



Earth Summit Bulletin

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PREPCOM HIGHLIGHTS

SATURDAY EVENING, 28 MARCH 1992

TOXIC CHEMICALS (WORKING GROUP II)

Working Group II held its final informal session on Saturday night to finish discussions on "Environmentally sound management of toxic chemicals" (PC/WG.II/L.30). This document was produced as a result a number of contact group meetings on this subject. Saturday night's meeting lasted until 2:30 am. Perhaps one of the most contentious issues was the illicit traffic of toxic chemicals. There was a lengthy discussion on definitions. For example, in the phrase "toxic dangerous products", there were a number of questions on the definition of "dangerous", and whether this definition included restricted products or not. The most serious problem appeared to be the general lack of expertise on this issue among the fewer than 50 delegates present.

The issue of referring to specific chemicals in the document was resolved by deleting mention of asbestos and organohalogenes. The contact group agreed that no specific chemicals would be mentioned in the document.

INSTITUTIONS (WORKING GROUP III)

Working Group III met until late Saturday night. After some debate, the group agreed to bracket the most controversial sections of the proposed CRP 3/Rev.1 (revised March 28). Items 10-22 refer to the structure and functions of the institutional mechanisms for implementing and monitoring Agenda 21. Of particular note in the Rev.1 text is the conspicuous absence of any detailed reference to the Sustainable Development Commission, as was reflected in the Chair's first draft Agenda 21 text. Instead the document sets out several coordination mechanisms within the General Assembly or ECOSOC: reform of the Second Committee or the establishment of a special main committee on sustainable development; an eminent persons group on environment and development; a functional committee of ECOSOC on sustainable development; and a third sessional committee on sustainable development.

PREPCOM HIGHLIGHTS MONDAY, 30 MARCH 1992

PLENARY

The Plenary held its 64th meeting yesterday morning to commence the process of formal adoption of the documents prepared by all three working groups and the Plenary at PrepCom IV. PrepCom Chair Tommy Koh began the meeting on a procedural note. He first announced that he was hereby quashing two rumors: PrepCom IV would end on Friday, 3 April, as scheduled, and there will not be a PrepCom V. He then said that since the PrepCom had 32 documents to consider and approve this week, five ground rules would be enforced:

- All statements will be limited to three minutes.
- Silence means consent.
- If a delegation belongs to a regional or interest group with a common position, a spokesperson would have to be designated. The Chair will not recognize more than one spokesperson from such a group.
- Delegates should concentrate on points of substance and submit all drafting changes in writing.
- The Chair intends to start all meetings on time.

Koh's third point of the morning was to express concern about the PrepCom sending bracketed text to Rio if agreement is not reached here. Koh stated that large numbers of bracketed text may discourage Heads of State from attending the Conference. Koh also stressed the need for political will and the spirit of compromise. He urged delegates to emphasize the positive rather than

the negative, to avoid a North-South confrontation and to "refrain from finger pointing". He also reminded the delegates that "the world expects and demands that we succeed." Koh then gave the floor to the Secretary of State for Foreign Affairs and Cooperation for Portugal, who spoke on behalf of the European Community.

The next item on the agenda was the accreditation of 461 new NGOs (PC/L.28/Add.12, Add.13 and Add.14). This was followed by the adoption of PC/L.60, a draft decision that changes the dates of the Conference. Due to the Moslem feast of Eid-Al-Adha (10 or 11 June), the PrepCom recommends to the General Assembly that the dates of UNCED be changed from 1-12 June 1992 to 3-14 June 1992, with pre-session consultations to take place on 1 and 2 June 1992.

