



Earth Summit Bulletin

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PREPCOM HIGHLIGHTS WEDNESDAY EVENING, 1 APRIL

INSTITUTIONS (WORKING GROUP III)

The Institutions group met Wednesday evening to complete its work on the Agenda 21 text (CRP.3/Rev.3). At the close of the session, the outstanding issues pertained to: Secretariat support structure; national reporting; high-level inter-agency coordination; regional and sub-regional cooperation and implementation; NGO participation; alternative dispute resolution; and the question of high-level inter-governmental coordination. On the latter point, it was agreed that the text to be sent to the Plenary would propose two options. The first proposes a high-level Sustainable Development Commission as a main subsidiary organ of ECOSOC and the General Assembly that would report directly to the General Assembly on policy and to ECOSOC on coordination. The second option proposes a similar mechanism within a revitalized ECOSOC. It was further agreed that UNCED would choose one of these options and the 47th Session of the General Assembly would address modalities. On the question of NGO participation, the language finally agreed to describes an expanded role for NGOs within the UN, but only in relation to UNCED follow-up.

EARTH CHARTER (WORKING GROUP III)

The newly-constituted 16-person Earth Charter drafting group led by PrepCom Chair Tommy Koh met Wednesday evening to resume negotiations on the new draft that had been prepared by the Co-Chairs of the original contact group, Ole Kristian Holthe of Norway and Mukul Sanwal of India. Koh was adamant that all brackets be removed before the text is tabled in Plenary on Friday. To that end, Koh proceeded to work through the text in a way that led some delegates to complain about the rather hasty manner in which numerous principles were addressed. By the end of the evening session, most of the brackets had been removed.

PREPCOM HIGHLIGHTS THURSDAY, 2 APRIL 1992

PLENARY

The 67th meeting of the Plenary began yesterday morning with a brief statement by UNCED Secretary-General Maurice Strong about the Earth Pledge. He read the pledge aloud and asked all delegates to sign it. Argentina intervened to ask how can delegates sign this pledge since it was never discussed or agreed to. "It's propaganda," he added. The Chair, Vincente Sanchez of Chile, responded that there have been no objections to it and now "I will personally sign the pledge."

Sanchez then began discussion of the documents to be addressed. He said that PC/L.65, "Role of regional organizations," will be discussed on Friday in conjunction with the document on institutions. He deferred consideration of PC/L.62 (health) until the afternoon and PC/L.29 (technology transfer) until Friday.

Discussion began on PC/L.71, "International cooperation to accelerate sustainable development in developing countries and related domestic policies." Ahmed Djoghlaif, the group's coordinator, explained that a few brackets remained in the document. It was decided to keep brackets on paragraph 18(b), which deals with the use of environment-related trade measures for promoting environmental goals. The brackets on paragraph 5 were removed in conjunction with an amendment that Australia proposed on behalf of the EC, Finland, New Zealand, Uruguay and Colombia. This amendment deals with distortions in international trade and the need for trade liberalization. An amendment was made to paragraph 19(e), which calls on governments to "seek to avoid the use of trade restrictions or distortions". Several

other amendments were proposed. The remaining brackets in the text, with the exception of those dealing with finance, will be the subject of continued consultations. With this in mind, the Plenary adopted the document.

The next document discussed was WG.I/L.39/Rev.1, "Combating desertification and drought". The one outstanding issue in this document was the forum for discussing and dealing with this issue after UNCED. The African group had proposed the preparation and adoption of an international convention to combat desertification. Although a number of countries voiced their support for this proposal, paragraphs 41 and 37(d), which deal with this issue, remained in brackets. The document was adopted and discussion on the proposed convention will continue.

WG.I/L.41 and Corr.1, "Integrated approach to the planning and management of land resources," was quickly adopted by the Plenary. Discussion then turned to PC/WG.I/L.42 and Corr.1, "Promoting sustainable agriculture and rural development." The major problems in this document were in paragraphs 14(b) and (d), which deal with harmonizing agricultural trade policies and integrating agriculture and environment policies, respectively. New Zealand announced that agreement had been reached on this and proposed new text, on behalf of Argentina, Australia, the EC, Finland and Uruguay. Paragraph 14(d) was deleted and 14(b) was replaced by language that encouraged a more open trading system and the avoidance of unjustifiable trade barriers. As a number of countries were not satisfied with the text, it was agreed that consultations would continue and the paragraphs would remain in brackets.

