



## UNCED HIGHLIGHTS 10 JUNE 1992

### MAIN COMMITTEE CONTACT GROUPS

**FINANCIAL RESOURCES:** The informal-informal meeting on financial resources worked through the night on Tuesday, finishing its discussions at 4:30 am Wednesday morning. After this marathon eighteen-hour session, the eight developing and eight industrialized country negotiators emerged with a final "Chair's draft" that contained only four outstanding bracketed paragraphs. These will either have been dealt with last night by the Main Committee or will be the subject of discussion today in meetings to be held at the ministerial level.

This new text was the subject of discussions yesterday morning at meetings of the regional groups and later in the G-77 meeting on finance. Many observers commented that the likelihood of approval for the text by the Main Committee depends on whether the regional group chairs will be able to maintain group "discipline", i.e. whether they will succeed in securing adherence with the decisions taken on the groups' behalf the night before. Participants in yesterday's G-77 meeting reported that there was general acceptance of the text, as it appeared to be the best possible agreement, given the constraints.

By comparing Monday's draft text (including the proposed G-77 amendments) with the results of Tuesday's closed-door all-night session, compromise appears to have been reached in the following areas:

- In the "basis for action" section, paragraph 4 in the new text now states, "The cost of inaction could outweigh the financial costs of implementing Agenda 21. Inaction will narrow the choices of future generations." This modified version of the "precautionary principle" was a G-77 amendment.
- The phrases "free trade" and "access to markets" remain.
- Wording that deals with implementation of Agenda 21 includes the phrase "will require the provision to developing countries of substantial new and additional financial resources on grant or concessional terms and according to sound and equitable criteria."
- The costs of Agenda 21 are clearly stated to be estimates.
- Developing countries will begin to prepare national plans for sustainable development.
- There will be no "pledging" conference however governments will report back to the 47th session of UN General Assembly with their plans and commitments.

Bracketed text remained in the following areas:

- ODA FOR AGENDA 21: Paragraph 15 (in the "Means of Implementation" section) deals with ODA as a source of funding for developing countries for the implementation of Agenda 21. The problem is over the target and timetable for developed countries to meet the UN target of 0.7 percent of GNP for ODA. Yesterday's draft text called for developed countries to "reaffirm their commitments" to reach this target. However, brackets remain around text that stipulates the timetable of the year 2000. Of the various formulations in brackets, G-77 members have suggested that the formulation that states that developed countries "agree to continue their efforts to achieve this

level [by the year 2000 or as soon as possible thereafter]" would probably be acceptable to the group. Of course, this sentence does not apply to the US since it has never "affirmed" a commitment and, thus, cannot "reaffirm" either a target or timetable. A separate sentence covers the US, which states that "other developed countries in line with their support for reform efforts in developing countries, agree to make their best efforts to increase their level of ODA."

- **IDA REPLENISHMENT LEVELS:** Paragraph 16(a)(i) deals with the replenishment of the IDA, one of the various existing funding sources and mechanisms used in particular for the poorest of developing countries. The ninth funding replenishment (IDA-9) was set at US\$15.5 billion. In order to adjust for expansion of the world economy and inflation, it has been estimated that IDA-10 would have to be increased by approximately US\$2 billion (although some observers have noted that this figure might be readjusted depending on whether funding to China is maintained at current figures). There is discussion regarding a possible increase to the IDA over and above the correction in real terms that would increase it by US\$ 5 billion, otherwise known as the "Earth Increment". Of this money, US\$ 1.5 billion would come from the World Bank's interest income with US\$ 3.5 expected to come from developed country donors. Brackets in the Chair's draft text, as of yesterday afternoon, contained two versions: one that mentions the "Earth Increment" to the tenth replenishment; and one that mentions the "Earth Increment" in addition to maintenance of IDA-10 at IDA-9 levels corrected in real terms.
- **THE GEF AND CONDITIONALITY:** The remaining brackets in the Chair's text, as of late yesterday afternoon, were related to the changes in governance in the Global Environmental Facility (GEF). These four sub-paragraphs deal with 1) transparent, democratic and balanced governance; 2) ensuring new and additional financial resources on grant and concessional terms; 3) predictability of flows; and finally, 4) access to and disbursement of the funds under mutually agreed criteria [without imposing conditionality]. The final bracketed phrase, as insisted on by the developing countries, is, according to several participants, the key that, if resolved, may lead to the removal of brackets around the other three paragraphs in the section. Amb. Ricúpero of Brazil has been charged by Tommy Koh with the responsibility of coordinating consultations at the ministerial level, in order to resolve all of these outstanding problems.

