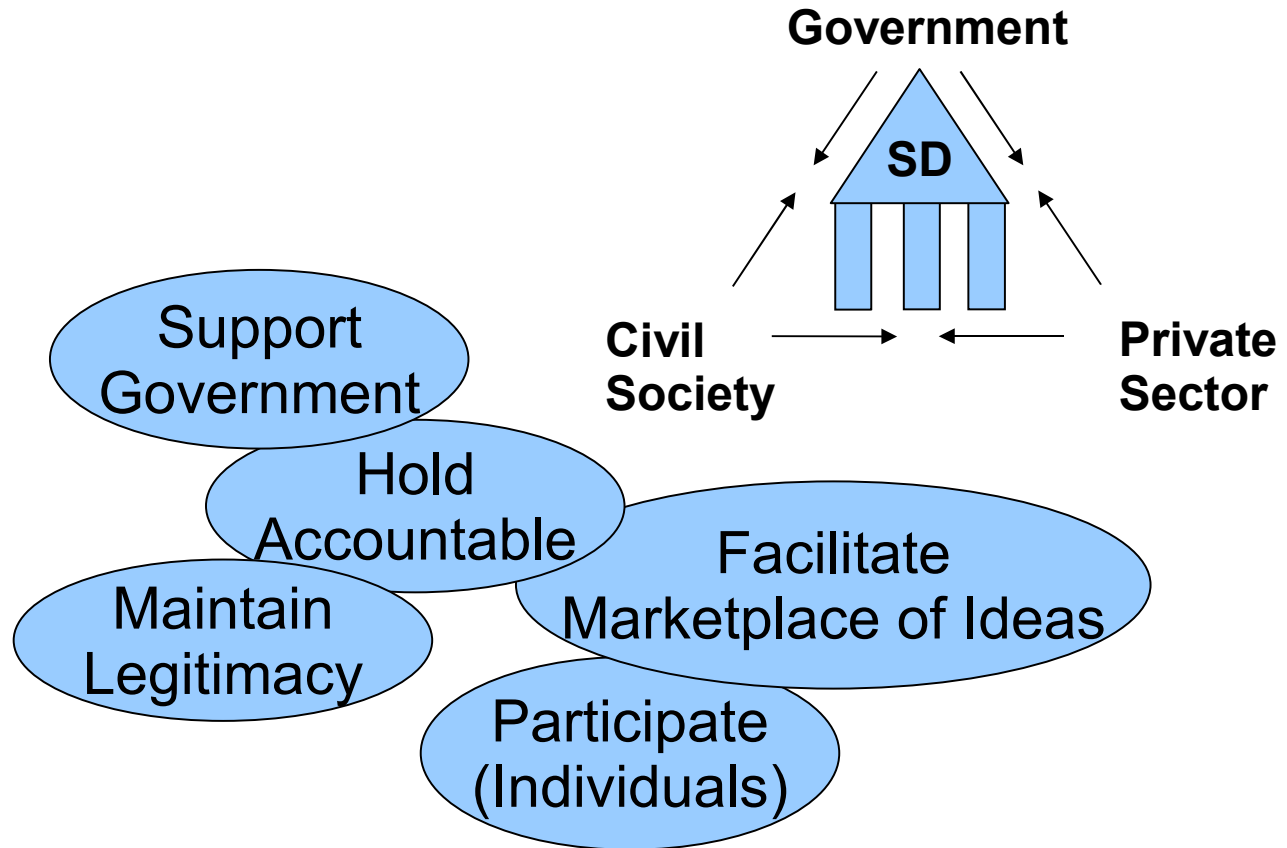
- Conscience and driver of positive change in the system
- United Nations
 - Associations
 - Voluntarily
 - Advance their interests, ideas, or ideologies
 - Non-profit
 - Non-governing
- Individuals or Groups
- Practice constituent, not representative politics

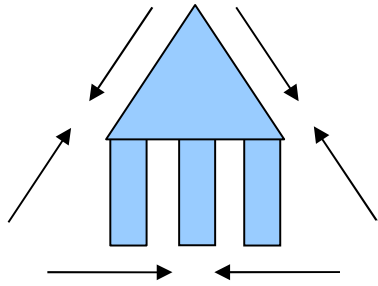
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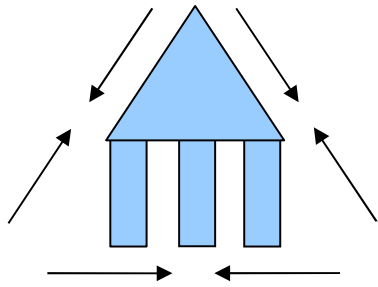




Role in Facilitating the Three Pillars

- **Good Governance**
 - Supported by all responsibilities
 - Individual participation
 - Marketplace of Ideas
 - Hold government accountable
 - Filling government capacity and working to restore it

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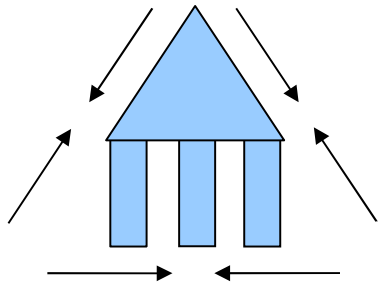


Role in Facilitating the Three Pillars

- **Environmental Sustainability**
 - Marketplace of Ideas
 - Hold government and the private sector accountable

- **Cultural Sensitivity**
 - Individual education
 - Marketplace of Ideas
 - Internal and external to organizations
 - Hold government and the private sector accountable

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Challenges and Opportunities

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Challenges and Opportunities

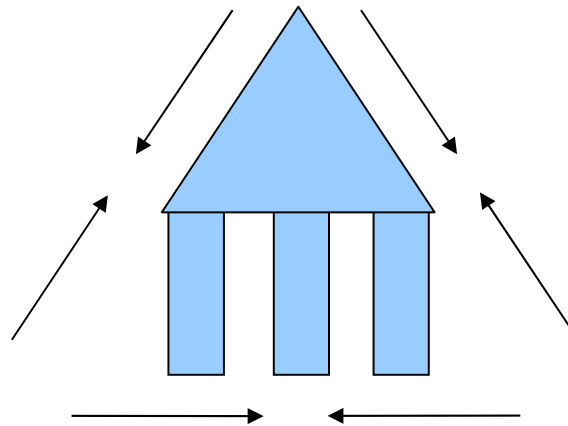
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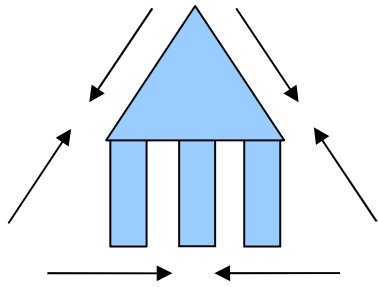
Global Warming
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 Organized Crime

- Public apathy (will)
 - Belief that can not influence government
- Strengthening government capacity
 - New perspective
- Maintaining their own legitimacy
 - Ongoing struggle, akin to accountability

The Private Sector



Patrick Benz

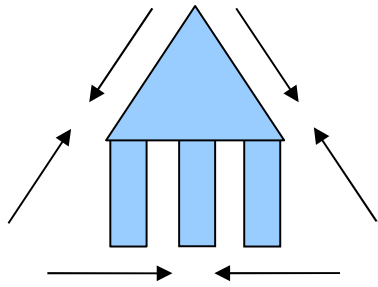


The Theoretical Models

- Most publicly-traded MNCs operate under:
The Shareholder Wealth Maximization Model
or the Corporate Wealth Model

- The Shareholder Wealth Maximization
(SWM) Model assumes:
 - the efficiency of markets
 - maximizing shareholder value is the primary
goal of management

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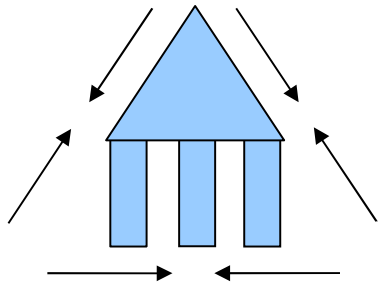


The Theoretical Models

- The Corporate Wealth Model (CWM)
 - Does not assume markets are necessarily efficient
 - The shareholder is but one of the firm's stakeholders
 - Stakeholders also include the employees, local community, government, the local eco-system, etc...

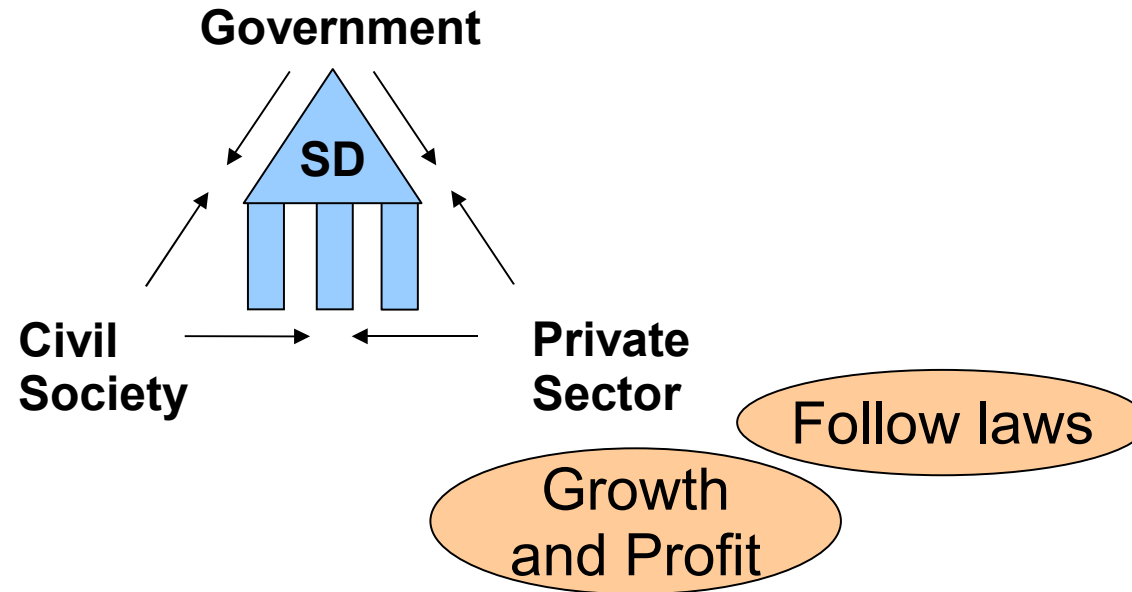
- Accordingly, the firm takes into account all stakeholders (including shareholders) when determining strategic goals and objectives.

