



Earth Negotiations Bulletin

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UNGASS HIGHLIGHTS THURSDAY, 26 JUNE 1997

Participants at the fourth day of UNGASS heard 44 statements in Plenary and attempted to complete negotiations on the outcome text during all-day and late night negotiating sessions, contact groups and ministerial consultations. In addition to US President Bill Clinton, 34 government officials and 7 IGO and NGO representatives spoke in Plenary. Mostafa Tolba, Chair of the COW, told delegates they could not leave the building until all text in the draft documents was agreed, but a few outstanding issues remained for resolution on Friday.

DRAFT POLITICAL STATEMENT

Delegates discussed the draft Political Statement in morning, afternoon and night sessions. On **12** (financial resources), the G-77/CHINA proposed, *inter alia*: a preamble reaffirming Rio commitments regarding the means of implementation; deleting a reference to mobilizing domestic resources; and deleting a reference recognizing public sector responsibilities. The EU, the US, UKRAINE, CANADA, RUSSIA and BELARUS opposed deleting the reference to mobilizing domestic resources. A number of countries preferred retaining the reference to public sector responsibilities. UKRAINE, BELARUS and RUSSIA supported references to countries with economies in transition. The US opposed the preamble, and with AUSTRALIA, suggested deleting a reference to the ODA target of 0.7% of GNP. NORWAY called for strong language on the need to reverse declining ODA.

On **13** (ESTs), delegates agreed to text noting, *inter alia*: the availability of, access to and transfer of ESTs to developing countries; specific references from **78** (ESTs); and references to "all" rather than developing countries. In **15** (CSD focus for the next five years), the G-77/CHINA opposed the listing of issues and proposed a general reaffirmation of commitment to comprehensive implementation of Agenda 21. The EU said the listing of sectoral themes provided balance for the text. The Chair suggested listing agreed actions and indicating funding sources. The US and SAUDI ARABIA supported the G-77/CHINA's reformulation. The G-77/CHINA also opposed the listing of agreed and ongoing negotiation processes in **16** (UNCED agreements).

In **19** (CSD role), the G-77/CHINA proposed specifying which major groups would participate. The Secretariat believed the text referred to more than NGOs participating in CSD sessions. In **20**

(UNEP role), the G-77/CHINA objected to the EU-proposed invitation to the Secretary-General to explore ways and means to improve the coordination among and effectiveness of the UN institutions concerned with the environment. CHINA and CUBA opposed the EU-proposed **25** (Secretary-General invited to present strategies for long-term sustainability). RUSSIA and NORWAY supported it. PERU, supported by ISRAEL, suggested that such strategies be developed "in consultation with member States." Paragraph **26** (pledging to continue working together) was adopted, with an additional sentence linking the political statement to the programme for implementation of Agenda 21. Discussion on outstanding paragraphs continued through the night.

PROPOSED PROGRAMME FOR THE FURTHER IMPLEMENTATION OF AGENDA 21

John Ashe (Antigua and Barbuda) continued to chair consideration of the outstanding cross-sectoral issues during all day and night meetings. Derek Osborn (UK) chaired a late night negotiation on sectoral issues. In **22(j)** (eco-efficiency), the US and G-77/CHINA disagreed on "the need to avoid" (US) and "avoiding" (G-77/CHINA) negative impacts on developing country export opportunities.

In **39(a)** (CSD-9 on energy), SAUDI ARABIA said that he and 21 other countries wished to delete all but the first two sentences of the paragraph. Delegates agreed that preparations for the meeting should be initiated at CSD-7 and should use an open-ended, intergovernmental group of experts, to be held in conjunction with intersessionals for CSD-8 and CSD-9. On **40(e)** (airline fuel tax), the EU proposed further studies on barriers to implementing such a tax.

On **99** (codification of international law), delegations agreed on a reformulation based on EU, MEXICAN and G-77 proposals, taking into account Chapter 39 of Agenda 21, particularly paragraph 39.1, and stating the necessity of continuing the progressive development and, as and when appropriate, codification of international law related to sustainable development. In **100** (implementation and [compliance] with international environmental instruments), the G-77/CHINA wanted to delete "compliance." NORWAY objected.

Paragraph **102** (data collection) was agreed with a US amendment on "including, as appropriate, gender disaggregated data." In **104** (Environmental Impact Assessments), the G-77/CHINA accepted that EIAs are a "useful national" tool and

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the US called for decisions not to be made before complete EIAs are available, where environmental values are at stake. The agreed text notes that EIAs are an important national tool, but deletes the reference to environmental values.

The Multi-Year Programme of Work for the CSD (1998-2002) was agreed. The overriding issues are poverty/consumption and production patterns. The 1998 sectoral theme will be "strategic approaches to freshwater management." The outstanding chapters of the SIDS Programme of Action will also be reviewed. In 2001, atmosphere and energy will be the sectoral themes. One 2001 cross-sectoral theme will be international cooperation for an enabling environment.

The groups continued to revisit outstanding text during late night meetings.

