

UNCSD INFORMAL CONSULTATIONS: MONDAY, 23 APRIL 2012

On Monday, 23 April, delegates continued to negotiate the draft outcome document for the UN Conference on Sustainable Development (UNCSD, or Rio+20) during “informal informal” consultations. Following a brief opening plenary, delegates convened in two working groups. Working Group 1 (WG1) discussed Section III (Green Economy) throughout the day and into the evening, while Working Group 2 (WG2) discussed Sections I (Preamble) and II (Renewing Political Commitment) in the morning and afternoon, and Section IV (Institutional Framework for Sustainable Development (IFSD)) in the evening.

OPENING PLENARY

Co-Chair Ashe opened the plenary by noting the compilation text included the Co-Chairs’ suggested text (CST) as an attempt to bridge diverging proposals. He explained that two working groups would work in parallel: WG1 would handle Sections III (Green Economy) and V (Framework for Action and Follow-up); and WG2 would discuss Sections I (Preamble), II (Renewing Political Commitment) and IV (Institutional Framework for Sustainable Development). In the interest of completing negotiations in time, Co-Chair Ashe urged delegations to focus on the CST.

Algeria, for the G-77/CHINA, reiterated its position that the Group’s interventions would be based on its own submissions, but expressed willingness to consider the CST when it could speed up the process. He suggested reviewing progress in a plenary setting either on Friday 27 April or Monday 30 April so that any necessary process adjustment could be made. The EU said it was prepared to negotiate on the basis of the CST, and urged other delegations to do so as well.

WORKING GROUP 1

SECTION III: GREEN ECONOMY: During WG1, chaired by PrepCom Co-Chair Kim Sook, a number of delegates expressed appreciation for the streamlining efforts of the Co-Chairs. Underscoring that the CST did not adequately reflect its positions, the G-77/CHINA proposed deleting many of the CST paragraphs, and said that the section on green economy must, *inter alia*: include adequate provisions on means of implementation (MOI); respect other development models as well; not focus solely on market-based solutions; include social policies; include a leading role for the State; and elaborate on both what green economy should and should not be. The EU, supported by the REPUBLIC OF KOREA, JAPAN, NORWAY and the US, said it would focus their interventions mostly on the CST.

A. Framing the context of the green economy, challenges and opportunities: On this subsection heading, the EU, the REPUBLIC OF KOREA, SWITZERLAND, JAPAN and the US supported the CST suggestion of changing the title to “Overview,” while the G-77/CHINA preferred its proposed subheading referring to other approaches.

The G-77/CHINA suggested a new introduction to this subsection, bringing together a number of its previous proposals, stressing green economy as one of several approaches, and saying it should help, *inter alia*, to: reduce inequality; promote inclusive growth and sustainable consumption and production (SCP); create new opportunities for employment and decent work; and reestablish harmony with nature.

On acknowledging different approaches, visions, models and tools to eradicate poverty and achieve sustainable development (CST pre 25), the REPUBLIC OF KOREA, supported by NORWAY and EU, suggested beginning with an affirmative stance on green economy as a useful concept or tool before acknowledging other approaches. JAPAN, supported by the EU, CANADA and the REPUBLIC OF KOREA, suggested green economy was an “important” tool. The US indicated it was open to considering these proposals.

The HOLY SEE supported replacing “citizens” with “people” when referring to those that green economy would benefit and empower (CST 25), noting this was more inclusive.

On fostering integration of the three pillars of sustainable development (CST 25 ter), the EU, supported by CANADA, the REPUBLIC OF KOREA and SWITZERLAND, asked to delete the opening qualifier “if effectively designed and implemented,” arguing that a policy not effectively designed and implemented should not be considered green economy.

On pursuing green economy in accordance with the Rio Principles, Agenda 21 and the Johannesburg Plan of Implementation (JPOI) (CST pre 25 quat), JAPAN proposed changing “in accordance with” to “should be based on,” while the US, supported by CANADA, suggested “should be guided, as appropriate, by.” The G-77/CHINA asked for specific references to the Millennium Development Goals (MDGs) and the principle of common but differentiated responsibilities.