The Plenary then approved three chapters of Agenda 21 and the report of Working Group I (PC/WG.I/L.48). The chapters approved were: "National mechanisms and international cooperation for capacity-building" (PC/L.59); "Science for sustainable development" (PC/L.61); and "Sustainable mountain development" (PC/WG.I/L.40). The next item on the agenda was the approval of the Agenda 21 chapter, "Integrated approach to the planning and management of land resources" (PC/WG.I/L.41). The Secretary of Working Group I, Shinichi Isashiki of Japan mentioned that paragraphs in the "Basis for Action" and "Means of Implementation" sections still remained in brackets, as the working group had not dealt with these sections. Koh responded that he will only accept bracketed text on the paragraphs dealing with finance and he suggested that consultations continue on this document. Koh also deferred action on "Combating deforestation" (PC/WG.I/L.43) pending the results of the contact group's negotiations on a statement of forest principles. As no more documents were ready for adoption by the Plenary, Koh adjourned the meeting at 11:30 am.

TECHNOLOGY TRANSFER (PLENARY)

On Saturday it appeared as though the contact group on technology transfer was close to agreement on its text, but by Monday consensus seemed to be lost. The two remaining major issues to be resolved are intellectual property rights and the transfer of technology on concessional terms as opposed to commercial terms. In addition, there is still no resolution on the title of the document and the use of the term "technology cooperation." Tentative agreement was reached over the weekend on the Saudi Arabian proposal to include the word "safe" in the phrase "transfer of environmentally safe and sound technology." Apparently, this will be defined in the introduction so that "safe technology" will be implicit in all subsequent references.

FINANCIAL RESOURCES (PLENARY)

The Contact Group on financial resources began meeting at the Ambassadorial level last week. Contact group meetings were held on Wednesday, Thursday and Friday. Two drafting groups met on Friday afternoon and evening. They reconvened the contact group meeting on Saturday morning with Vice-Chair John Bell holding further informal consultations on Sunday. No meeting on financial resources was held yesterday. The G-77 will meet this morning to discuss financial resources.

Following Bell's suggestion, the group began negotiations on the "Means of implementation" section. Debate focused on whether or not to create a "Green Fund". By Thursday, the first paragraph had been negotiated to read that new and additional resources are essential requirements for a global partnership for sustainable development.

The group then moved on to the next paragraph. The substantive questions here were related to how specific levels of the "new and additional" resources agreed to in the first paragraph should be set. On Friday, one of the drafting group meetings was led by Sri Lanka to discuss levels of ODA and new financial in-

led by Sri Lanka to discuss levels of ODA and new financial instruments. The other drafting group, led by Australia, addressed the GEF. There was no progress in the Sri Lanka group, although greater progress was achieved in the GEF discussion, despite the fact that not all countries participated in the drafting (principally the G-77.)

Talks almost broke down on Saturday when the G-77 returned to negotiations calling, once again, for a "Green Fund". It is believed that the G-77 thought that it could trade off the idea of an independent fund for commitments for increased funding levels. The talks stalled. A contact group scheduled for Sunday was cancelled. PrepCom Chair Tommy Koh announced in yesterday's Bureau meeting that he was assuming responsibility for future negotiations on financial resources.

FOREST PRINCIPLES (WORKING GROUP I)

The Contact Group on the Legally-Non-Binding Authoritative Statement of Forest Principles met yesterday afternoon. This was not a negotiating session, in light of the fact that the group devoted much of their time to "cleaning up" the text and ensuring that the negotiating text was actually the text agreed to in previous sessions. There was criticism that some parts of the revised document did not faithfully reflect the previously negotiated text. The Contact Group met again last night to begin removing brackets. Some observers have noted that despite the political will to complete negotiations on this document, time limitations may render this task impossible by the end of the week.

EARTH CHARTER (WORKING GROUP III)

The Earth Charter met all day Monday and into the evening to continue negotiations on the Co-Chairs' draft. The morning and afternoon sessions focused on Principles 15 and 25. Language was agreed to on Principle 15 that deals with the transboundary displacement and transfer of harmful activities from the country of origin to another country. By the end of the day, language had not yet been agreed to on Principle 25 that deals with prevention and the peaceful resolution of environmental disputes. It is expected that the group will be able to produce a unified paper today. However, by early Monday evening it was apparent that the negotiations had reached a very delicate and crucial phase.

