



Earth Negotiations Bulletin

.....
A Reporting Service for Environment and Development Negotiations

Vol. 5 No. 130

Published by the International Institute for Sustainable Development

Thursday, 29 April 1999

CSD-7 HIGHLIGHTS WEDNESDAY, 28 APRIL 1999

Delegates continued negotiating CSD decisions in Drafting Groups, informal consultations, informal informals, and bilateral consultations. CSD-7 Chair Upton addressed Drafting Group II during the morning and urged delegates to clearly identify the issues under discussion and who should take action. On coordinating consideration of oceans issues, he recalled ministers' desire to improve existing efforts.

DRAFTING GROUP I

TOURISM: Negotiators met informally to consider a new compilation text. Delegates agreed that implementation of the programme of work should take place through cooperation, not "consultation." They also agreed that implementation will begin, with appropriate means and resources, especially for developing countries, and will be reviewed in 2002. On consultation with major groups, negotiators agreed to refer throughout the draft to "indigenous and local communities," using language from the CBD. Some delegates were to consider, in the context of capacity building work with indigenous people and local communities, alternative text on ensuring or facilitating transparency in decision making. Delegates considered alternative references to a "mix of instruments" or "economic instruments" and whether to include "tax" instruments in the creation of an institutional, legal, economic, social and environmental framework. On developing a global code of conduct, most agreed that developing a global code would be premature while the development of a global code of ethics for tourist behavior was relevant. On developing indicators for sustainable development, some delegates proposed separating the work of defining and clarifying the concept of sustainable tourism and work on identifying indicators. During an evening meeting, delegates agreed to welcome the work of the business community, NGOs and others to contribute to achieving sustainable tourism, but bracketed the reference to "Agenda 21 for the Travel and Tourism Industry." Delegates also discussed the establishment of a working group to assess financial leakages and improved capacity for participation. Proposals called for the group to be open-ended, *ad hoc* and have equal geographic representation. The meeting continued into the night.

CONSUMPTION AND PRODUCTION: During discussions on an alternative preamble, some delegates proposed qualifying the recognition of implementation of sustainable consumption and production approaches leading to reduced costs, improved competitiveness and

reduced environmental impacts with the provision that nations must implement such approaches within their abilities and capacities. In discussing the principal goals of changing consumption and production patterns to be pursued by all countries, a delegate proposed amending "the principle of common but differentiated responsibilities" to read "common but differentiated responsibilities of states." Several delegates objected, stating that it would amount to rewriting Agenda 21. On the proposed reference to the particular importance of "the role of the affluent consumer," some said the proposal was beyond the scope of Agenda 21. Delegates differed on whether to include "international development targets" and accepted "achieving poverty reduction targets." On the issue of eco-labeling, some delegates said it was best addressed by taking into account the ongoing deliberations of the Committees on Technical Barriers to Trade and Trade and Environment at the WTO. Some believed that any discussion would preempt the WTO's proceedings.

DRAFTING GROUP II

OCEANS: On general considerations, the US, supported by CANADA, NORWAY, ICELAND and TURKEY, offered a proposal referencing the precautionary approach, the polluter-pays principle and the principle of common but differentiated responsibilities as well as an eco-systems approach and action based on the best scientific knowledge to establish the context for action. The EU objected to "picking and choosing" some principles over others. MEXICO, supported by the US and RUSSIA suggested referring to "the Rio Declaration, in particular principles 7, 15 and 16." The G-77/CHINA, supported by INDIA and EGYPT and opposed by the US and RUSSIA, preferred brief references to the content of the principles. The EU, supported by RUSSIA and NORWAY and opposed by EGYPT, insisted on including the "eco-system approach." Delegates agreed to refer to the "Rio Declaration on Environment and Development."