The Palestinian representative then took the floor to amend both documents L.41 and L.42, so that paragraphs that referred to participation of major groups included "people under occupation." This was the same amendment that he made to the freshwater resources document (PC/WG.II/L.29) on Wednesday. Unlike Wednesday, however, these amendments were not met with quiet acquiescence. The delegate from Israel immediately requested the floor to say that the group had already adopted L.41 and that his delegation rejects these proposals. The US supported Israel, stating that this was an unnecessary insertion of politics into a technical debate. Yemen supported Palestine. The Chair announced that this subject had been discussed at length in the contact group on the role of major groups and that the amendments were inappropriate at this late date. The heated debate continued until the Chair announced that he would suspend discussion until after lunch. The Plenary then heard a statement by Warren "Chip" Lindner, the International Coordinator of the '92 Global Forum and adjourned.

The 68th meeting of the Plenary began at 3:00 pm. The Plenary quickly adopted PC/L.55/Add.3 and Add.4, two notes by the Secretariat on additional intergovernmental organizations that had requested to participate in UNCED. Discussion then resumed on L.42. During the lunch break, Yemen, on behalf of the Arab group, presented the Palestinian amendments in writing to the Secretariat. The Chair suggested bracketing the amendments, as "discussion would be endless." Israel stated its opposition, which was noted by the Chair. The document was approved later in the afternoon, after New Zealand presented revised text for paragraph 14(b) that had been agreed upon by interested delegations.

The Plenary then turned to PC/WG.II/L.27, "Environmentally sound management of radioactive wastes". The US was still not satisfied with paragraph 5(c) on the storage and disposal of radioactive waste near the marine environment and requested that it be put in brackets. After a brief discussion, the document was approved as amended.

The next item on the agenda was PC/WG.II/L.30, "Environmentally sound management of toxic chemicals." The coordinator, Andrzej Czyz, announced that brackets had been removed from a number of paragraphs and all of Programme Area F, "Prevention of illegal international traffic in toxic and dangerous

chemicals." He also proposed several amendments that had been agreed to since the document had been submitted for translation. Several other amendments were proposed and after a long discussion on the title of the document -- including whether or not the title should be in capital letters -- the document was approved.

Plenary next considered PC/L.68, "Combating poverty, changing consumption patterns, and demographic dynamics and sustainability", along with a list of modifications proposed by the Australian coordinator, Marie Coleman. She stated that their work had been done in careful consultations with the Women's Caucus. Small changes were made to the text and only paragraphs 17 and 19 in the programme area on unsustainable patterns of production and consumption remained in brackets. The Chair requested that the US propose new language on both paragraphs. India, speaking on behalf of the G-77, said that they could not accept the text. Egypt proposed amendments to the text as debate closed. Several countries objected that these amendments disturbed carefully crafted compromise language that had been negotiated in the contact group. Egypt responded that it was not able to participate in the contact group. Its amendment was bracketed with paragraphs 17 and 19 and L.68 was adopted.

Plenary moved on to consider PC/L.62 and Corr.1, "Protection and promotion of human health". This document had been considered on Tuesday but there was disagreement on paragraphs 27 and 28 that deal with family planning. Consultations were held and the results were presented to the Plenary. Many countries proposed amendments to the carefully crafted text and by 6:00 pm there was no resolution. Discussion continued at 8:00 pm.

EARTH CHARTER (WORKING GROUP III)

On Thursday morning, the 16-person Earth Charter drafting team led by PrepCom Chair Tommy Koh continued to negotiate on the basis of the text that was prepared on Wednesday by the Co-Chairs and revised during that evening's session. Some delegates who were not on the drafting team complained that they were prevented from consulting with their country or regional representatives inside and, furthermore, that the latter were not allowed to even distribute copies of the most recent text.