INSTITUTIONS (WORKING GROUP III)

A small ad hoc group met Monday morning to discuss the proposed Sustainable Development Commission, one of the most critical institutional frameworks that may potentially emerge from UNCED. The group met in an extremely informal fashion, with no Chair nor interpretation. The Institutions Coordinator, Ismail Razali, did not attend. Several small groups caucused to discuss the pros and cons of various forms and functions of the possible Commission. At that session the Secretariat released a further revised draft of CRP 3/Rev.1 and announced another meeting would be convened to review the document Monday evening.

IN THE CORRIDORS

PrepCom Chair Tommy Koh has apparently circulated a questionnaire to some delegations, hoping to discern their positions on the final status of the Earth Summit documents. This questionnaire asks: 1) If governments still aspire to the six planned outputs of the Conference (Agenda 21, Earth Charter, Forest

Principles, Financial Resources, and conventions for Climate Change and Biological Diversity); 2) If these components should be agreed to as a single package or separately; and 3) If world leaders will want to sign some or all of the package.

Delegates' discussion on this matter in the corridors has ranged from the possibility of having the components condensed into a single-paged political statement; a resolution for follow-up for the General Assembly; or even a summary of Agenda 21 for "public consumption." Koh was expected to discuss this matter with the regional group Chairs at their meeting last night.

THINGS TO LOOK FOR TODAY AT PREPCOM

PLENARY: Once again, the Plenary is scheduled to meet all day today. Whether or not this formal session will last for the full eight hours scheduled remains to be seen. The Plenary is expected to address the following documents:

- PC/L.62 and Corr.1 -- Health and the environment (based on PC/100/Add.5)
- PC/L.63 -- Information for decision-making (based on PC/100/Add.12)
- PC/L.66 -- Education, training and public awareness (based on PC/100/Add.6)
- PC/L.67 -- Human settlements (based on PC/100/Add.7)
- PC/WG.II/L.31 -- Report of Working Group II
- PC/WG.II/L.26 -- Solid waste (based on PC/100/Add.26)
- PC/WG.II/L.27 -- Radioactive waste (based on PC/100/Add.4)
- PC/WG.II/L.28 -- Hazardous waste (based on PC/100/Add.24)
- PC/WG.II/L.29 -- Freshwater resources (based on PC/100/Add.22)

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SCHEDULE OF PREPCOM IV EVENTS

OFFICIAL MEETINGS

March 31	10:00 am	UN Conference Room 4	Plenary	Open
March 31	3:00 pm	UN Conference Room 4	Plenary	Open
March 31	8:00 pm	UN Conference Room 4	Plenary	Open

NGO AND OTHER MEETINGS

March 31	8:45 am - 9:45 am	UN Conference Room 1	NGO Strategy Session	NGOs
March 31	10:00 am - 11:00 am	UN Conference Room C	Women's Caucus	NGOs
March 31	12:00 pm - 2:00 pm	CCUN 8th Floor Grumman Room	Working Group on Militarism and the Environment	NGOs
March 31	12:30 pm - 1:30 pm	CCUN 10th Conference Room 10H	NGO Working Group on Forests	NGOs
March 31	1:00 pm - 2:00 pm	UN Conference Room B	Briefing on "Hazardous Waste Exports"	Open
March 31	1:30 pm - 5:00 pm	UNIFEM Bldg. Conf. Room on 6th Floor	NGO Working Group on Finance	NGOs
March 31	3:00 pm - 5:00 pm	UN Conference Room B	ELCI Meeting on Climate Change	Open
March 31	4:00 pm - 5:30 pm	CCUN 8th Fl. Grumman Room	Language and Ecology Working Group	NGOs
March 31	5:00 pm - 6:00 pm	aboard <i>The Spirit of New York</i> at The Water Club (30th St. & The East River)	Press briefing on PrepCom IV	Open
March 31	6:00 pm - 7:45 pm	UN Conference Room 4	UNCED sponsored briefing session on Youth activities	Open
March 31	6:00 pm - 8:30 pm	UN Conference Room 1	NGO Government Dialogue & NGO Plenary "NGO Treaties"	NGOs