Regarding the obligations of States to protect the marine environment when benefiting from the sustainable use of oceans and seas, the G-77/CHINA, supported by CANADA, suggested including the "rights" of States. JAPAN, supported by RUSSIA and the REPUBLIC OF KOREA and opposed by the G-77/CHINA, suggested replacing "distant-water fishing nations" with "illegal, unregulated or unreported fishing" as causes of over-exploitation of marine living resources. The EU noted that overexploitation arises from unsustainable fisheries. Delegates accepted text on overexploitation of marine

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Paola Bettelli <pbettelli@hotmail.com>, Peter Doran <pdoran@ecology.u-net.com>, Rajyashri Waghay <rsww24@columbia.edu> and Lynn Wagner, Ph.D. <lynn@iisd.org>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree <kimo@iisd.org>. Digital editing by Andrei Henry <ahenry@iisd.ca>. The Sustaining Donors of the *Bulletin* are The Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape and the United Kingdom Department for International Development (DFID). General Support for the *Bulletin* during 1999 is provided by the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the European Community (DG-XI), the Ministries of Environment and Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministry of Foreign Affairs and Ministry of Environment of Finland, the Government of Sweden, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and the Ministry for the Environment in Iceland. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Managing Editor. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca/linkages/>. The satellite image was taken above New York City(c)1999 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.



living resources, including through illegal, unregulated or unreported fishing and through unsustainable or uncontrolled distant water fishing. ICELAND proposed calling for better "assessment" as well as scientific understanding of oceans and for attention to the socio-economic effects of marine pollution. Delegates agreed to encourage steps for the effective and coordinated implementation of the provisions of UNCLOS and Agenda 21. In the same subparagraph, the G-77/CHINA proposed that action include, "*inter alia*" the provision of assistance "for" the transfer of "appropriate" technologies. The US specified that transfers be "on mutually agreed terms," which the G-77/CHINA bracketed.

On capacity building in response to natural disasters caused by "climatic" or "inter-annual" variability such as El Niño, the G-77/CHINA, supported by the EU and opposed by the US, indicated its preference for "climatic variability." Delegates accepted "inter-annual climatic variability" as a compromise solution. The G-77/CHINA suggested deleting a call for partnership within the United Nations Development Assistance Framework (UNDAF) and with major groups. The EU and US noted that the notion of partnerships, including major groups, was key to capacity building. CHINA objected.

On international agreements, delegates agreed to recommend that all States that have not yet done so become Parties to UNCLOS but bracketed a TURKISH proposal that States "consider" taking such action. On sustainable fisheries and aquaculture, delegates agreed to an AUSTRALIAN proposal noting that fisheries and aquaculture, when managed sustainably, can contribute to global food security and income generation and a G-77/CHINA proposal urging the international community to support coastal and island developing States in the development of sustainable fisheries and aquaculture. The EU offered to develop a proposal regarding the eco-system approach. Delegates agreed to a MEXICAN proposal to drop specific references to elements of the FAO International Plan of Action and simply urge its early adoption and effective implementation. AUSTRALIA, ICELAND and the US supported adding text on evaluating fisheries subsidies, increased transparency and discussion in other fora such as the WTO. The REPUBLIC OF KOREA, the G-77/CHINA, EGYPT and JAPAN objected.

On the role of regional fisheries organizations in monitoring and enforcing FAO recommendations on minimizing waste and discards, the US, supported by MEXICO, JAPAN and RUSSIA, suggested "strengthening enforcement capacity in member states." CANADA, supported by the US and NORWAY submitted a proposal urging governments to work through FAO to develop a plan of action to address destructive fishing techniques.

