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UNCED HIGHLIGHTS 4 JUNE 1992

PLENARY

Plenary resumed working its way through its lengthy speakers list. The most notable speech of the morning, delivered by Segolene Royal, French Minister for the Environment, set out France's commitments as follows: signing of both the Climate Change and Biodiversity Conventions; support for future forests and desertification conventions; acknowledgement of the special responsibilities of developed countries; commitment to meet the UN ODA target of 0.7% of GNP by 2000; contribution of approximately US\$125 million to the GEF; a role for NGOs in the Sustainable Development Commission; and support for the Rio Declaration.

The Fourth Meeting of the Plenary opened yesterday afternoon with the election of the nine Vice-Presidents from the Asian States as the first item on the agenda. Due to the inability of the Asian Group to reach agreement earlier in the week on their nine nominees, a secret ballot was supposed to be held. This would have been the first vote to have ever been taken within the UNCED process. Pakistan, on behalf of the G-77, announced that both Pakistan and Japan had withdrawn themselves from the list of nominees, therefore, obviating the necessity for an election.

"General debate" resumed with Thorbjørn Berntsen, Norwegian Environment Minister, who called on GATT to address the connection between trade and environment. He also called for the improvement of international standards for dealing with nuclear waste as well as replacement of the most dangerous nuclear plants with environmentally sound alternatives. He also mentioned that the participation of NGOs in the UNCED process "points the way towards a closer working relationship between the independent sector and Governments all over the world." Other interesting points from the afternoon's session include UNDP Administrator William H. Draper's commitment to the establishment of an international sustainable development center in Brazil, and, the pledge of UNDP's assistance for capacity building.

MAIN COMMITTEE

As the Main Committee worked through the first eight chapters of Agenda 21, it became increasingly clear that the challenge of removing the remaining brackets would not be easy. The meeting started on a procedural note, including an announcement that Charles Liburd of Guyana would be the coordinator for the contact group on forest principles. Committee Chair Tommy Koh then set out guidelines to facilitate the work of the Committee, including a prohibition on reopening unbracketed text. After a long procedural discussion, during which a number of delegations requested exceptions to this rule, Koh proposed that unbracketed text be opened only in the following cases: 1) where the Secretariat has inadvertently left out brackets; 2) where a paragraph contains a footnote requesting reexamination; and 3) where certain delegations reserved the right to reexamine the text in Rio and the request had been acceded to at PrepCom IV. Koh requested that delegations submit a list of the latter by 6:00 pm yesterday so that he could compile and present the list to the Main

Committee for consideration today.

The Main Committee then took up the bracketed text of Chapter 1 of Agenda 21 -- the Preamble. It was agreed that the bracketed text in paragraph 1.4, and all subsequent Agenda 21 chapters that deal with finance or technology, are to be referred to the appropriate contact group for discussion.

Chapter 2, "International Cooperation to Accelerate Sustainable Development in Developing Countries and Related Domestic Policies," was more complicated. Koh had to send a group of countries out of the room to negotiate bracketed text in paragraph 2.1, which establishes a global partnership for environment and development. The US then requested to reopen paragraph 2.2 for discussion. This paragraph, which deals with the need for economic policies to be supportive of sustainable development, was not in brackets. The existing text states that the development process "will not gather momentum" if the external economic environment is not conducive to domestic economic growth. The US proposal, in effect, shifted the responsibility from the global economic environment to domestic economic policies of developing countries. The proposal was not well received. Not only did members of the G-77 argue with the US on matters of substance (i.e., this proposal changes the character of the paragraph) but on matters of procedure as well (should this paragraph be reopened at all). Koh postponed further discussion until he receives a complete list of all unbracketed paragraphs that delegations wanted to reopen.

The next paragraph under discussion was 2.24, which deals with external indebtedness. At PrepCom IV, the US had bracketed a sentence that reads: "In this context, additional financial resources in favour of developing countries are essential." The US suggested deleting the text or rewriting it as follows: "The availability of additional external resources will increase as foreign entities are convinced that such resources will generate a positive result." G-77 members protested while Canada and the UK tried to propose compromise language. Finally, Chile proposed text that was acceptable to both the US and the G-77: "Additional financial resources in favour of developed countries and the efficient utilization of such resources is essential."

The bracketed text in paragraph 2.33, which includes the need to restrain consumption in developed countries, was no easier. When the US commented that reducing consumption in developed countries reduces income for developing countries, Koh responded, "Why don't you let the G-77 look after the interests of the developing countries?" Koh adjourned the morning's session asking that interested parties meet to discuss the paragraph.

When the meeting reconvened, Koh quickly moved to Chapter 3, "Combating Poverty." Since there were only three paragraphs with brackets and all dealt with finance, it appeared at first that this chapter would be easily dispensed with. The US, however, reserved its position on paragraph 3.5, which includes the phrase "people under occupation."

In Chapter 4, "Changing Consumption Patterns," the US commented that there were several instances where brackets were inadvertently omitted. Koh postponed discussion on these paragraphs but that did not stop the US from proposing new text and opening a long and heated debate on paragraphs 4.3 and 4.5, which deal with the links between poverty, environmental stress

and the need to change consumption patterns. What evolved was a substantive debate between the US, supported by Japan, and the rest of the developing and developed countries. Finally, Koh said, "This is no longer the PrepCom" and we should only be lifting brackets and making some textual changes. "We are long past the point of making substantive changes." Koh asked Australia, the coordinator for this issue at PrepCom IV, to convene a small group of interested delegations to work out a compromise. Koh also asked the US to "refrain in the future from submitting entirely new texts."