Notwithstanding Koh's success in removing brackets from all but two principles, several delegates who had seen Thursday's text expressed disappointment with the language, the overall content and the manner in which the divergences around key principles had been addressed. By the end of the afternoon, the group was unable to remove brackets around the remaining outstanding principles, 7 and 7a, which deal with common but differentiated responsibilities and population, respectively. The group was able, however, to proceed on to the drafting of the preamble. One Northern delegate stated that the preamble was in no way uplifting, but rather, appropriately consistent with the rest of the text.

WORKING GROUP III

The 26th and final meeting of Working Group III was called to order Thursday morning by Chair Bedrich Moldan, who said that the purpose of this meeting was not to negotiate but to adopt documents and send them to the Plenary. The Chair moved first to PC/WG.III/L.32 and Corr.1, "Legal instruments and mechanisms." The Coordinator, Reynaldo O. Arcilla, introduced the document and the corrigendum. Both documents were adopted for transmittal.

The group moved on to L.33, "Principles on General Rights and Obligations" (The Earth Charter). L.33 represents the Co-Chairs' draft from last week. Moldan requested that L.33 be adopted for transmittal and that oral amendments would be made from the floor in the Plenary on Friday. He explained that the adoption of this document was only a procedural move since L.33

would be supplanted by the bracket-free text expected to be completed by Koh's drafting group Thursday evening.

Vice-Chair Ismail Razali presented the most recent version of the institutions document, CRP.3/Rev.3, which had been worked on until 3:00 am the night before. He requested that since this was a product of a working consensus that it be permitted to pass to Plenary for further discussion. The institutions document will be presented in Plenary as PC/WG.III/L.31 and Corr.1.

Working Group III then moved to the final agenda item, adoption of the report, PC/WG.III/L.34. Due to the overwhelming volume of documents and the finite resources of the Secretariat it was announced that this document would not be available tomorrow in all working languages. France, supported by Djibouti, Kenya and Switzerland, intervened saying that there were limits to their good will and insisted that the report of Working Group III be available in all working languages. The Chair said that this matter would be taken up by the Bureau. The report was adopted.

THINGS TO LOOK FOR TODAY AT PREPCOM

PLENARY: Today is the last day of PrepCom and, thus, the Plenary will meet until it has addressed and approved all of the remaining PrepCom documents. This session will probably go late into the evening. Documents that still have to be addressed include:

- PC/L.65 -- Role of regional organizations
- PC/L.69 -- Transfer of technology (based on PC/100/Add.9)
- PC/L.72 -- Strengthening the role of major groups (based on PC/100/Add.13)
- PC/WG.I/L.44 -- Conservation of biological diversity (based on PC/100/Add.20)
- PC/WG.I/L.45 -- Environmentally sound management of biotechnology (based on PC/100/Add.27)
- PC/WG.I/L.46 -- Statement on forest principles
- PC/WG.I/L.47 and Corr.1 -- Protection of the atmosphere (based on PC/100/Add.14)
- PC/WG.II/L.25/Rev.1 -- Protection of the oceans and all kinds of seas (based on PC/100/Add.21)
- PC/WG.III/L.31 -- Institutions
- PC/WG.III/L.32 -- Legal Instruments
- PC/WG.III/L.33 -- Earth Charter
- PC/WG.III/L.34 -- Report of Working Group III
- Financial Resources

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SCHEDULE OF PREPCOM IV EVENTS

OFFICIAL MEETINGS

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

NGO AND OTHER MEETINGS

April 3	8:45 am - 9:45 am	UN Conference Room 1	NGO Strategy Session	NGOs
April 3	10:00 am - 11:00 am	UN Conference Room C	Women's Caucus	NGOs
April 3	10:00 am - 11:00 am	AFS Bldg. Galatti Lounge	Youth NGOs Meeting	Youth NGOs
April 3	12:00 pm - 2:00 pm	CCUN 8th Floor Grumman Room	NGO Working Group on Militarism the Environment & Development	NGOs
April 3	12:30 pm - 1:30 pm	CCUN 10th Floor Conference Room 10H	NGO Working Group on Forests	NGOs
April 3	6:00 pm - 8:30 pm	UN Conference Room 1	NGO Government Dialogue & NGO Plenary "NGO Treaties"	NGOs