



# Earth Negotiations Bulletin

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## HABITAT II PREPCOM III HIGHLIGHTS TUESDAY, 13 FEBRUARY 1996

Delegates continued working in three Subgroups and the associated drafting groups. The Drafting Group on a "Right to Housing" met for its first full day of discussions.

### WORKING GROUP II SUBGROUP A

In **143** (importance of international cooperation), delegates debated references to the private sector. The US proposed a reference noting the "centrality" of private sector participation and to the "local" private sector. Delegates agreed to mention, but not emphasize, the private sector. In **144** (downward trends in assistance), the G-77/China highlighted the needs of developing countries, particularly the least developed countries, and mentioned private sector involvement. The US proposed language noting that implementation is the responsibility of each country. The EU disagreed with the reference to least developed countries. Delegates agreed to combine the US and G-77/China proposals, as amended. Delegates bracketed a G-77/China-proposed **144bis**, which noted trends in the global economy and listed developing country problems. The US said it overemphasized the public sector and did not address local communities.

In **145** (innovative approaches), delegates agreed to synthesize proposals on replacing "frameworks" for cooperation with "approaches" (EU), references to NGOs and CBOs (US) and language on international organizations (G-77/China). The EU proposed a **145bis** on decentralized cooperation, but some delegates objected to the recognition of the right and capacity of local governments to develop international relations. The EU added "within the existing legal framework of each country." The G-77/China's **145bis** (impact of international migration) was bracketed.

In **146** (enabling international context), delegates debated economic growth and sustainable development. Proposals included references to debt, debt service burden, structural adjustment, "outward-oriented programmes of economic adjustment," and the relation of economic development to urbanization.

On **147** (actions), delegates agreed to convene a group, chaired by Richard Butler (Australia), to synthesize proposals on **146**, **147** and **148**. In **149** (financial resources), delegates debated proposals on new and additional resources, development assistance targets, the scope for facilitating access to international financial markets, private sector investments, and the needs of small island and land-locked states. Delegates agreed to include **149** and **150** (actions) in Australia's group.

In **151** (technology transfer and information exchange), delegates agreed to proposals referring to UNCHS (G-77/China) and adequate protection for intellectual property and mutually agreed allocation of commercial benefits (US). In **152(a)-(e)** (actions), delegates debated the strength of the language, references to national application and UNCHS. Developing countries objected to proposals referring to countries with economies in transition. Delegates bracketed **152(e)** (disseminating technology) and **153** (technical cooperation) following disagreements on UNCHS's role. The G-77/China bracketed **154(a)** because proposals to "examine the feasibility" of establishing information networks would lead to delays. Delegates bracketed **154(c)** (UNCHS). Delegates accepted **154(b)** (assist in accessing information), **(d)** (strengthen capacity-building programs), **(e)** (UNCHS and capacity-building) and **(f)** (support technical cooperation) as amended. Delegates bracketed portions of the EU-proposed **154(g)** on UNCHS's provision of technical, legal and institutional advice because it noted "within existing resources." Delegates adopted **155** (institutional cooperation) without amendment. The EU and the G-77/China disagreed on follow-up measures in **156**, but will produce a redraft. Delegates accepted **157** (actions) as amended, but bracketed "where appropriate" in reference to UN agency actions.

### WORKING GROUP II SUBGROUP B

An informal meeting completed consideration of paragraphs 58-65 in Section B (adequate shelter for all) Monday evening. While reviewing Monday's agreements, Syria bracketed "equal" in **58(f)** (equal right to inheritance).

In **100** (energy use), delegates amended a Canadian reformulation, noting that: energy use is essential; dependence on fossil fuel-based energy leads to environmental and health problems; sustainable energy production can be enhanced by energy efficiency, alternative energy use, and other means; and settlement and energy policies should be coordinated. The EU added "these represent a serious obstacle to sustainable development." The G-77/China proposed "may represent." The EU suggested "can." China objected and "may" was bracketed.

In **101(a)** (urban planning), delegates added "rural" planning and EU text regarding solutions that pay attention to end-users. In **101(b)** (energy pricing policies), delegates added Australian text to ensure that "people living in poverty are not disadvantaged." Delegates added **101(c)bis** calling for development of non-motorized or low-energy transport systems (EU). Delegates added **101(f)bis** calling for a campaign to encourage recycling, reuse and reduced energy consumption. References to solar technology and energy efficient design were included in **101(g)** (reduce energy consumption in buildings). Delegates called for

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reduced metal compounds in transportation fuels in **101(i)** (promote new technologies).

In **102** (transportation systems), delegates noted that the poor, children, older persons, and people with disabilities are disadvantaged by the lack of accessible transport systems (US). Delegates added **102bis**, a reformulated Australian proposal calling for potential impacts of developments in communication technology to be addressed.

In **103** (promote access), delegates suggested giving priority to reducing unnecessary travel and developing transport policies that emphasize mobility (US) through pricing and other regulations (EU). Delegates reformulated an EU-proposed **103bis**, calling for affordable, efficient and energy-saving modes of transport.

In **104** (sustainable transport in human settlements), delegates called for action by governments, in partnership with private and community sectors and other stakeholders. In **104(a)** (technical options), delegates called for attention to the needs of all population groups (EU). In **104(c)** (optimal modal composition), delegates added "private" (EU). In **104(d)** (discourage growth of traffic), delegates listed disincentive measures, such as pricing and land-use planning (US).