The US agreed to remove the only non-finance bracketed text in Chapter 5, "Demographic Dynamics and Sustainability," and discussion quickly moved to Chapter 6, "Protecting and Promoting Human Health." Four paragraphs contained brackets around the phrase "people under occupation". Koh said that since this phrase occurs in a total of ten paragraphs in Agenda 21 and in the Rio Declaration, it should be dealt with in a generic manner. Koh said he would undertake consultations with interested delegations to find a solution acceptable to all.

The Committee quickly progressed through Chapters 7 (Promoting Sustainable Human Settlement Development) and 8 (Integrating Environment and Development in Decision-Making), before adjourning for the day.

FINANCIAL RESOURCES

Discussion on where to begin the negotiations on financial resources began yesterday afternoon. The Chair, Amb. Rubens Ricupero of Brazil, presented a draft paper for consideration. The paper contains the following points: special efforts must be made to meet the full incremental costs for developing countries; economic conditions for free trade are essential; developed countries should "reaffirm" commitments to reach 0.7 percent of GNP for ODA (with no mention of a target date); mechanisms and sources of funds should include multilateral development banks and such funds as the IDA replenishment; multilateral institutions for capacity building and technical cooperation; strengthening of bilateral assistance programmes; debt relief; private funding and private investment; innovative financing; a transparent and accountable GEF; funding for incremental costs of Agenda 21 activities; and, review and monitoring of Agenda 21 financing.

The initial reaction of certain Northern delegates to the paper has been quite favorable. They welcomed it as an encouraging development in light of the protracted debate over which text should serve as the basis of discussions, and expressed hope that other countries would agree. It is believed that if the document is accepted by the G-77 (who met Thursday afternoon to formulate its position), several days of negotiations could easily be saved. Whereas a return to the G-77 text (L.41/Rev.1) could prevent a successful resolution of the financial resources issues.

LEGAL INSTRUMENTS

The legal instruments contact group met for the first time Thursday afternoon. Discussion was carried out at a fairly general level with regard to such issues as implementation, dispute resolution and environmental crimes. The high level of generality of discussion proved to be a source of frustration to many delegates who came prepared to negotiate, given the limited time available. This frustration was exacerbated by the large size of the meeting room, which was not conducive to contact group negotiations.

INSTITUTIONS

The contact group met last night to commence discussions on the Institutions chapter of Agenda 21. The Chair, Ambassador Ismail Razali, had prepared a non-paper that addressed the role, functions and reporting structure of the Sustainable Development Commission as well as the role of the General Assembly in determining the specific modalities of the Commission. The Chair's non-paper proposes two intergovernmental functions for the Commission: (1) the consideration of information provided for by governments (ie, implementation activities, problems

regarding financial resources and technology, as well as other environment and development issues); and (2) the progress on implementation of environmental conventions. The non-paper is also noteworthy in its mention of the need for active involvement by NGOs. It also sets a target date of 1993 for its establishment. There appears to be an emerging consensus around this proposal. The contact group meets later this week and will, most likely, move quickly to adopt a decision.

CLIMATE CHANGE CONVENTION

The Framework Convention on Climate Change was opened for signature in a ceremony yesterday morning, chaired by President Collor of Brazil. UN Secretary-General Boutros Boutros-Ghali spoke, saying that although this convention falls short of the hopes of many negotiators, it does include important commitments that should be strengthened as more scientific data comes available. Collor, under the blaze of the TV lights, was the first to sign the Convention. At 1:00 pm, Belgium, followed by Norway, Liechtenstein, Australia, Iceland, Finland, Israel and New Zealand were scheduled in half-hour intervals to sign the Convention.

Talks were still carrying on privately on the separate "Like-Minded-Countries" declaration that would set CO₂ emissions at 1990 levels by the year 2000. At a European Free Trade Association and EC meeting held yesterday morning to discuss the declaration, little support was expressed.

IN THE CORRIDORS

Sources close to the finance issue suggest that the much talked about tenth replenishment to the IDA is expected to bring that fund up to US\$18 billion (from the current US\$16.5 billion). Some observers suggest that the Earth Increment to the tenth replenishment may well be in the amount of US\$5 billion to which the World Bank would add US\$1.5 billion. As well, it is likely that the World Bank will make an equal contribution to the GEF.

THINGS TO LOOK FOR TODAY AT UNCED

MAIN COMMITTEE: When the Main Committee reconvenes this afternoon, it will take up Chapter 10 of Agenda 21, "Integrated approach to the planning and management of land resources" and continue to work its way sequentially through Agenda 21. Koh may distribute a list of unbracketed paragraphs that delegations have requested to reopen for discussion. If this list is discussed by the Committee, the debate could get heated. Koh does not want to set precedent by unnecessarily opening unbracketed text.

FINANCE: The finance contact group will resume discussions today at 3:00 pm. The most critical development to watch for will be the G-77 reaction to the Brazilian Chair's non-paper. The G-77's opening remarks will be particularly important as it will reveal the group's degree of political readiness to move towards compromise.

LEGAL INSTRUMENTS: While the contact group on legal instruments is not scheduled to meet today, the Chair, Nabil el-Arabi, has planned to prepare a non-paper summarizing delegates comments made on Thursday. This paper will be made available to delegates at 12:00 pm today.

BIODIVERSITY CONVENTION: A ceremony to mark the opening for signature of the Convention on Biological Diversity will take place today at 3:00 pm in Conference Room 2. The Convention will remain open for signature at RioCentro through 14 June and thereafter at UN Headquarters in New York from 15 June 1992 until 4 June 1993. The US is not expected to sign the Convention, but may call on countries to reopen the Convention for further negotiation after UNCED.