



# Earth Negotiations Bulletin

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## CSD-5 HIGHLIGHTS TUESDAY, 22 APRIL 1997

Delegates to CSD-5 met in two Drafting Groups and three informal groups during the morning, afternoon and evening. A draft declaration and a draft decision regarding SIDS were distributed.

### DRAFTING GROUP I

On **28** (energy), the EU proposed developing a common strategy for sustainable energy and an intersessional high-level CSD forum on environment and energy. The G-77/CHINA said the initiative must ensure developing country input and participation. The US, AUSTRALIA and CANADA, among others, stressed the need for flexibility and expressed concerns on: prejudging the work programme deliberations; the implications of "strategy;" the structure and funding of the forum; integration of regional organizations; and prescription of national energy policies. The proposal was bracketed.

On **28(a)** (provision of energy services), the EU added strengthening "domestic efforts" to a G-77/CHINA amendment on strengthening international cooperation, but the G-77/CHINA preferred assisting developing countries' efforts. On **28(b)** (energy policies), delegates revised a G-77/CHINA redraft on, [where appropriate], promoting policies [and plans for sustainable energy production and consumption] taking account of economic, "social" and environmental aspects of production, distribution and use. In **28(c)** (modern renewable sources), a G-77/CHINA reformulation on time-bound commitments for relevant technology transfer to increase the use of renewables and cleaner fossil fuels was accepted by the EU with brackets around "time-bound commitments." UKRAINE and RUSSIA added economies in transition. AUSTRALIA said developed countries should also increase the use of renewables. ICELAND called for targets in this regard.

On **28(d)** (investment and R&D), delegates amended a G-77/CHINA redraft on promoting efforts in R&D "and use" (US) of renewable technologies. To G-77/CHINA text on further research, development, application and transfer of technology, the US proposed "cleaner and more efficient" technology. The G-77/CHINA objected and the insertion was bracketed. ICELAND's proposal for targets to increase the share of renewables was not supported. On **28(e)** (subsidies), AUSTRALIA, JAPAN, NEW ZEALAND, the US and the EU made proposals related to, *inter alia*: specific conditions of countries; reduction and/or elimination of subsidies; environmentally-damaging subsidies; and fossil and nuclear energy. The G-77/CHINA

proposed deleting the paragraph. The Chair suggested that Northern countries discuss the proposals and consult with the G-77/CHINA. New subparagraphs on international cooperation on countermeasures (JAPAN) and nuclear safety (NORWAY) were added.

On oceans, delegates agreed that the EU-proposed **26(a)bis**, calling for creating and strengthening, where needed, the system of regional and sub-regional agreements for ocean protection, would replace **26(b)**, which contains references to specific agreements and principles. On **26(c)** (overcapacity), the Chair proposed a paragraph noting that States should address the elimination or prevention of overcapacity (CANADA) and the sustainable management and utilization (G-77/CHINA) of fishery (US) resources (ICELAND) and the reduction of wasteful fishing practices of developed countries (G-77/CHINA). JAPAN bracketed the reference to developed countries. The G-77/CHINA proposed a reference to industrial fishing. NORWAY, JAPAN, CANADA and the US emphasized that these problems are not only applicable to developed countries. The Chair proposed addressing these problems wherever they occur, especially in relation to large-scale fishing. Delegates agreed *ad referendum* that governments should consider the positive and negative impacts of subsidies and that the issues will need to be addressed in fora such as COFI.

On **26(d)** (government action), NORWAY, supported by CANADA, proposed eliminating all references to specific organizations and adding language on, *inter alia*, improving the quality and quantity of scientific data. He also called for greater international cooperation to assist developing countries. Delegates bracketed **26(e)** (follow-up) pending progress on the programme of work. On **26(f)** (marine pollution), delegates discussed proposals on contingency planning, liability and compensation mechanisms, UNGA decision 51/189 and oil spills. On **25(h)** (international watercourses), delegates agreed to development of international watercourses by "watercourse States" based on recent UNGA Sixth Committee and International Law Commission decisions.