On how green economy can help advance sustainable development objectives (CST 25 quat), the US, CANADA, LIECHTENSTEIN, and the REPUBLIC OF KOREA suggested adding language on empowering women and girls. SWITZERLAND proposed text on respecting the Earth’s limited natural resources and maintaining the services of ecosystems.

LIECHTENSTEIN added language on advancing a human rights-based approach, based on the principle of free, active and meaningful participation, accountability, nondiscrimination, empowerment, and the rule of law.

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On supporting developing countries' transition to green economy (CST 25 quint), the EU suggested considering moving this to the subsection on MOI and deleting references to specific types of support.

On green economy having the potential to drive growth and innovation (CST 26), JAPAN added "great" potential. The EU noted it could work on this CST, provided its proposals were retained elsewhere, and, supported by NORWAY, proposed adding reference to: "waste" regarding resource efficiency; "biodiversity" and ecosystem services; and environmental "and climatic" impacts.

On job creation potential of green economy (CST 28), SWITZERLAND, supported by the EU, NORWAY, US, CANADA and REPUBLIC OF KOREA, asked to reference women.

On costs, incentives, disincentives and market-based mechanisms (CST 28 bis), the EU, supported by NORWAY, offered amendments on creating incentives for companies and referencing emissions trading schemes. NEW ZEALAND, supported by the US and CANADA, bracketed the phrase "take a longer term view of profitability." NORWAY suggested replacing the call for "accurate accounting of" with "integration of" social and environmental costs.

On integrating environmental sustainability with economic and social development (CST 29), the US proposed replacing a reference to the role of the State with "national, subnational and local governments."

Regarding considerations for deciding policy options (CST 30), the EU suggested reformulated text referring to "the need to consider related challenges and opportunities" and adding "as well as the need to identify the necessary MOI."

On what green economies should do (CST 31), NORWAY asked to delete "consistent with international trade rules," noting this might imply a hierarchy between trade and environment rules. On conditionalities on official development assistance (ODA) and finance, NEW ZEALAND suggested only ruling out "unwarranted" conditionalities not linked to sustainable development. The US asked to modify a reference to technology transfer with "voluntary" and "on mutually agreed terms and conditions."

B. Tools and experience sharing: On networking and experience sharing (CST 32), the EU, supported by NORWAY, recommended including reference to regional environmental agreements. The G-77/CHINA preferred deleting the paragraph and adding reference to networking to one of its earlier proposed paragraphs in the compilation text.

On strengthening the capacity of countries to design and implement policies related to a green economy (CST 33), the REPUBLIC OF KOREA suggested including a reference from the compilation text to the work of international institutions, such as UNEP, in collaborating to create and launch the Green Growth Knowledge Platform. The US suggested establishing platforms and partnerships "on mutually agreed terms and conditions." The EU highlighted text to clarify the two messages of the paragraph, to improve knowledge sharing between all countries and to set up a capacity development scheme, and suggested reinserting reference of indicators to measure progress and the development of sustainability standards for production and resource extraction. SWITZERLAND proposed adding reference to an international platform for sharing knowledge and best practices, and recommended retaining text from the zero draft requesting the UN Secretary-General to establish such a platform. The G-77/CHINA called for deleting this paragraph stating it was too prescriptive.

On encouraging States to take measures, noting the high priority given to creating green and decent jobs (CST 34), the EU, supported by SWITZERLAND and NORWAY, proposed reference to frameworks that promote a socially "and

environmentally" responsible private sector. NEW ZEALAND and others supported referring to States, rather than "member" States. The HOLY SEE supported decent "work" rather than "jobs."

Regarding member States involving relevant Major Groups in decision making related to the use of a green economy (CST 35), JAPAN, supported by the EU, the REPUBLIC OF KOREA and SWITZERLAND, preferred "transition to" a green economy. The EU added language inviting Major Groups to share experiences, with SWITZERLAND supporting specification of where such experience sharing should occur. The HOLY SEE supported New Zealand's proposal to delete "member" States.