**FOREST PRINCIPLES:** Discussions on this document continued informally throughout the day yesterday. It was generally agreed by most observers that three paragraphs would have to be negotiated at the ministerial level: 1) paragraph (d) of the preamble that refers to the possible negotiation of a future legal instrument on forests; 2) paragraph 15 (b) that refers to the international trade in forest products [from sustainably managed forest resources], which is opposed by the Asian and African countries; and 3) paragraph 17 that [recognizes] or [takes into account] the role of forests as carbon sinks, which the G-77 would like to delete and the Arabs would like to retain.

**ATMOSPHERE:** The contact group on Atmosphere completed its work on Chapter 9 "Protection of the Atmosphere"

on Wednesday afternoon. However, the whole chapter remains in brackets because of the Saudi Arabian's insistence that the section on energy be revised to meet their concerns regarding the overemphasis on new and renewable energy throughout the text. Other contentious issues pertain to the phrase "safe and environmentally sound energy systems". With regard to the "chapeau" to the chapter, Northern governments were concerned that the measures to be carried out in accordance with this chapter not only be cost effective but environmentally sound. As of last night, the Chair had prepared revised text that had taken into account Wednesday morning's discussions. This new text was transmitted to the Main Committee for negotiation last night.

### MAIN COMMITTEE

*Editors' Note: The proceedings of the Main Committee meeting that began at 8:00 pm last night will be reported in tomorrow's issue of the Earth Summit Bulletin.*

The Main Committee began its Wednesday afternoon session with a series of announcements by the Chair, Tommy Koh, regarding the limited time available to the Committee for completion of the negotiations for all of Agenda 21. Remarking that Wednesday was the deadline for the completion of the Main Committee's work, Koh implored his colleagues in the room to refrain from extensive debate. "If we continue to bargain here, the whole Conference is in jeopardy," he said. "We must not let this Conference fail."

Koh began discussion on the Preamble and then proceeded to work sequentially through Agenda 21. The Committee approved the placement of a paragraph in the Preamble on the special needs of countries with economies in transition (paragraph 1.4 bis), with a minor amendment to paragraph 1.4, ensuring that developing countries are given priority in the allocation of new and additional financial resources.

Chapters 2-8 required no further discussion, with the exception of paragraph 7.51 in the Human Settlements chapter. This paragraph relates to the chapters on atmosphere and forests and was deferred until further consultations could take place. Discussion on Chapters 9 (atmosphere) and 10 (deforestation) was deferred until later in the evening because the contact group's reports had not yet been made available.

Discussion then turned to Chapter 12 on desertification. Koh had held a series of consultations on the two paragraphs in this chapter that deal with a future legal instrument for desertification. Based on these consultations, Koh presented compromise text on paragraph 12.40 that reads: "To request the UN General Assembly at its 47th session to establish under the aegis of the General Assembly an Intergovernmental Negotiating Committee for the elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification ... with the aim of completing it by June 1994." However, when Koh asked if the Committee could adopt this text, Portugal, on behalf of the European Community, announced that it could not accept this text. This resulted in a flurry of statements from developing and developed countries alike offering their support for Koh's compromise text and pleading with the EC to accept it. During Koh's consultations, the EC had not, in fact, opposed the idea of a global desertification convention. At one point, Koh went so far as to say that he noted with pleasure the role reversal of the US and the EC on this issue. "The US is the good guy and the EC is the bad guy," he said. Finally, at the request of Mauritania, the Committee adjourned for 10 minutes so that consultations could take place on this issue.