On **29** (transport), the Chair proposed a compromise chapeau stating that current transport patterns (G-77/CHINA), with their dominant (IRAN) patterns of energy use (G-77/CHINA), are not sustainable and current trends may have damaging effects on the global atmosphere, local air quality and human health (CANADA, US, AUSTRALIA and SWITZERLAND). The G-77/CHINA objected to noting specific environmental problems.

### DRAFTING GROUP II

On **17bis** (globalization), the G-77/CHINA and the US agreed to acknowledge that, as a result of globalization, external factors

This issue of the *Earth Negotiations Bulletin* <enb@iisd.org> is written and edited by Chad Carpenter, LL.M. <chadc@iisd.org>, Peter Doran <PF.Doran@ulst.ac.uk>, Kira Schmidt <kiras@iisd.org> and Lynn Wagner <lynn@iisd.org>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree VI <kimo@iisd.org>. French translation by Mongi Gadhoun <mongi.gadhoun@enb.intl.tn>. The sustaining donors of the *Bulletin* are the International Institute for Sustainable Development <reception@iisdpost.iisd.ca> and the Netherlands Ministry for Development Cooperation. General support for the *Bulletin* during 1997 is provided by the Overseas Development Administration (ODA) of the United Kingdom, the Ministry of Foreign Affairs of Denmark, the Ministry of Environment of Sweden and the Swiss Federal Office of the Environment. Specific funding for coverage of this meeting has been provided by the Ministry of Foreign Affairs of Norway. Funding for the French version has been provided by ACCT/IEPF with support from the French Ministry of Cooperation and the Department of Environment of Quebec. The ENB can be contacted at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada; tel: +1-204-958-7700; fax: +1-204-958-7710. 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 other publications only with appropriate citation. Electronic versions of the *Bulletin* are sent to e-mail distribution lists (ASCII and PDF format) and can be found on the Linkages WWW-server at <http://www.iisd.ca/linkages/>. The satellite image was taken on 1997/04/21 23:52:51 UTC from 100000 km above Port Stanley (50°45' S 61°00' W), Copyright © 1997 The Living Earth, Inc. <http://livingearth.com>. For further information on ways to access, support or contact the *Earth Negotiations Bulletin* send e-mail to <enb@iisd.org>.



have become critical in determining the success of developing countries' national efforts.

On **20** (trade and environment), delegates agreed to Agenda 21 language for the heading: making trade and environment mutually supportive. On **20** (macroeconomics), delegates agreed to text on accelerating economic growth, poverty eradication "and environmental protection" (EC) "particularly in developing countries" (G-77/CHINA) and enabling all, "in particular developing countries," (G-77/CHINA) to benefit from globalization. On strengthening "international" (G-77/CHINA) support for capacity-building, the EC added calls for greater responsiveness to sustainable development in the WTO, and the US added national governments. Delegates accepted an EC proposal, amended by the G-77/CHINA, stating that trade obstacles should be removed to contribute to efficient use of natural resources. The G-77/CHINA accepted a reference to least developed countries in its amendment on special and differential treatment for developing countries, along with a US call for full implementation of other Uruguay Round provisions. On a G-77/CHINA amendment on protectionist practices, the US bracketed a reference to particularly those affecting developing countries and countries with economies in transition.

The G-77/CHINA added Agenda 21 language regarding transparency of trade measures and avoidance of environmental measures that result in trade restrictions and barriers, along with Rio Principles language recognizing costs "in particular" in developing countries (RUSSIA). Delegates added EC text calling for action to maximize the opportunities of developing countries, including net food importers (NAMIBIA), in adjusting to changes introduced by the Uruguay Round. The US, the EC and others objected to a G-77/CHINA proposal calling for removal of all barriers impeding accession to the WTO for applying developing countries. Text calling for facilitation, in a mutually beneficial way, of applications was agreed with a RUSSIAN addition of "countries with economies in transition." The Chair reformulated a NORWEGIAN proposal regarding consideration of social, economic and environmental effects of further liberalization, to note that sustainable development and trade should be mutually supportive. It was bracketed.