MINISTERIAL MEETING ON FORESTS

The Group began deliberations on the Co-Chairs' proposal, which called for a "two-step approach" to follow-up on forests. The first step called for establishment of an intergovernmental forum to continue policy dialogue, to be followed by a second step, initiation of an INC, which would be based upon two conditions: financial commitment for SFM and consensus on the need for a legally binding instrument. A clear divide emerged between those able to support the proposal and those who could not. Those accepting it characterized it as "weak" but acceptable in the spirit of compromise. Those opposing it noted that: a gradual rather than a two-step approach was desirable; the proposal seemed to prejudice the institution of an INC in 1999; the conditionality implied in the proposal was unacceptable; and the mandate for the forum was not inclusive enough. Given this impasse, a Friends of the Chair group was formed, following which a revised Co-Chairs' text was circulated. This text called for the establishment of the intergovernmental forum to implement IPF recommendations and consider matters left pending by IPF. The forum would also "identify possible elements of and work towards a consensus for international arrangements and mechanisms, including a legally-binding instrument" and would report to the CSD in 1999. Based on that report, and on the decision by the CSD, "an international negotiation process on new arrangements...or a legally binding instrument" would be launched. A number of countries accepted the text as it stood and emphasized that it was very far from their original position of calling for an INC right away. Others introduced amendments, noting that the text posed difficulties for them. The Ministerial Group will meet again Friday morning.

MINISTERIAL MEETING ON CLIMATE CHANGE

In the Ministerial group on climate change, chaired by Ministers from Argentina and Japan, delegations who had made proposals in the text explained their positions. BRAZIL and SWITZERLAND noted that the public would gauge the success of UNGASS by its statement on climate change. JAPAN proposed using language from the Denver G-8 Summit: At COP-3, the industrialized countries should commit to meaningful, realistic and equitable targets that will result in reductions of greenhouse gas emissions by 2010. The agreement must ensure transparency and accountability and all participants' flexibility in the manner in which they meet their targets. The EU proposed text calling for: an agreement on a legally binding commitment for the developed world at FCCC COP-3 for a significant reduction of the emissions of greenhouse gases below the 1990 level by the years 2005 and 2010 as well as mandatory and recommended policies and measures, including harmonized ones. Delegates proposing text met in a contact group to combine their proposals.

The group produced a text noting that developed countries should seek a legally binding agreement with meaningful, equitable targets that will result in significant greenhouse gas reductions with specific timeframes such as 2005 and 2010. JAPAN objected to "significant" and AUSTRALIA disapproved of "legally binding."

MINISTERIAL MEETING ON FINANCE

Ministers from the NETHERLANDS and TANZANIA introduced their non-paper on finance issues in the draft political statement that: reconfirmed UNCED commitments; proposed efforts be made to halt the overall downward trend in ODA and reverse it by the end of the century; indicated that commitments are collective and are not accompanied by a guarantee; and noted that the most important sources of finance are domestic, both public and private, and the role of aid is to help. A number of delegations raised concerns and suggested amendments, including INDIA, FRANCE, GERMANY, JAPAN and CANADA. The US said the non-paper was not a basis for agreement. The Co-Chairs said the text was their best effort to forge consensus and that they intended to forward it to the Chair of the COW.

COW REVIEW OF MINISTERIAL CONSULTATIONS

The COW, chaired by Mostafa Tolba, convened at 10:35 pm. Tolba invited the ministerial chairs of working groups to introduce their reports and invited delegations with further amendments to consult with him between 12:00 noon and 1:00 pm on Friday. On the climate change discussions, VENEZUELA said a proposed amendment on developing countries had not been taken into account. IRAN and SAUDI ARABIA expressed difficulty with the text. On the finance discussions, the US said he could not accept the "take it or leave it approach" adopted regarding the text produced by the ministerial co-chairs, and called for negotiations. INDIA, BRAZIL, BELARUS, IRAN, SAUDI ARABIA, GERMANY, VENEZUELA and JAPAN expressed serious difficulty with the text. Minister Jan Pronck said that, in the event of negotiations on the text, he would negotiate on behalf of the EU. He assured the G-77/CHINA that the text would be much worse and that he would have to make strong reservations.

IN THE CORRIDORS

Some delegates thought the text that emerged from the Ministerial Group on forests was very weak, given its ambiguity regarding when, or even if, an INC might be initiated. Others, both delegates and NGOs, emphasized that a legally binding instrument was not the only measure of "strength" of a proposal, and that 1999 might, in fact, be too soon to accomplish all that the intergovernmental forum was being asked to do. Also, the suggestion during the course of deliberations that financing for forests might be contingent on agreement to an INC was resented by some, who noted that their position was about more than money.

THINGS TO LOOK FOR TODAY

PLENARY: 31 statements are expected in morning and afternoon Plenary meetings in the General Assembly Hall. The final item of business will be the consideration of the report of the *Ad Hoc* Committee of the Whole and its adoption.

COMMITTEE OF THE WHOLE: The forest ministerial group is expected to meet at 10:00 am. Other groups will meet as needed.