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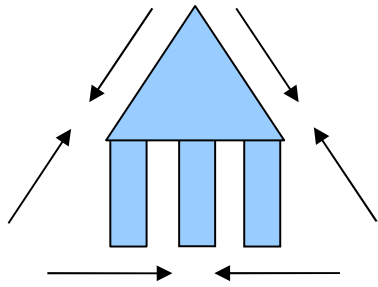
Core Responsibilities

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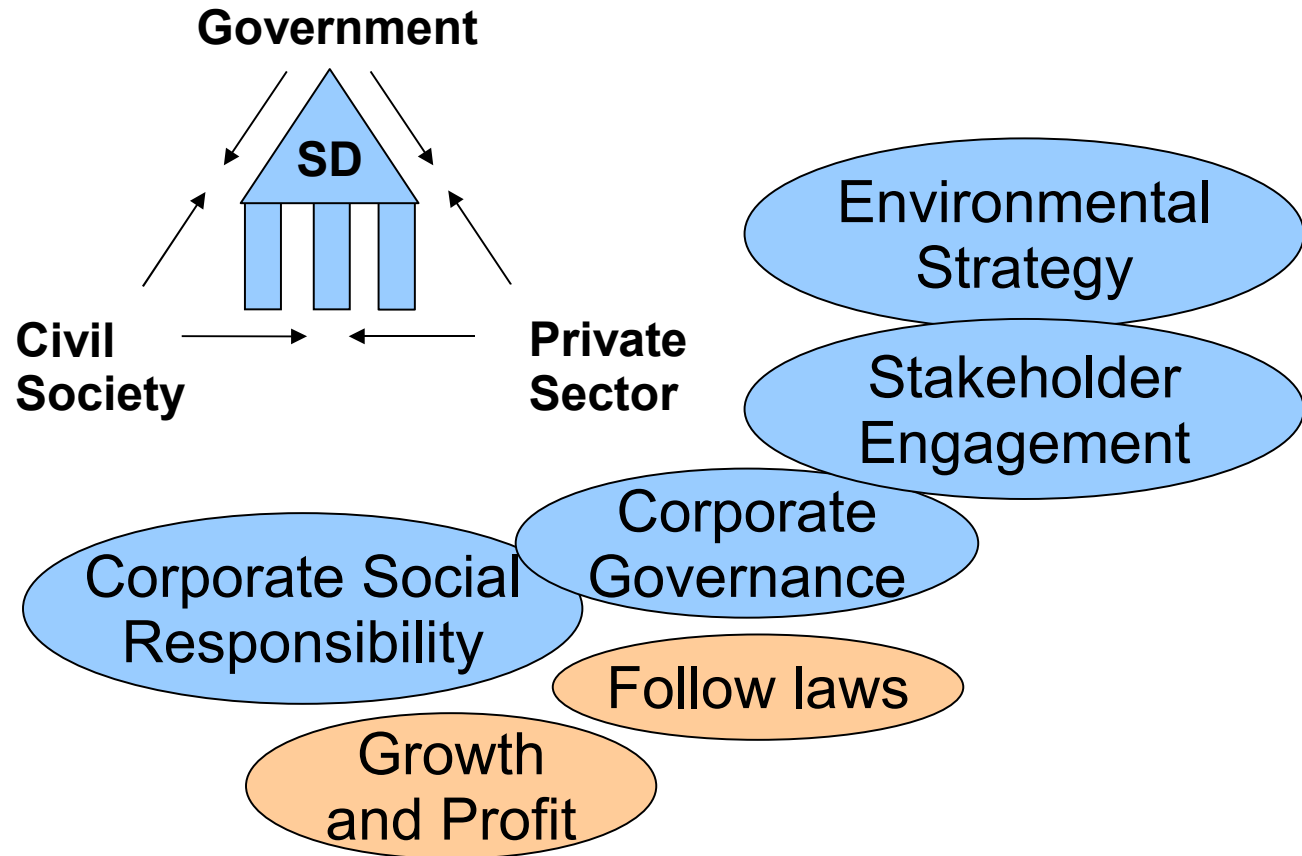


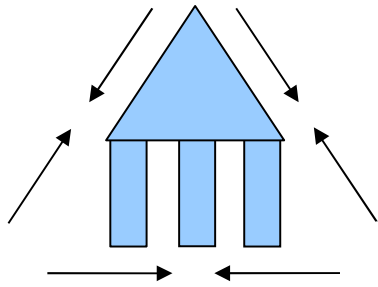
- Any further role the private sector undertakes in respect to sustainable development therefore must not undermine these core responsibilities.

Responsibilities to Sustainable Development



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Responsibilities to Sustainable Development

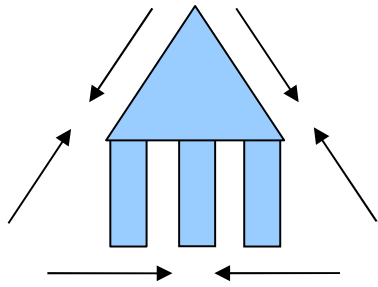
Corporate Sustainability:

... is a business approach to create long-term shareholder value by embracing opportunities and managing risks deriving from economic, environmental and social developments.

- The Dow Jones World Sustainability Indexes Guide

- By following the above referenced responsibilities a firm can achieve corporate sustainability.

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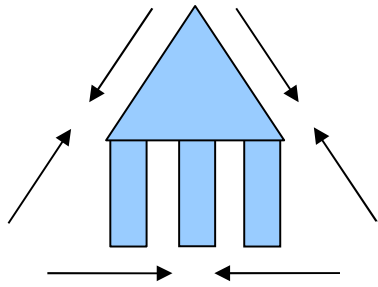
Role in Facilitating the Three Pillars

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- Environmental Sustainability
 - Wal-Mart

- Cultural Sensitivity
 - BC Hydro

- Good Governance
 - FDI & EITI

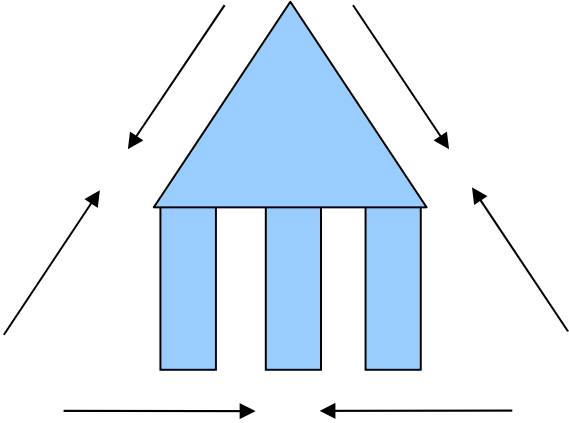


Challenges and Opportunities

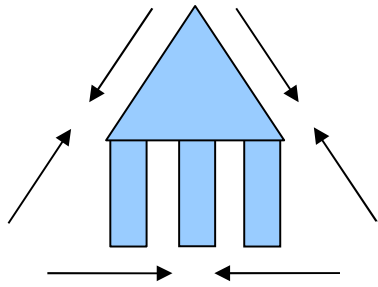
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- Debate as to whether corporate social performance is relevant or related to financial performance
- Issue of “fat” or “skinny” approach to a firm’s CSR functions
- Some industries may not immediately lend themselves to these environmental and social initiatives but the extractive industry highlights the long-term benefits associated with such behavior
- Will and leadership