C. Framework for Action: SWITZERLAND supported the CST proposal to change this subheading to "Actions to Advance Progress." The G-77/CHINA said it was not in a position to discuss this section here, reiterating its proposal to move the whole subsection to Section V. The EU, while not committed to a separate subsection, supported linking the overview and tools paragraphs to the framework for action within Section III. Co-Chair Kim noted most of this subsection had been moved to Section V, but that some paragraphs remained for discussion under Section III. NEW ZEALAND said a separate framework for action subsection was not necessary here, and that a lot of the ideas were already covered earlier in the section.

On developing policy options and effective regulatory frameworks (CST 37), the HOLY SEE proposed adding education and awareness raising programmes. SWITZERLAND proposed specific examples of policy options and regulatory frameworks, including economic and fiscal instruments, investment in green infrastructure, subsidy reform, sustainable public procurement, and information disclosure and voluntary partnerships between business, civil society and the public sector. Delegates continued discussions into the evening.

WORKING GROUP 2

SECTION I: PREAMBLE/STAGE SETTING: WG2, chaired by Co-Chair Ashe, began with a discussion on the preamble. On the title *The Future We Want*, the EU, supported by JAPAN and the G-77/CHINA, proposed keeping this title for now and revisiting it at the end of the negotiations.

On heads of states and government resolving to work together (CST 1), a majority of delegations proposed modifying reference to "other representatives" with "high-level representatives." The G-77/CHINA proposed replacing reference to consultation with civil society with "participation" of civil society. The REPUBLIC OF KOREA and the EU preferred "full participation."

On poverty eradication (CST 2), the EU proposed text on changing unsustainable patterns of consumption and production. SWITZERLAND proposed adding "protection and improvement of the environment." The G77/CHINA said focusing on the environment pillar is inappropriate in relation to poverty eradication. The US, supported by CANADA, suggested replacing "inequality" with "equality of opportunity."

On principles for action (CST 2 quat), the G77/CHINA preferred not singling out the Universal Declaration of Human Rights. The EU, with LIECHTENSTEIN, supported retaining this reference and adding "and other human rights instruments." On reaffirming human rights (CST 2 quat), the EU proposed reference to "democracy," and JAPAN proposed "human security."

The G77/CHINA, supported by the HOLY SEE, proposed reintroducing an earlier paragraph on rights to food and development from the compilation text.

On the need to further mainstream sustainable development (CST 2 sext), the G77/CHINA proposed reference to the principle of common but differentiated responsibilities, while

the US, supported by the EU, JAPAN, SWITZERLAND, NEW ZEALAND and CANADA, opposed singling out specific Rio Principles.

On the role of good governance (CST 2 quint), the rule of law and institutions, the EU proposed mentioning an enabling environment for investments. Regarding a call for international and multilateral institutions to be more effective, democratic and accountable, the US suggested replacing “democratic” with “transparent.”

On strengthening international cooperation (CST 4), the G-77/CHINA said that the CST was not balanced, preferring its previous proposals on this issue. The EU, supported by the HOLY SEE and the US, proposed adding reference to “economic stability and growth that benefits all.”

On the objective of the conference (CST 5), the EU proposed rephrasing the CST proposal to refer to, *inter alia*, determination to take action to make the transition to a green economy, and strengthen and reform IFSD.

RENEWING POLITICAL COMMITMENT:

A. Reaffirming Rio Principles and past action plans: On reaffirming commitment to the fulfillment of the Stockholm and Rio Declaration Principles (CST 7), NORWAY, SWITZERLAND, the REPUBLIC OF KOREA, AUSTRALIA and others, urged retaining reference to fulfilling all of these principles.

On reaffirming commitments from major conferences (CST 8), the US and the EU proposed inclusion of additional conferences. The G77 reserved its opinion.

On the three Rio conventions (CST 9), JAPAN, supported by AUSTRALIA, the US, NEW ZEALAND, SWITZERLAND and CANADA, suggested deleting “common but differentiated responsibilities,” noting only the climate convention expresses this principle. The G-77/CHINA emphasized retention.

On commitment to achievement of internationally agreed development goals (CST 9 bis), SWITZERLAND suggested that other goals, such as environmental ones, should also be met.