In **106** (places and objects of cultural value), delegates noted the need to promote their role, "particularly in light of the need for cultural identity and continuity in a rapidly changing world" and noted the importance of access to culture (Croatia).

Delegates received text for a new **59bis**, which the Secretariat drafted based on recommendations from the EU, Mexico, Indonesia and the G-77/China regarding self-built housing. Delegates expected to work informally during the evening.

### WORKING GROUP II SUBGROUP C

Subgroup C recommenced work on Section C (sustainable human settlements). To date the Subgroup is reported to have increased the length of the text by 50%. In **89** (urban and rural poverty), a US-proposed **89(a)bis** (employment rights) was bracketed. Canada also proposed an **89(a)bis** (men and women sharing responsibilities) and added **89(c)bis** (access to productive resources). The EU amended **89(d)** (access to credit) to refer to "vulnerable and disadvantaged groups." US and Canadian amendments on micro enterprises, credit, and women were referred to an informal drafting group. Delegates amended an EU-proposed **89(e)bis** (education and vocational training) to promote "timely" access for the unemployed and people living in poverty. The G-77/China proposed a new **89(h)** (promote job opportunities through mass media).

In **90** (gender-sensitive planning and management), the US added "in collaboration" with stakeholders. The paragraph was bracketed. In **90(a)** (access to basic urban services), Canada preferred adoption, where appropriate (G-77/China), of standards, laws, and guidelines "in relation to planning, development and decision-making." A US-proposed **90(a)ter** (women and informal sector) was adopted. A Canadian-proposed **90(c)bis** (employment for women) was bracketed. In **90(d)** (legal and customary barriers to women's access), delegates inserted elimination of barriers to "equal" access to (US) "and control of" land and finance [where appropriate] (G-77/China) [where they exist] (Canada). The G-77/China said the elimination of customary barriers could undermine some women's rights. The Holy See added **90(e)bis** (poverty among rural women). A US-proposed **90(f)bis** (promote women's access to housing, land and civic services) and **90(f)ter** (community awareness of homeless and refugee women) and an EU-proposed **90(g)** (women's access to housing) were bracketed. Brackets were placed around: an EU-proposed **90bis** (role of youth), including four subparagraphs; a Canadian **90(a)bis** (youth and sustainable communities); and a US-proposed **90bis** (disability sensitive planning) with subparagraphs (a) to (j).

In **91** (violence and crime), delegates accepted an EU reformulated text: "to prevent and reduce" violence, especially at the local level, Governments should act in partnership with "all stakeholders" (G-77/China). The EU and US amended **91(a)** (encourage use of public spaces as a center of community life). A Canadian-proposed **91(a)bis** (help communities address underlying factors) was bracketed. Bracketed additions to **91(b)** (street children) included: "training and education" (G-77/China); "encourage children to become stakeholders"(US); and "a guaranteed basic education" (Holy See). Canada and the US proposed versions of **91(b)bis** (women's safety), including programmes on domestic violence and "children's safety" (Norway/UNICEF). The EU proposed deleting language on neighborhood-based crime watch, but the G-77/China and the US objected. The subparagraph was bracketed. The US introduced **91(c)bis** (voluntary programmes) to prevent violence "including [the incidence of] violence in the home" and crime. The US added an **91(e)ter** (action on sex trafficking).

In **93** (environmental causes of poor health), the US and G-77/China disagreed over the inclusion of reference to unsafe drinking water. Canada and the G-77/China wanted to reformulate the opening sentences (after a UNICEF amendment), linking health to sustainable human settlements. The proposals were bracketed. The Subgroup reconvened informally in the evening. The paragraphs in Section D that were originally assigned to the group have been deferred for consideration in Istanbul.

### DRAFTING GROUP ON A RIGHT TO HOUSING

The drafting group began with consideration of **44** (a right to housing) to preface negotiations on related paragraphs **13**, **24**, **25** and **48**. The debate centered around the question of whether a right to housing is subsumed under the right to an adequate standard of living or whether it is a separate and distinct right. Consensus was reached by the end of the morning session that a combination of the proposals submitted by Slovenia and the EU should serve as a platform for further negotiations. The two delegations formulated a merged proposal which states that "since the adoption of the Universal Declaration of Human Rights in 1948, the right to adequate housing has been recognized as an important component of the right to an adequate standard of living." Actions by governments and all sectors of society are required to protect and ensure the realization of this right. Employing the enabling approach, government actions should include legal protection from housing discrimination, security of tenure and equal access to land, accessibility and affordability of housing, and effective monitoring and policy implementation. Although the Slovenia/EU proposal was considered the best compromise, consensus was ultimately blocked by the disagreement on the *right* to housing and on other details. The group did not complete **44** and the majority of the text was bracketed. The group continued negotiations during an evening session.

### THINGS TO LOOK FOR TODAY

**SUBGROUP A:** The Subgroup is expected to meet in Conference Room 2 to begin consideration of Section F (implementation and follow-up).

**SUBGROUP B:** The Subgroup is expected to meet in Conference Room 3 to continue consideration of paragraphs 100-128 in Section C (sustainable human settlements).

**SUBGROUP C:** The Subgroup is expected to reconvene in Conference Room 5 to complete paragraphs 76-99 of Section C (sustainable human settlements).

**RIGHT TO HOUSING:** The Drafting Group is expected to meet tomorrow morning. Check the Journal for the room.