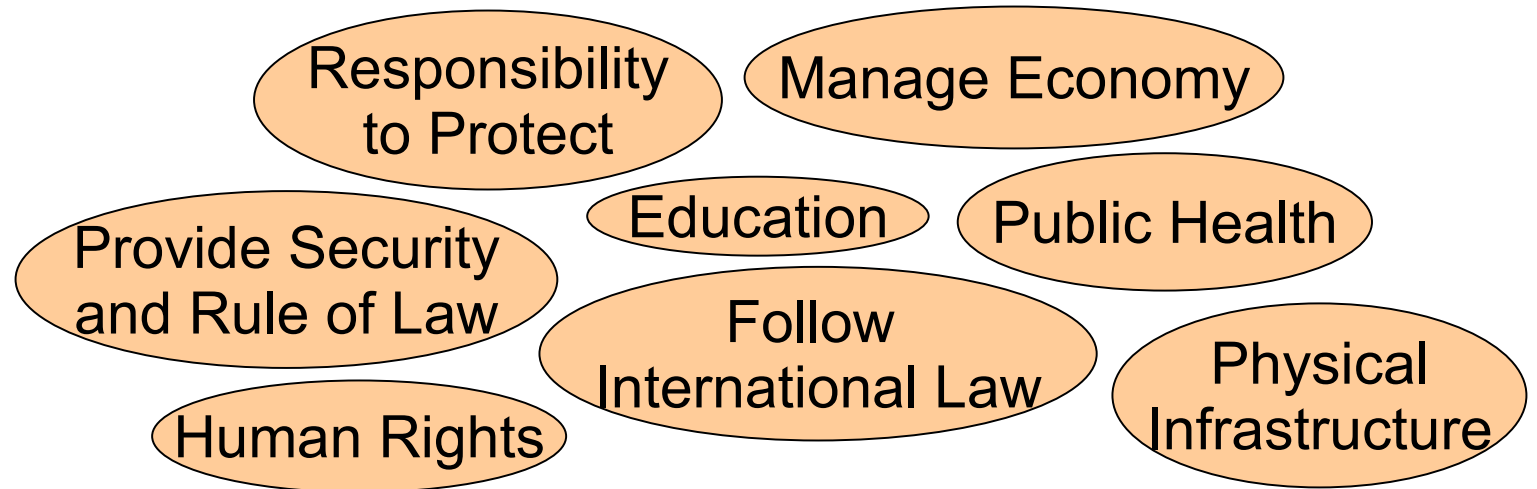
Government



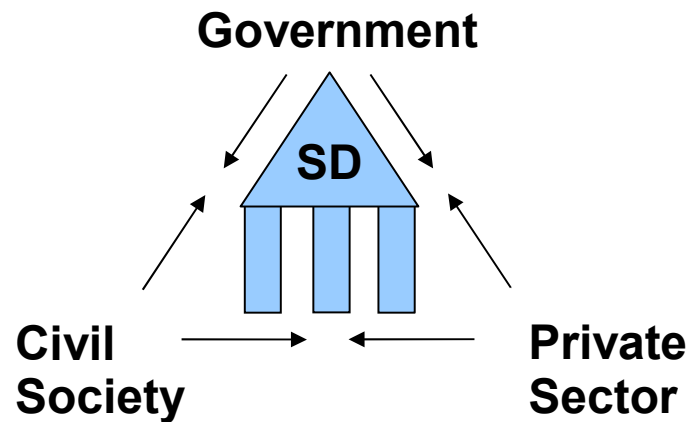
Daniel Feltsman



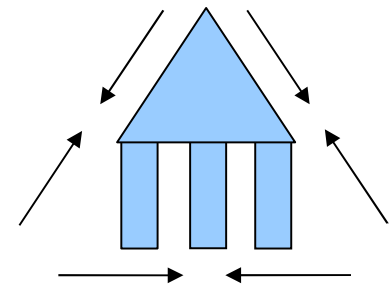
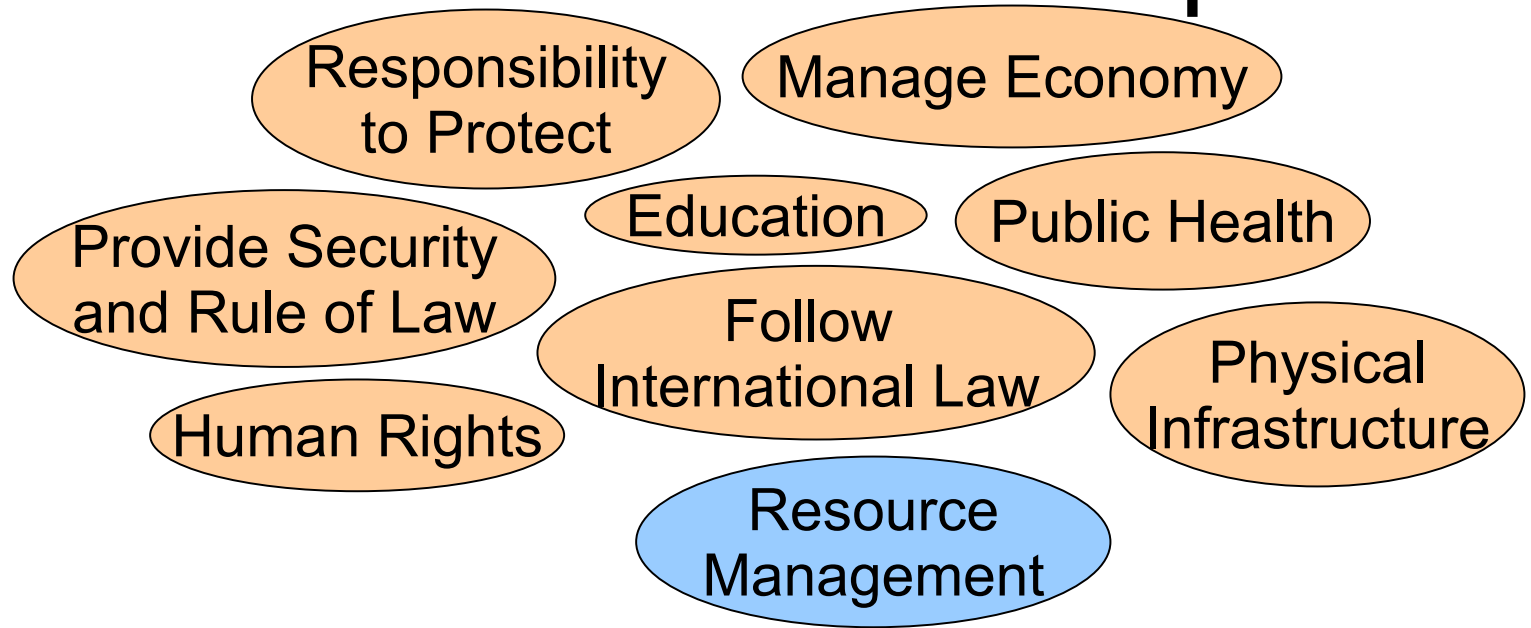
Core Responsibilities



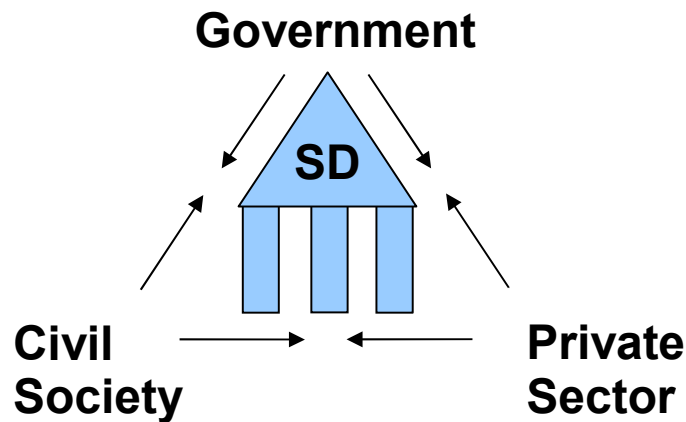
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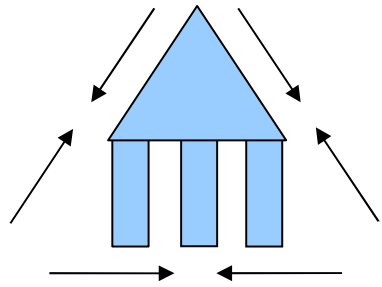
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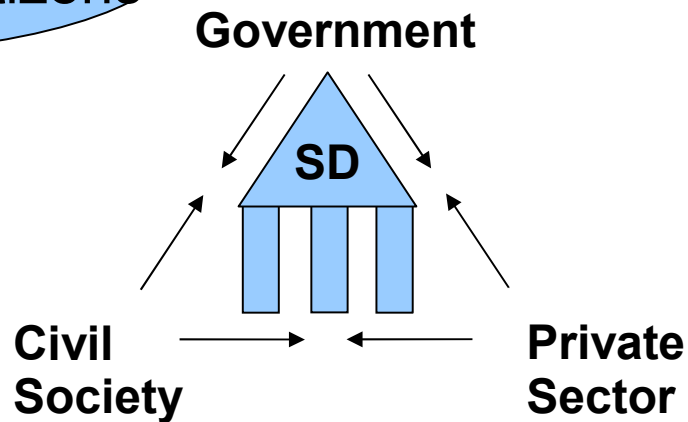
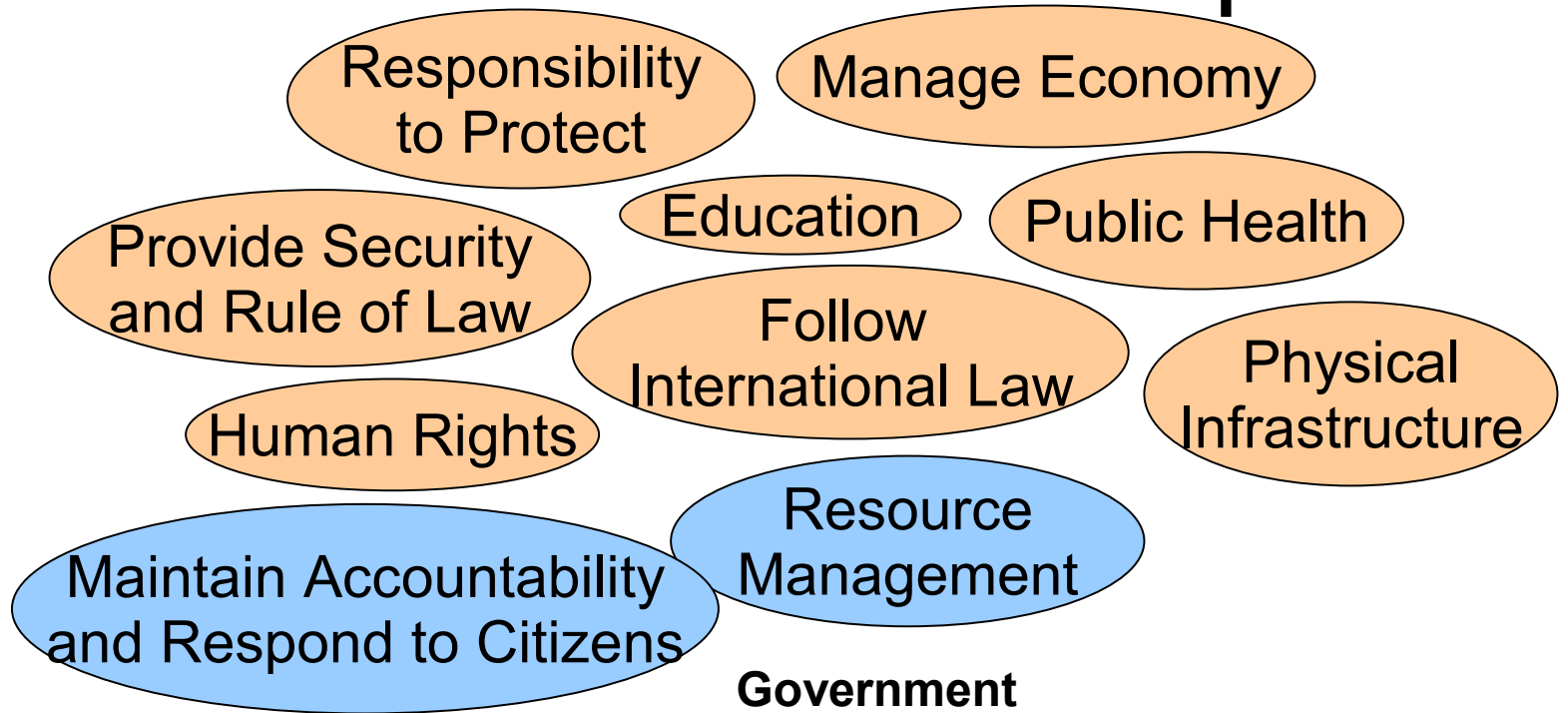
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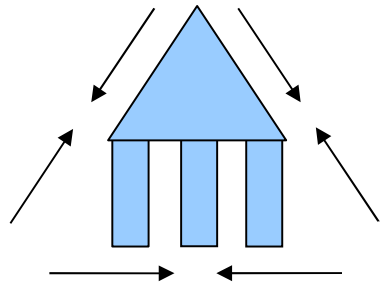
Responsibilities to Sustainable Development