On **20(c)** (disguised trade restrictions), CANADA proposed that "implementation of environmental measures should" not result in disguised "barriers" (US) to trade. A new subparagraph states that, within the Agenda 21 framework, trade rules and environmental principles should interact harmoniously (EC). Subparagraph **20(f)** (positive measures), with EC text on the general system of preferences, was deleted. On **20(g)** (coordination and strengthening of issues), the G-77/CHINA highlighted cooperation between UNCTAD, UNEP and other relevant institutions, including the "WTO" (EC). On **20(g)(i)** (multilateral environmental agreements), the EC linked MEAs to "a package of measures, including in certain cases, trade measures." On **(g)(iii)** (regional action), the EC added environmental agreements. On **(g)(iv)** (sustainable development and investment), the EC accepted the Chair's suggestions for a reference to a possible multilateral framework on investment and for a call for any future multilateral agreement on investment to be consistent with sustainable development, instead of a call directed to the OECD MAI negotiations.

On **21** (population), delegates added G-77/CHINA text noting the relationship between economic growth, poverty, employment, environment and sustainable development and linkages between demographic trends and sustainable development. Delegates agreed to policies that promote "economic development, social development and environmental protection" and "poverty eradication" (G-77/CHINA) and the expansion of basic education with "full and equal" (CANADA) access for girls and women.

ARGENTINA and MALTA preferred the original reference to "family and maternal health care" but the US and CANADA called for agreed language from ICPD and FWCW. Delegates bracketed the original language and added "reproductive health care which covers both family planning and sexual health (EU) consistent with the ICPD report" in separate brackets and deleted text identifying priority actions.

On **22** (health), the US added protection for children from "infectious diseases." The G-77/CHINA and the US agreed to prioritize efforts, "particularly in developing countries," to eradicate major infectious diseases. The US specified approaches to disease reduction and transmission of diseases including malaria and HIV/AIDS. The G-77/CHINA bracketed a US amendment on eliminating lead poisoning. CANADA called for "ambient and indoor air pollution" strategies, and the G-77/CHINA bracketed US text on tobacco smoke. Delegates agreed to "emphasize" (US) the linkage between health and environment and to address the lack of information on pollution (G-77/CHINA).

## INFORMAL CONSULTATIONS

**PROGRAMME OF WORK:** Delegates proposed alternative scenarios and additional sectoral, cross-sectoral and economic sectors for CSD consideration, including: land management, including urbanization; poverty eradication; international cooperation for an enabling environment; sanitation; fisheries; indigenous peoples; trade and investment; and forestry. One delegation preferred not to highlight a specific cross-sectoral issue each year. Another preferred to delete the economic sector category.

**INSTITUTIONAL ARRANGEMENTS:** Delegates agreed on approximately ten sections of text. Issues discussed in the agreed text included: reference to the UN reform process; co-location of secretariats; a UNEP role in linking conventions; UN regional commission review of national reports; and the modalities for the next review of Agenda 21. Outstanding issues include: the appropriate location of references to the IDA and GEF; designation of the GEF as the "permanent" funding entity; focusing the CSD agenda; and participation of NGOs in trade and sustainable development issues. The group did not finish reviewing the 22 April draft and may meet Wednesday afternoon.

**FORESTS:** Delegates reached some consensus on the revised draft. In the introductory paragraph, text on forests as "one of the major" reservoirs of biodiversity was agreed but a reference to forests' function in the climatic balance remains bracketed. The other preambular paragraphs were agreed, with additions stating that the "intergovernmental" dialogue be "integrated" and continue to be "an open, transparent and participatory process." Subparagraphs were agreed on: national forest programmes; enhanced international cooperation; the Interagency Task Force; and incorporation of the IPF's action proposals into international institutions' work programmes. Subparagraphs on implementation of the action proposals, clarification of IPF trade and environment issues, forests as a source of renewable energy for local communities in LDCs, and institutional follow-up remain pending.

## THINGS TO LOOK FOR TODAY

**DRAFTING GROUPS:** Drafting Group I will commence with text on transport in Conference Room 1, and is expected to hold a night session. Drafting Group II will commence with Means of Implementation in Conference Room 6.

**INFORMAL GROUPS:** Informal consultations are expected to continue on the programme of work, institutional arrangements and forests.