



Earth Negotiations Bulletin

A Reporting Service for Environment and Development Negotiations

Vol. 11 No. 8 Published by the International Institute for Sustainable Development (IISD)

Monday, 1 May 1995

PREPCOM II HABITAT II HIGHLIGHTS FRIDAY, 28 APRIL 1995

WORKING GROUP I

The Group continued consideration of Agenda Item 2, Preparations for the Conference.

NATIONAL AND REGIONAL PREPARATIONS:

Several countries including Romania, Benin, Algeria, Tanzania, Cameroon, Senegal, Bulgaria, Malawi, Zambia, Gabon and The Gambia had undertaken activities such as creating broad-based national committees and preparing national reports and plans of action. Norway held a ministerial level round-table this year whose output is available. In light of recent experiences, Rwanda is starting from scratch and needs financial assistance. France will host an international meeting for mayors from 20 cities in 5 regions in November.

The Economic Commission for Europe reported on the regional preparatory meeting held in September 1994, in Geneva, which established an open-ended task force to monitor regional activities. UNIDO will convene a colloquium on issues such as waste disposal systems and environmental regulations, and will hold regional consultations with the housing industry.

The World Health Organization described its Healthy Cities Programme and proposed a presentation on the programme during Habitat II. ESCAP highlighted a publication on habitat issues in Asian cities and will convene a forum on urban issues in Asia. Indonesia is planning a national awareness campaign. Greece has held three national conferences and begun a country-wide competition on Best Practices.

Swaziland asked why subregional organizations such as SADC were not involved and whether the preparation of the Global Plan of Action (GPA) would be based on the national action programmes or vice versa. The Secretariat said its GPA was prepared with input from three sources: cross- and multi-sectoral issues identified in PrepCom I; preliminary priorities from national reports and regional and subregional meetings; and over 300 experts from around the world. The group redrafting the GPA intends to base its version on national action programmes.

FUNDING: Swaziland, Gabon and Algeria reiterated the funding concerns raised Thursday by India and Kenya. Burundi asked the Secretariat not to tire of helping developing countries as Habitat II approaches. The Gambia warned that its preparatory process will fail without immediate financial support. Malawi had requested assistance for its housing indicators programme and national plan of action, but received none. Zambia has

completed an urban indicators program for its capital city, but lacks the funds to continue.

The Secretariat reported that the total income including pledges and funds requested from the regular UN budget is US\$5.3 million. The total received to date is US\$4.6 million. US\$3.3 million has been spent for partial reimbursement of activities including PrepCom I participation, regional and subregional meetings, gender and women's networking activities, documentation of best practices and NGO participation. In kind contributions amount to US\$8.9 million. Cash pledges have been provided by 18 countries, including two developing countries.

Thirty-nine requests for financial assistance have been received from developing countries. The assistance provided falls into three categories: application of indicators, documentation of best practices, and *ad hoc* technical assistance. In total, 55 countries have received technical assistance. The Secretariat hopes to provide assistance to 39 countries in 1995, in particular to national committees, regional and sub-regional meetings and the preparation of national reports and national plans of action.

INFORMATION: Tanzania urged the Secretariat to utilize country missions in Nairobi or the UNDP offices to forward information to governments, while Benin noted that countries without missions in Nairobi receive information late. He requested Turkey to provide information on Istanbul at least six months before Habitat II. The Secretariat is using four channels to disseminate information on Best Practices: missions in Nairobi, national committees whose addresses are available, key actors and the media.

ISTANBUL AND DUBAI PREPARATIONS: Gabon commented that the Group was not given any information on Turkey's civil war during the last meeting. Turkey said the best answers on the "alleged civil war" should come from the Secretary-General of Habitat II, who recently visited Istanbul. He added that Turkey hosted many international meetings last year.

The Secretariat is currently considering the question of selection criteria for Best Practices and the possibility of setting up an independent international jury comprising all key actors. France had proposed that selection and nomination criteria should be consistent and that different categories for successful cases should be developed. He urged other delegates to share their suggestions on the issue.

WORKING GROUP II

Chair Amb. de Silva (Sri Lanka) reported that the open-ended informal working group set up Tuesday met during the week to

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consider the Draft Statement of Principles and Global Plan of Action (GPA), and invited Dr. G.A.C Khonje (Zambia), Chair of the open-ended informal working group to give a report.

Dr. Khonje said the open-ended informal working group had met twice and discussed the document prepared by the Secretariat and the draft proposal of the European Union (EU). There was consensus that the EU proposal would form a good basis to prepare the GPA. A drafting group was set up to discuss the modalities.

Dr. Khonje, who is also chairing the drafting group, then reported on its progress. It discussed the structure and content of the document at its first session Thursday. The structure has a preamble, principles, goals and commitments, and a Global Plan of Action.

The group also worked on the principles, adding international solidarity and justice, the family, peace, and poverty eradication, to those of the EU. The group has completed work on civic engagement and is working on equity and the newly introduced principles. In addition, the group will work on an outline of the commitments, a comprehensive preamble and an outline for the Global Plan of Action.