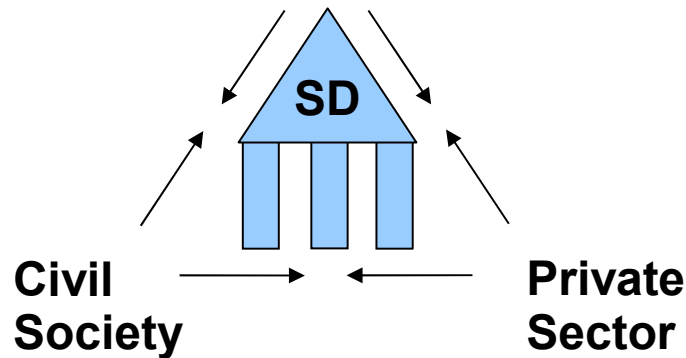
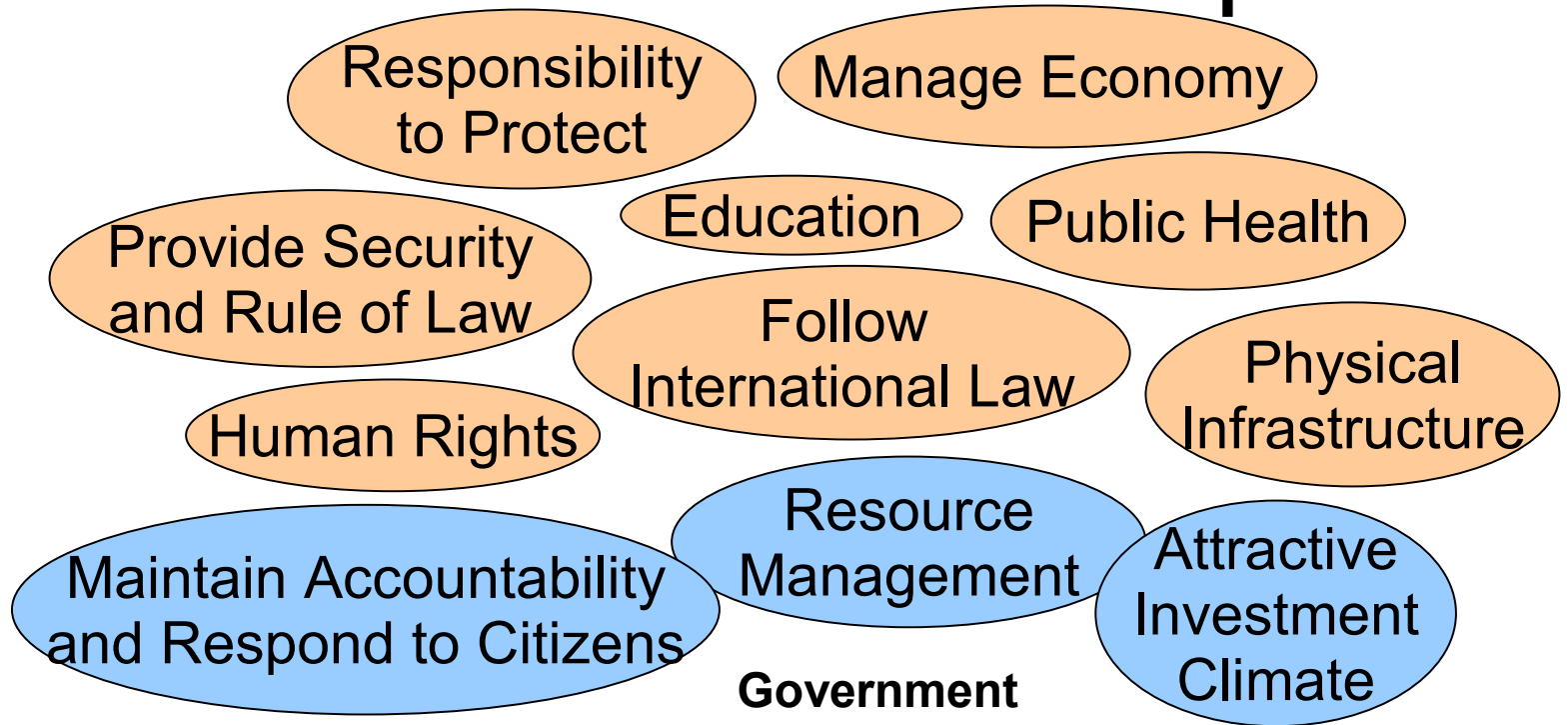
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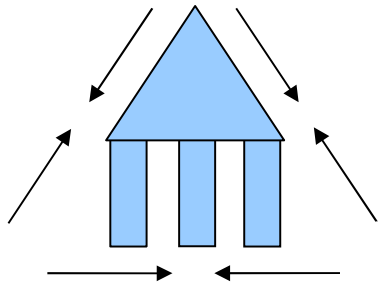


Responsibilities to Sustainable Development



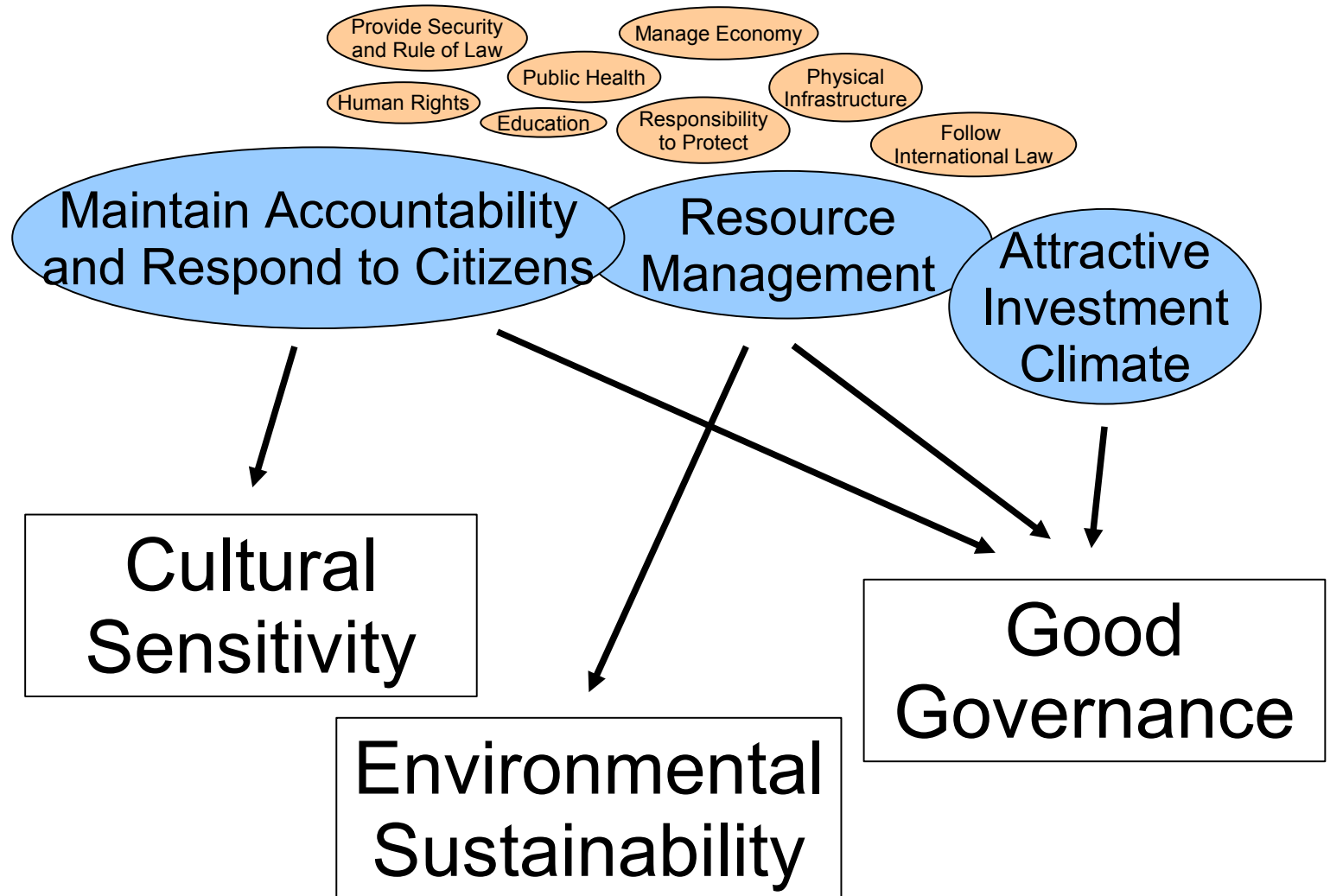
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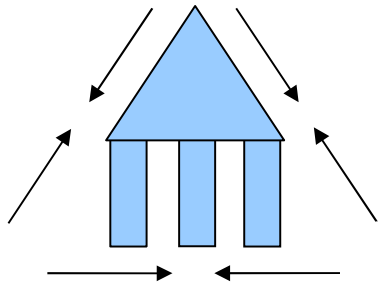