DRAFTING GROUP III

Drafting Group III considered a number of draft decisions and resolutions (E/CN.17/1999/L.3 and L.5) including new items introduced by the EU. IRAN, for the G-77/CHINA, amended a decision to request that the relevant outcomes of the Special Session on SIDS be taken into account "*inter alia*" in the 2001-2002 programme of work. Negotiators also considered a decision on matters related to the intersessional work of the CSD in the year 2000, including provision of financial support, through extra budgetary contributions, to assist members of the Bureau, particularly those from developing countries, to attend Bureau meetings. Commenting on a draft resolution on voluntary initiatives and agreements, the Secretariat explained that the draft referred to the Secretary-General's report (E/CN.17/1999/12) on the results of a Multi-Stakeholder Consultative Meeting in Toronto from 10-12 March 1999. CANADA and the US opposed a G-77/CHINA proposal to note only the Secretary-General's report and delete a reference to the intersessional consultative process. The G-77/CHINA, supported by EGYPT and the PHILIPPINES, proposed

replacing references to "multi-stakeholder" throughout the decision with "all major groups" as identified in Agenda 21. CANADA, the EU and the US objected. The G-77/CHINA requested informal consultations. CHINA supported the G-77 position, referring to the risk of "unwelcome participants." CANADA added a reference to the International Chamber of Commerce's "toolkit." The EU proposed asking the Secretary-General to report to CSD-8. The EU welcomed G-77/CHINA-proposed paragraphs noting that voluntary initiatives should complement regulatory frameworks and inviting the Secretariat to ensure wider participation by developing countries in intersessional consultative processes. RUSSIA, supported by BELARUS and CUBA, introduced a draft resolution on sustainable development in the Balkans region, expressing grave concern at the unfolding environmental crisis, calling on parties to stop all actions, and urging the UN system, specifically UNEP, to act. CHINA expressed grave concern over bombing of chemical refineries. The US urged the sponsor to withdraw the resolution and not force the CSD to conduct its first vote. The EU said the CSD was not the right forum to discuss the crisis and urged no further action on the resolution. EGYPT called for a wider discussion. JAPAN, TURKEY, CANADA, COSTA RICA, NORWAY, the CZECH REPUBLIC, and SWITZERLAND said the CSD was an inappropriate forum for the resolution. RUSSIA disagreed and said he would definitely not withdraw the resolution. The Chair recommended that the resolution be taken up in Plenary.

The EU introduced draft decisions on education, public awareness and training and on preparations of the review of Agenda 21 and the Programme for Further Implementation of Agenda 21. Consideration was postponed at the G-77/CHINA's request.

The Chair introduced the second reading of a draft resolution on preparations for CSD-9 on energy. On the *Ad hoc* Open-ended Intergovernmental Group of Experts on Energy, SWITZERLAND preferred that it be open to all States members of the UN and its specialized agencies. The G-77/CHINA sought to ensure that the Group's meetings do not take place simultaneously but back-to-back with ISWGs. AUSTRALIA, supported by the EU, introduced a new paragraph proposing that the Group be headed by a Bureau of five members including two co-chairs. ECUADOR asked whether the Bureau could include non-members of the CSD. The Secretariat is to consult the legal counsel. The EU sought to speed up the process in order to make nominations at CSD-7.

IN THE CORRIDORS I

A meeting of WEOG considered possible candidates for one of the co-chair positions on the proposed new *Ad Hoc* Open-ended Intergovernmental Group of Experts on Energy and Sustainable Development. Austria, with the backing of the EU, is in the running together with Norway. Iran has been invited to consider putting a candidate forward for the other co-chair position. NGO representatives are concerned that Austria and Norway's non-membership of the CSD will hold up a decision on nominations while legal advice is sought.

IN THE CORRIDORS II

Informal negotiations on referencing the multi-stakeholder process in a Draft Resolution on voluntary initiatives resulted in new proposals. Drafting Group III will be invited to adopt language "recognizing the potential value of processes, which involve governments and all relevant major groups and other stakeholders."

THINGS TO LOOK FOR TODAY

DRAFTING GROUPS: Drafting Group I is expected to meet at 11:30 to discuss consumption and production. Drafting Group II is expected to continue its second reading of the decision on oceans during the morning. Drafting Group III is also expected to meet.