By the time Koh called the meeting to order, 45 minutes had passed during which numerous consultations had been held among members of the EC and between the EC and the African Group. Portugal then took the floor to announce that it would accept the wording proposed by the Chair and will support the request for a desertification convention.

As Chapters 13 (mountains) and 14 (sustainable agriculture) were clean texts, with the exception of the paragraphs on finance, Koh then turned to Chapter 15 on biodiversity. The contact group, chaired by Amb. Vincente Sanchez of Chile, forwarded a clean text to the Main Committee for adoption. Ethiopia expressed

reservations with this "incomplete" text and attempted to make a rather lengthy amendment that addressed the needs of the countries and people who have given up genetic wealth without adequate compensation. Koh responded that it is not possible at this late date to reopen the text. With a quick gavel and a muted round of applause, the chapter was adopted. Ethiopia then requested the floor and gave an impassioned statement about the immense gaps in the both the biodiversity convention and this chapter of Agenda 21. "History will be our judge," he said.

Discussion on Chapter 16 on biotechnology was postponed as consultations were still underway. As Chapter 17 (oceans) was a clean text, Koh moved quickly to Chapter 18 on freshwater resources. The contact group coordinator, Bukar Shaib of Nigeria, introduced the text and explained that after the introductory text was adopted by the contact group, France had raised a point of order to demand reinstatement of a paragraph that addresses the International Conference on Water and the Environment, which was held in Dublin in January 1992. Shaib held additional consultations on this issue, however, France refused to support the compromise text unless the Dublin Conference was mentioned. India, Colombia and Argentina all urged for the introduction to be adopted as is. Koh also pleaded with France to adopt these paragraphs. France, however, maintained its position that this was an important conference, held at the request of the UNCED PrepCom, and that it should be mentioned in the introduction. Koh requested that the Committee adopt the existing paragraphs and allow France the opportunity to consult with other delegations on the Dublin Conference.

Three other paragraphs in this chapter that set target dates for the implementation of various activities remain bracketed until Chapter 33 on finance is resolved. Two paragraphs that include the phrase "people under occupation" remain bracketed at the US's request as they are the subject of consultations undertaken by Koh and were to be discussed later in the evening. Finally, the Committee was able to adopt the new language for paragraphs 18.22(p) and 18.95. The first paragraph, one of a list of activities to improve integrated water resources management, was amended to read "Dissemination of information, including operational guidelines, and promotion of education for water users, including the consideration by the United Nations of a World Water Day." The second paragraph, which addresses the impacts of climate change on water resources, was amended to ensure consistency with the Framework Convention on Climate Change.

Before Koh adjourned the meeting, the US asked what happened to paragraph 14.57(d) in the chapter on sustainable agriculture. This paragraph, which deals with plant genetic resources, had been referred to the contact group on biodiversity. Koh asked the chair of the contact group to report back on this paragraph after dinner and then proceeded to adjourn the meeting. The meeting was scheduled to resume at 8:00 pm.

## THINGS TO LOOK FOR AT UNCED TODAY

If, as expected, the Main Committee worked through the night last night, there should be little activity at RioCentro today. The Plenary will continue to meet. The first item on the agenda is the report of the Credentials Committee, which met on Tuesday and approved all of the credentials of representatives to the Conference. The Plenary will then continue with the General Debate. Notable speeches may include: the Minister for Foreign Affairs of Palestine, the Director-General of the General Agreement on Tariffs and Trade (GATT), and the Forum of Brazilian Non-Governmental Organizations for UNCED '92.

If the Main Committee does not succeed in resolving all the outstanding issues before it they will have to be taken to the Ministerial level for resolution. Although Tommy Koh pleaded with delegates to reach consensus on all outstanding Agenda 21 chapters, he did not foreclose the possibility of referring remaining problem areas to the Plenary. If this is the case, the Plenary will have to discuss these problems either today or on Sunday, since there will be no time during the summit segment of the conference on Friday and Saturday.