Role in Facilitating the Three Pillars

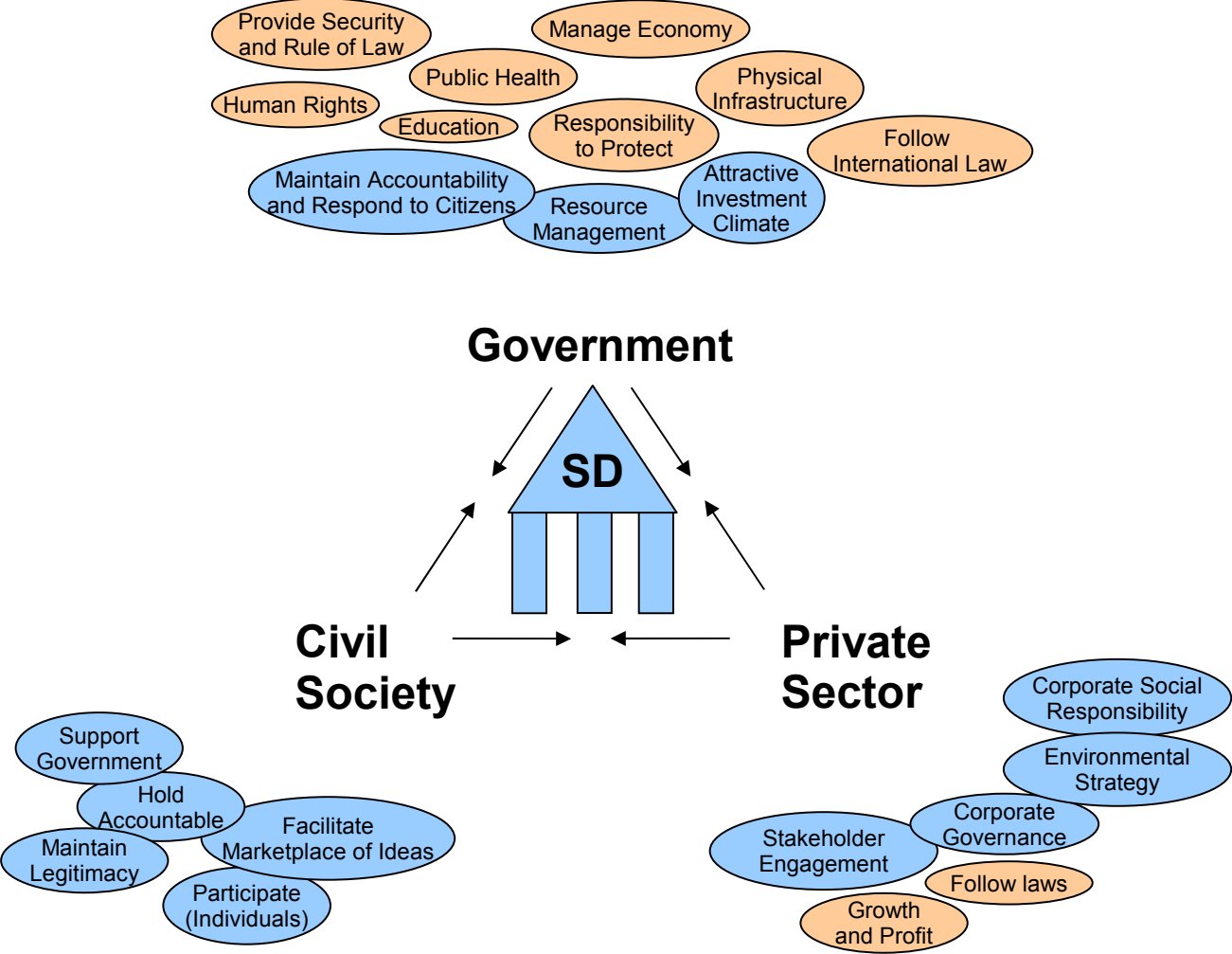
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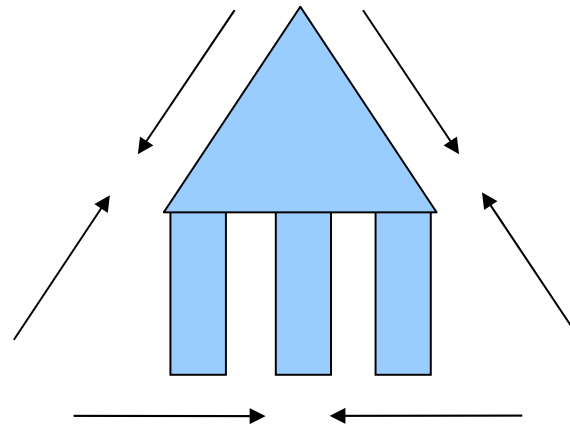


Triangle of Responsibilities

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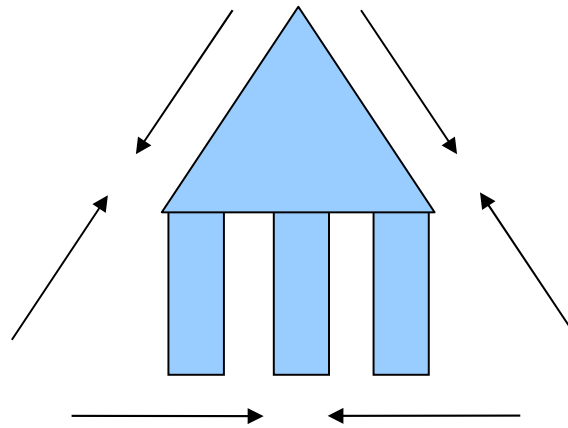


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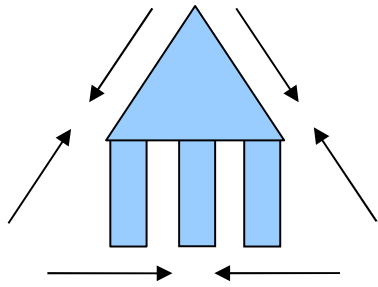


Brad Good
Sofia Perazzo
Maria Herbruger

Global Warming from an International Environmental Law Perspective



Brad Good



International Environmental Law

- Rio Conference (Earth Summit)—1992
- United Nations Framework Convention for Climate Change (UNFCCC)—1994
- Kyoto Protocol

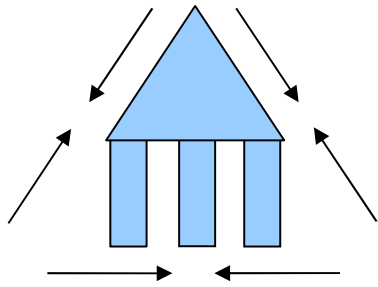
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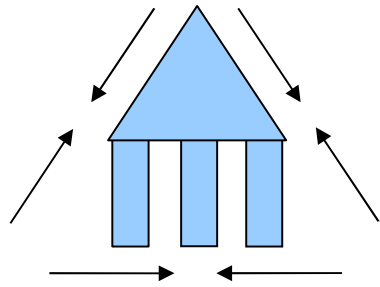
Actors

- **Government**
 - Primary actor for global/state-level change

- **Private sector**
 - Direct impact on the environment
 - Greatest potential for growth

- **Civil society**
 - Functions as hub of information and voice of action
 - Primary actor for local change

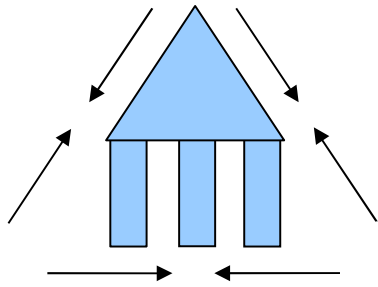
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Applying the Triangle of Responsibilities

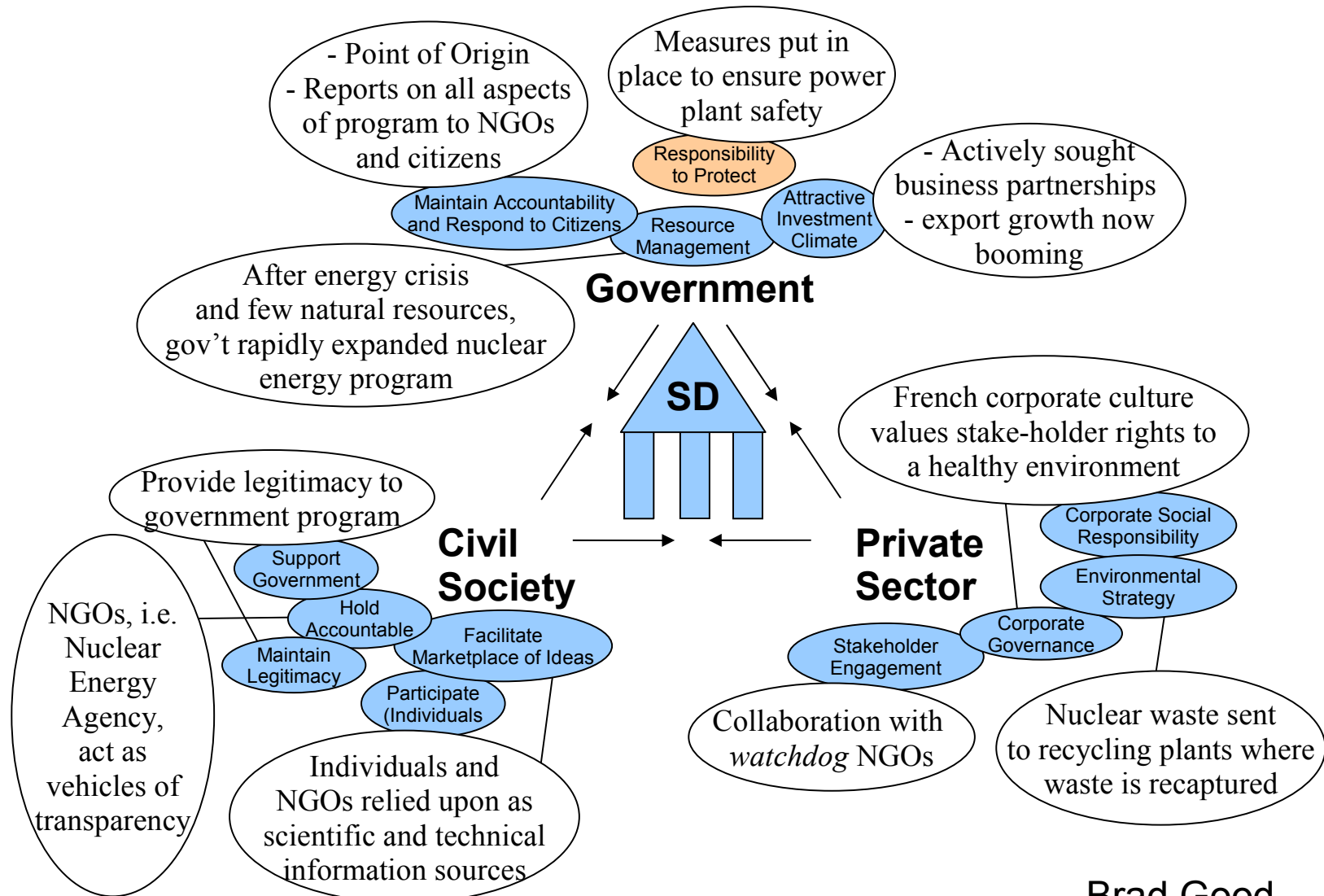
- French nuclear energy program
- Three actors work together for sustainable action
- French government utilizes the expertise and knowledge of private sector and civil society to ensure safety and promote export of energy