B. Assessing progress to date and remaining gaps in implementation of the outcomes of the major summits on sustainable development and addressing new and emerging challenges: On the need to accelerate progress (CST 10 bis), the EU suggested text on new opportunities presented by the diversification of actors, including emerging economies, the private sector and civil society.

On addressing pressing challenges (CST 11), the US, opposed by the G-77/CHINA and the HOLY SEE, proposed considering population dynamics and access to sexual and reproductive health as pressing challenges. The EU proposed, *inter alia*, access to energy. The G-77/CHINA called for the consideration of the melting of glaciers and the unsustainable use of marine living resources.

On recognizing examples of progress (CST 12), the US, supported by NEW ZEALAND, proposed deleting mention of “ratification” of international, regional and sub-regional agreements, saying not all referenced agreements required ratification.

On addressing barriers to implementation (CST 13), the G77/CHINA requested retaining previous sub-paragraphs on ODA targets, unsustainable patterns of consumption and production, and better regulation of the financial sector. The EU, the US and CANADA reiterated their reservations on this text.

The G77/CHINA requested retaining earlier sub-paragraphs from the compilation text on the right of peoples to self-determination. The US, supported by CANADA, reaffirmed its position that this should not be in the text. JAPAN, supported by the HOLY SEE proposed that sustainable development be “human-centered.”

C. Engaging Major Groups: The G-77/CHINA supported the CST subtitle proposal “Engaging Major Groups and other stakeholders.” On the primary role of governments and legislative bodies in promoting sustainable development (CST pre 17), the US suggested text on the need for governments to monitor and assess their environment on a regular basis, integrate that information with social and economic data, and make it available to citizens, stakeholders and decision makers.

On broad public participation in decision making (CST 17), the G-77/CHINA proposed referring to access to information and judicial administrative proceedings. NORWAY, supported by NEW ZEALAND, suggested including persons with disabilities.

On facilitating civil society participation (CST 18), the US, supported by CANADA, proposed text on promoting women’s leadership. The EU proposed language on promoting gender equality. Regarding public-private partnerships, the US proposed replacing “commit to” with “support.”

On strengthening the science-policy interface (CST 20 bis), the HOLY SEE proposed “the science-policy-ethics interface.”

IN THE CORRIDORS

As negotiations resumed on the Rio+20 outcome document at UN Headquarters Monday morning, many delegates expressed dismay at the daunting task ahead – how to negotiate a draft outcome document which had ballooned from an original 19 pages, to 206 pages after the March UNCSD meetings, to 278 pages now, including the Co-Chairs’ suggested text. To the surprise and delight of some, Working Group 2 rapidly made its way through the preamble and the section on renewing political commitment.

Discussions on the green economy in Working Group 1, however, progressed more slowly, with debate becoming somewhat “contentious” on how to address the framework for action subsection, and whether the entire subsection should be moved to Section V, which addresses the broader framework for action. Some also expressed concern that in Working Group 1, the G-77/China, for the most part, did not want to consider any of the Co-Chairs’ suggested text, while other delegations were already “Christmas treeing” their favorite phrases and issues into the CST, quickly morphing it into a smaller but still bulky version of the March compilation text. “We’re like flies in amber, unable to break free from our positions and start compromising,” noted one participant.

By the evening session, the IFSD was up for discussion. As expected, extremely contentious issues were not fully discussed. The Co-Chairs had not provided any suggested text for the relevant paragraphs on strengthening ECOSOC, transforming the Commission on Sustainable Development to a Sustainable Development Council, and establishing UNEP as a specialized agency, instead asking delegates how they wished to proceed. Some accepted the Co-Chair’s offer to propose a way forward, noting discussions may not be productive in a larger group setting. A small developing country spoke up in its own capacity, putting forward its earlier proposal to modify the current mandate of the Global Ministerial Environment Forum of UNEP to address sustainable development problems from a more comprehensive perspective. “Don’t expect any substantial discussions in the working group, let alone agreement, on these issues anytime soon,” warned one. “We should focus on what is possible here, and just admit that some issues will have to be agreed to during the final nights in Rio,” explained one seasoned negotiator.



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