Amb. de Silva said the document being prepared by the drafting group will be available by Monday morning and will form the basis of discussion for the Working Group. He then requested contributions from delegations who were unable to make inputs into the open-ended informal working group. The International Labour Office said reference to links between unemployment, poverty and human settlements should be stronger and more explicit.

The delegates then debated the procedure for the drafting group. India, supported by China and the Philippines, proposed that the drafting group should be open-ended because the current arrangement excludes delegates who have something to offer, deviates from general practice in Nairobi meetings for drafting groups and will cause a re-opening of debate on the documents during the Working Group or Plenary meetings.

Benin clarified that a drafting group differs from a negotiating group, and was set up to prepare text that will be negotiated and read paragraph-by-paragraph in the Working Group.

Senegal concurred and stated that prior to the creation of the drafting group, delegates had extensive discussions in the informal working group on the GPA. Sweden, supported by Tanzania, suggested that delegates submit their texts to the drafting group. Finally, consensus was reached to retain the drafting group as it was, but to allow interested delegates as observers.

At Benin's suggestion, it was agreed that whatever text is ready Monday morning should be submitted for negotiation in the Working Group, while the drafting group continues its work.

DRAFTING GROUP: The drafting group continued work on the principles of the family, international solidarity and justice, peace, and sustainability. On the family, many delegates stressed the need to include all types of families and suggested language from recent UN conferences. On international solidarity, some delegates suggested moving this topic elsewhere in the document because national and local authorities are central to this Conference. Others held that without this principle, the Conference is pointless. The group continued discussions on sustainability and international solidarity during the afternoon, and expected to work through the weekend to produce a draft by Monday.

COMMISSION ON HUMAN SETTLEMENTS

Committee II resumed discussion of the right to housing, considering several proposals to resolve disagreements over its inclusion in Commission documents. The small working party chaired by Brazil presented a draft that takes note of the term "right to adequate housing" in several Commission reports and states that the term should be understood as referring to the basic

need for adequate shelter and the goal of Governments to help their populations meet that need. The phrase does not, in such documents, refer to an international human right. The draft also requires that the statement be appended to documents distributed outside the Commission. Brazil said the draft did not prejudice other decisions or activities of the Commission. He said at least two Member States are facing problems in their courts over judicial claims to the right to housing and that this should be considered.

The Netherlands objected to the working party's text, noting that it prejudices the Secretariat's review agreed to in a resolution Thursday. Supported by Sweden, the Holy See, France, and Senegal, he proposed an alternative to state that no consensus existed on the interpretation of the concept of the right to adequate housing.

The Philippines rejected the working party's text, noting that it would manacle the ability of member States to apply their own legal systems regarding the right to housing. It would preclude further consideration of other instruments on the right to adequate housing and would negate existing international instruments that many delegations believe include the human right to housing. The right does not mean a State is obliged to give property to citizens.

Cameroon opposed the draft. China said the document should be re-examined. Russia expressed frustration at the mess that resulted after three days of debate. Supported by Mexico, he said the document should indicate that there is no consensus on assessing the legal meaning of the right to housing or on the contents of the documents, and that this should be indicated in Commission documents.

Romania cannot accept the obligation to the right to housing. He supported either the working party draft or Russia's proposal. The US said the working party language is non-prejudicial and that the Committee cannot approve documents as if there is agreement. The Committee problems could jeopardize the substantive work programme.

After several hours of afternoon in-the-corridor consultations, the Chair proposed a non-paper stating that the Commission found no agreement on the existence and/or the legal status of the "right to adequate housing." He proposed that a note to that effect should be appended to documents distributed outside the Commission, that factual errors on this matter should be corrected and that the Commission's biennial work programme (HS/C/15/7) should be revised to reflect this. Mexico supported the Chair's non-paper.

The Philippines said delegates had debated the corrections submitted, but were now making a mockery of themselves. He said if others insisted, he would ask for a roll-call vote. Russia called for the vote, noting that a procedural motion takes precedence. A discussion of procedure ensued for the next hour.

China called for the decision not to be made, noting that this motion takes precedence. Norway noted that UN practice suggests that proposals from the Chair should be withdrawn in the absence of consensus. The Chair withdrew the non-paper, noting there was nothing on which to vote and nothing to be decided. Delegates planned to resume the discussion Saturday morning.

THINGS TO LOOK FOR TODAY

WORKING GROUP I: The Group convenes Monday morning to complete consideration of Agenda Item 2, Preparations for the Conference, and begin consideration of Agenda Item 4, state of human settlements report and major reviews. PrepCom Chair Lujanen is expected to begin the afternoon session with his report on the structure and organization of work for the Istanbul Conference.

WORKING GROUP II: The Group will meet to consider the new Draft Statement of Principles and Global Plan of Action prepared by the drafting group.