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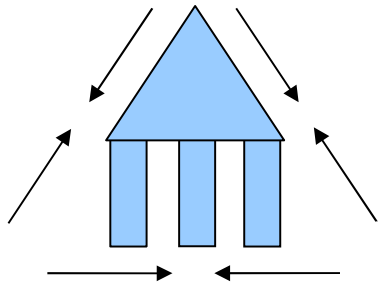


Applying the Triangle of Responsibilities

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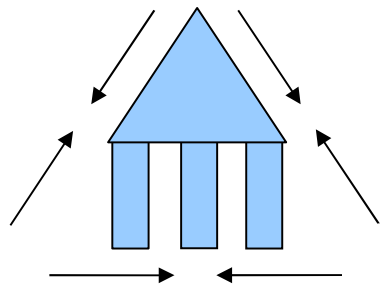
Brad Good



The Pillars of Sustainable Development

- Good governance
 - Environmental transparency
- Environmental sustainability
 - Obvious focal point of global warming; not of this study
- Cultural sensitivity—focus of study
 - Area of largest growth
 - Highlighting role of indigenous peoples in the environment
 - Yanomami and Inuits

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International Environmental Law and Indigenous Peoples

- Stockholm Declaration
- United Nations Conference on Environment and Development (UNCED)—1992
- Agenda 21
- Convention on Biological Diversity (CBD)
- Draft UN Declaration on the Rights of Indigenous Peoples

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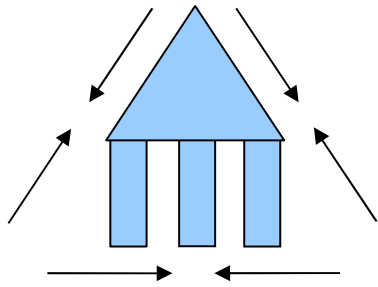
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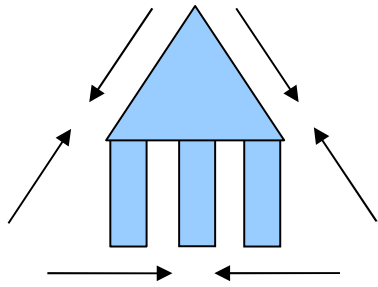
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- Global warming has direct effect
- Losing land/habitat due to melting ice caps
- Largely being ignored currently
- Great value in including indigenous peoples in discussion on changing environmental practices

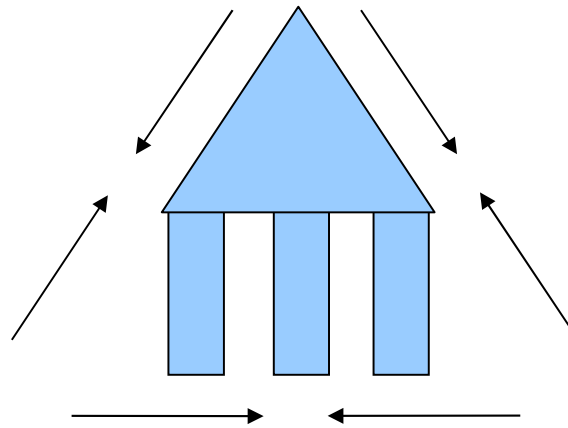


Challenges

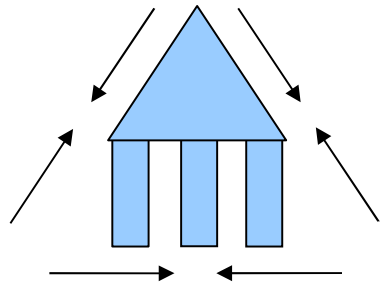
- **Government**—potential loss of sovereignty
- **Private sector**—adapting to growing consumer and stakeholder demands to be environmentally friendly
- **Civil society**—continuing to keep global warming a “hot issue”

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Corruption: A Private Sector Perspective



Sofia Perazzo

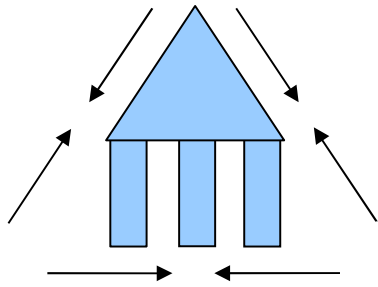


Corruption and Sustainable Development

Corruption undermines the pillars of SD

- Good governance
 - Most obvious - undermines rule of law, damages legitimacy
- Environmental Sustainability
 - Resource mismanagement
 - Circumvent environmental law
- Cultural Sensitivity
 - Misallocation of resources harms the poor most

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Corruption Defined Business Case Actors Applying the Triangle of Responsibilities The Pillars of Sustainable Development Challenges Organized Crime



Corruption Defined:

As it relates to Business

The abuse of entrusted power for private gain

– Transparency International

Business must work against corruption in all its forms including extortion and bribery

– United Nations Global Compact, 10th principle

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Corruption and Sustainable Development

Corruption Defined

Business Case

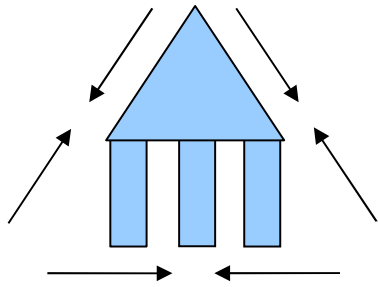
Actors

Applying the Triangle of Responsibilities

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Challenges

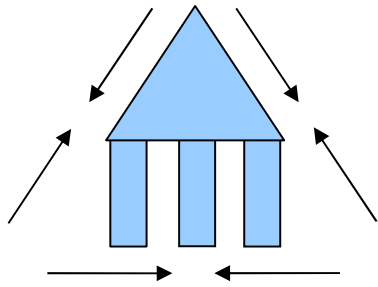
Organized Crime



Business Case: Why engage?

- Publicly traded companies
 - Experts at managing short vs. long-term goals
- Risk management and unpredictability
 - No guarantee of exchange of services
 - No clear market rate for the cost of a bribe
- Costs hinder growth & integrity
 - WB \$1 trillion/year on bribery
- Prepare for future legislation
 - Proactive vs. Reactive
- Senior leadership & personal convictions
 - Of 165 MNCs, 33% cite this as the key reason
 - Just 4% cite the cost of doing business

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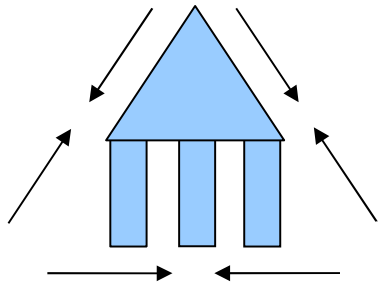


Actors

- **Government - Compliance Regimes**
 - Foreign Corrupt Practices Act (1977)
 - International conventions
 - OECD Guidelines for Multinational Enterprises
 - UN Convention Against Corruption

- **Civil Society - Implementation and Awareness**
 - Transparency International
 - Corruption Perception Index/Bribe Payer's Index
 - Integrity Pacts

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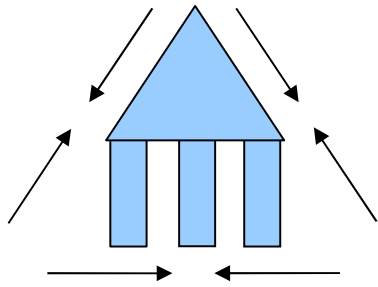
Actors

Private Sector – Combating Corruption

MNCs are giving increased importance to:

1. Stakeholder engagement
3. The corporate social responsibility function
5. Innovative corporate governance mechanisms
7. Collective action and knowledge sharing

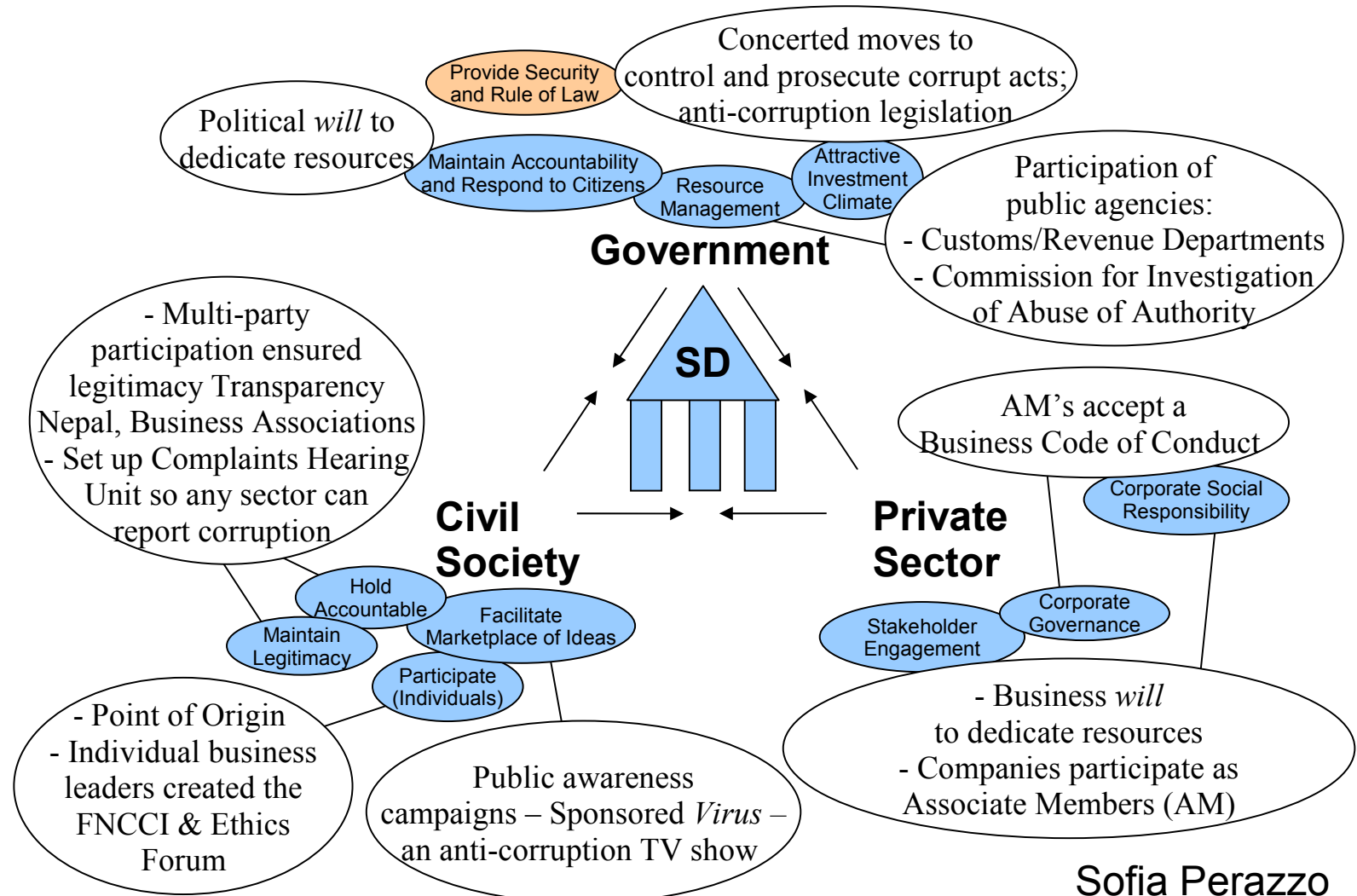
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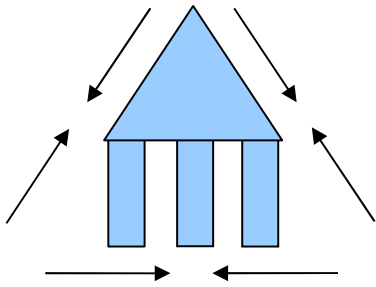


Applying the Triangle of Responsibilities

FNCCI Anti-corruption Program (FACP)

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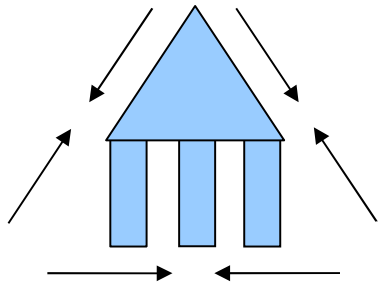
Business Contributions to the Pillars

- **Cultural Sensitivity**
 - Cultural sensitivity vs transparency
 - Strong corporate culture abates risk

- **Good Governance**
 - MNC can encourage transparency within government

- **Environmental Sustainability**
 - Good companies become partners of choice
 - Especially those with good Environment, Health and Safety (EHS) standards

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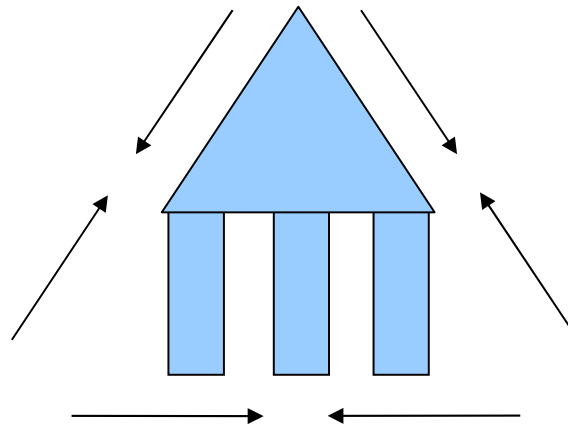
Challenges

- Upholding *global* values is difficult for multinationals
- Getting government & business on board is difficult where cronyism prevails
 - Business leaders depend on personal and political connections
- Circumventing the system is profitable – black market
- Organized crime in weak governance zones

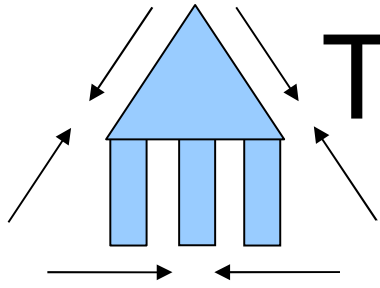
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Transnational Organized Crime and Crime-Financed Terrorism

Unrecognized actors in a globalized world



Maria Herbruger



Transnational Organized Crime and Crime-financed Terrorism

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• Issue

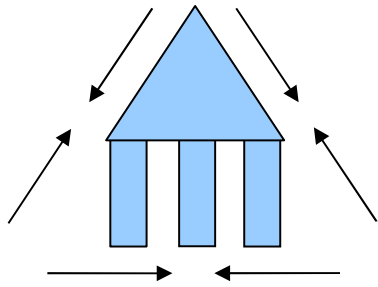
- Transnational Organized Crime
- The Convergence
- Common Roots
- Roles in Society

• The Main Actors: Roles & Responsibilities

- Government
- The Private Sector
- Civil Society
- The Triangle of Responsibilities

• The Pillars of Sustainable Development

• Challenge: the Question of Demand



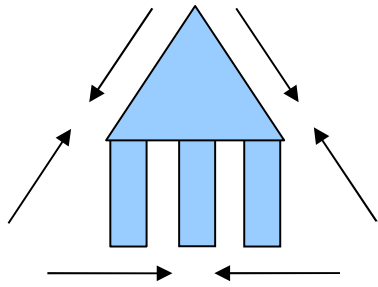
Transnational Organized Crime

- Prohibitionist policies
 - Illicit trade previously defined as “smuggling”



- Globalization
 - Rising Demand
 - Opening of Markets
 - Social, Economic, and Political Disparities
 - Socially marginalized groups, few “legitimate” economic opportunities, political inequities

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The Convergence

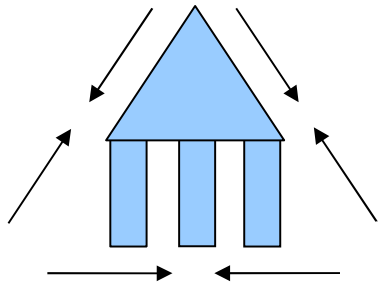
- Drug Trafficking and Terrorism

- Traffickers have economic motives, Terrorists have political motives
- Terrorist groups lost their funding at the end of the Cold War – turned to drug industry



Maria Herbruger

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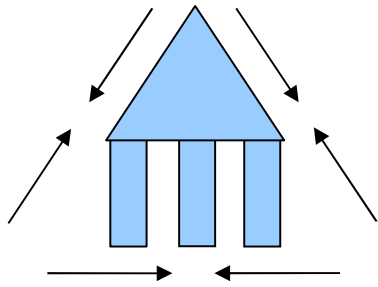


Common Roots

- Transnational Organized Crime and Crime-Financed Terrorism
 - Weak state control or repression
 - Minimal rule of law
 - Lack of “legitimate” economic alternatives
 - Rising demand in illicit markets
 - Lax enforcement
 - Social marginalization
 - Minimal public goods



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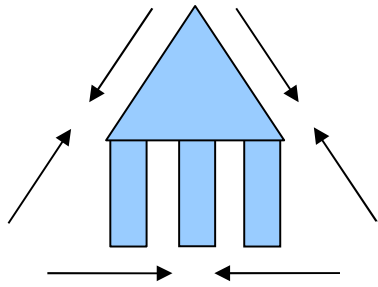


Roles in Society

- **The Role of Terrorists:**
 - Provider of public goods
 - An outlet to express perceived grievance/lack of civil liberties
 - An alternative to alienation

- **The Role of Organized Criminal Organizations:**
 - Provider of economic opportunities and economic
 - Diversification
 - An alternative to current economic and political systems

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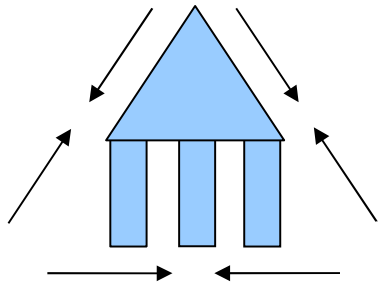


Government

- **Why play a role?**
 - Transnational organized crime undermines sovereignty, democratic values, public institutions, national stability, global regimes and codes of conduct

- **Government has an intrinsic role to enforce domestic & international laws**
 - Enforcement of own prohibitions
 - The UN Convention Against Transnational Organized Crime

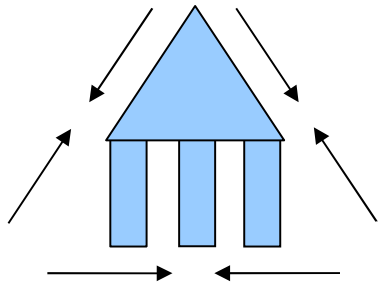
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Government

- Government has several responsibilities to civil society that are impacted by crime:
 - Public Health
 - Education
 - Security
 - Human Rights

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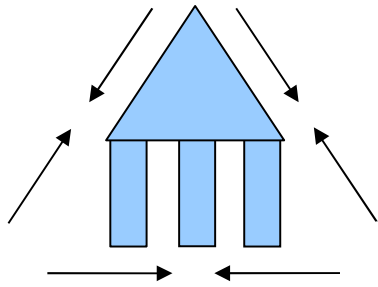
The Private Sector

- **Why play a Role?**
 - Organized crime is a threat to financial institutions, legitimate businesses, national economies and privatization

- **Responsibility to Protect its Interests**
 - Business Software Alliance and Motion Picture Association

- **Responsibility to Follow Laws**
 - The provision of arms by the US arms industry is legally questionable
 - The Bank of Credit and Commerce International BCCI

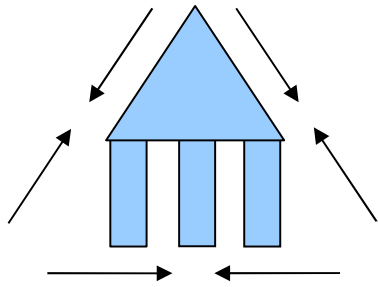
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Civil Society

- Why play a role?
 - Crime is a threat to individuals & society
- Responsibility to itself
 - The Italian village of Crocevolta
- Responsibility of providing government capacity

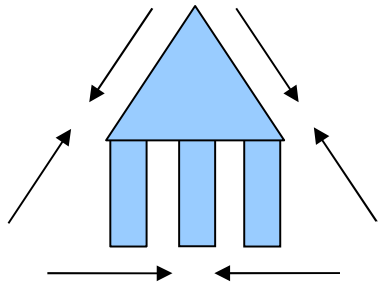
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Civil Society

- Responsibility to hold other actors accountable
 - Transparency International
 - Environmental Investigation Action undercover work in Indonesia, 2003
 - Korea Women’s Associations United
 - International Justice Mission crackdown on traffickers of children in Cambodia, 2003

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Applying the Triangle of Responsibilities

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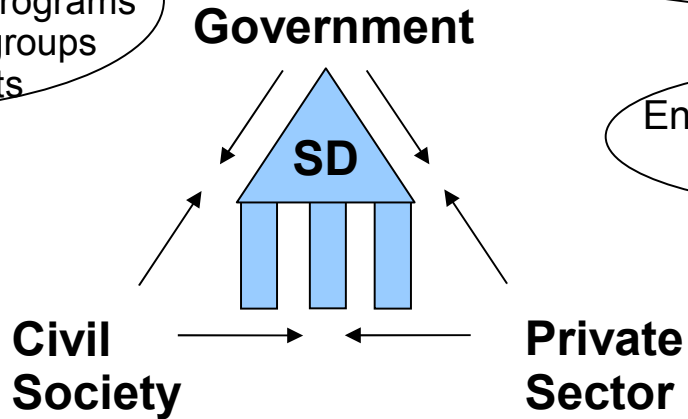
- Uphold international anti-crime regimes/work towards international standardization
- Enact realistic & enforceable laws
- Coordinate local & national efforts
- Implement anti-corruption measures
- Partner and/or give responsibilities to other actors

- Provide favorable investment climate & business opportunities
- Provide economic security

- Public health
- Protect citizens
- Awareness education programs
- Recognize different groups
- Provide civil rights

- Provide accountable government capacity
- Pressure to enforce laws/combat issues
- Report criminal acts/hold accountable

- Protect itself
- Awareness education programs

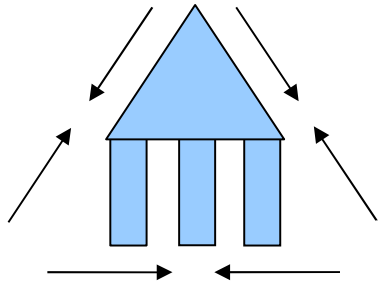


- Engage in licit activities (follow laws)

- Protect itself
- Instill corporate culture against illicit markets/ corruption
- Implement anti-money laundering efforts

- Consume licit products/services
- Report criminal acts/hold accountable

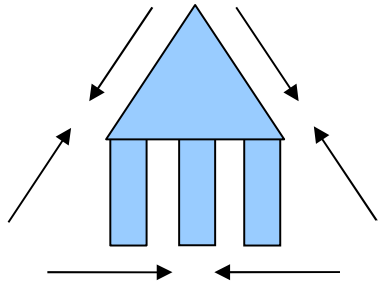
- Meet licit consumer demands



The Pillars of Sustainable Development

- **Good Governance**
 - Realistic goals in the form of enforceable laws
 - Enforcement of laws acted out transparently and efficiently at both national & local levels

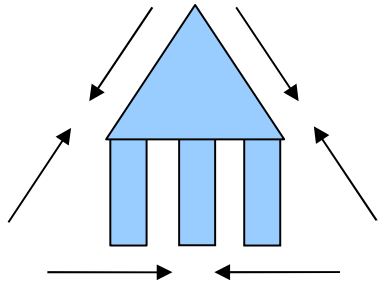
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Challenge: the Question of Demand



The Pillars of Sustainable Development

- **Cultural Sensitivity**
 - “Drug War” in US disproportionately target minorities
 - Coca use in Amazonian tribes is part of their culture
- **Environmental Sustainability**
 - US-led drug crop eradication campaigns
 - Environmental NGOs

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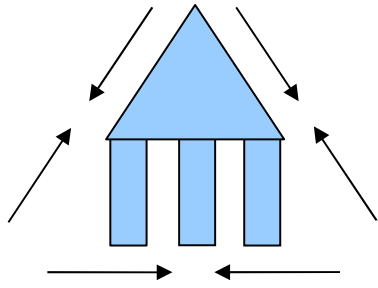
Challenge: The Question of Demand

- Even with the cooperation of all three actors, demand is an overwhelming force
- Realistic and enforceable laws
- The burden should not be placed on one actor alone
- Examine current laws

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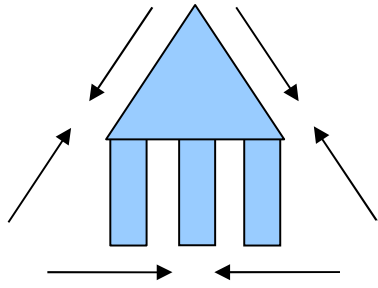


Challenge: The Question of Demand

- Regulated legislation of some markets?
 - The Netherlands legalization of prostitution:

- *“The legislation of an industry that had been illegal for so long is not just a matter of changing the Penal Code, it is a process. The emancipation of sex workers, who have been excluded from civil and labour rights for centuries, has just started. Lifting the ban on brothels was just the first step of the long and probably difficult road that lies ahead of us”*

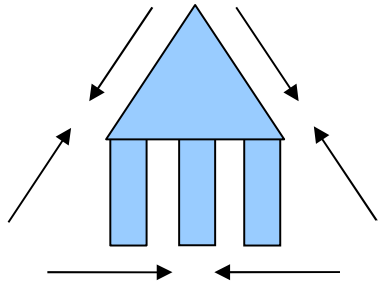
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Challenge: the Question of Demand



Conclusion

- Transnational Organized Crime & Terrorism have an unprecedented impact
- A complex issue - though economic
- These actors succeed the most when one or all of the actor's responsibilities are not adequately fulfilled

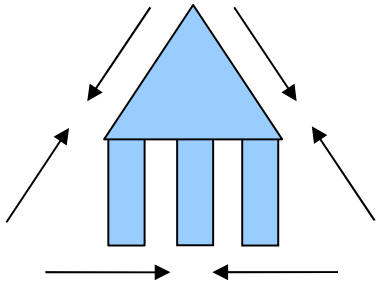
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Conclusion

- Will and commitment from all actors is necessary
- Just as every actor is involved in illegal markets, so do they have to be involved in the solutions; inter-sectoral approach has proved successful

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Project Conclusion

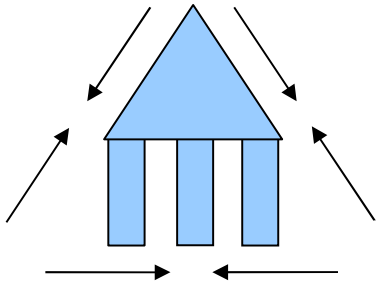
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- Individuals
- Will
- Cooperation is Key
- Accountability/Transparency



Academic Contributions

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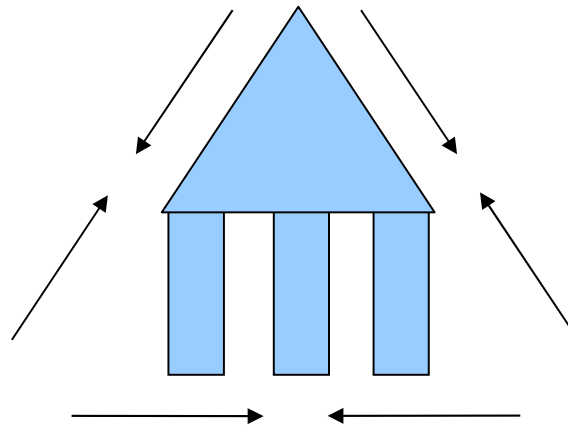
Case Studies

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- A Holistic Approach
 - All actors are involved
- The Triangle of Responsibilities
 - Core
 - Sustainable
- Cultural Sensitivity

A Framework for Sustainable Development

with Case Studies in
Global Warming, Corruption, and Organized Crime



Wayne Moses Burke
Patrick Benz
Daniel Feltsman

Brad Good
Sofia Perazzo
Maria Herbruger