

UNCSD PREPCOM III: THURSDAY, 14 JUNE 2012

The third meeting of the Preparatory Committee (PrepCom) continued its work on Thursday, 14 June 2012, in Rio de Janeiro, Brazil. “Splinter” groups continued negotiations on the draft outcome document, and consultations convened during the day, as did approximately 30 side events and numerous other events throughout the city of Rio de Janeiro.

SPLINTER GROUPS

SECTIONS I AND II: This group was facilitated by Mohamed Khalil (Egypt), and considered 20 paragraphs. One paragraph (8) was agreed *ad referendum*, reaffirming the importance of the Universal Declaration of Human Rights and emphasizing the responsibilities of all States to respect, protect and promote human rights and fundamental freedoms for all.

Several paragraphs remained with limited or no changes from the 2 June version, as one or more delegations indicated an inability to accept bracketed language or remove their proposed amendments related to: freeing humanity from “extreme” poverty and hunger; the Rio Declaration on Environment and Development and its Principles, including CBDR; the right to food; the Programme of Action of the International Conference on Population and Development, the Key Actions for Further Implementation of the Programme of Action, and the Beijing Declaration and Platform for Action; technology transfer on mutually agreed terms and conditions; the principle of non-regression in environmental law; financial crisis; the ongoing discussions on human security in the UNGA; the need for a global strategy on youth and employment; climate change; trade; removing obstacles to the realization of the right of peoples to self-determination, in particular peoples living under colonial and foreign occupation; territorial integrity; the gap in implementation of commitments; and middle-income countries. One group proposed opening paragraph 23, which had been agreed *ad referendum*, to change a reference from “vulnerable groups” to “people in vulnerable situations,” although others objected to opening agreed language. Delegates also discussed the possibility of moving text on climate change, technology transfer and trade to other sections of the text, but did not agree.

GREEN ECONOMY: This splinter group met in the morning to consider five subparagraphs. The facilitator, Patrick Wittmann (Canada), explained that a streamlining group is working on text referencing the Rio Principles across the document.

On a subparagraph on inequalities between and within countries and concentration of income and wealth (52 l), the facilitator offered amended text addressing concern about inequalities and promoting social inclusion, including social protection floors. One delegation reserved.

Delegates agreed to revisit a subparagraph on sustainable consumption and production patterns (SCP) and citing the principle of CBDR (52 l *bis*). One group said it was of seminal importance. On a subparagraph on avoiding the financial burden of developing countries (52 l *ter*), there were objections to listing negative assumptions about the green economy. On a paragraph on implementing the green economy (53), delegates agreed, *ad referendum*, to relocate a reference to Rio Principle 2, on the rights of states to exploit their own resources, to the introductory omnibus paragraph 52. They also discussed a proposal to insert text on a “transition” to the green economy as a common opportunity and challenge while recognizing that countries can choose approaches appropriate to their sustainable development plans. One group had strong objections to references to transition, while others objected to language qualifying participation in the green economy. Delegations agreed to work on the facilitator’s alternative version (53 *alt*).

On a paragraph (54) on the green economy and biodiversity, delegates could not agree on references to “ecosystems” or “ecosystems services,” and one group reserved on a facilitator’s proposal to relocate text on SCP in paragraph 52 l *bis*. In a paragraph (54 *bis*) on SCP, biodiversity and natural resources, growth, and lifestyle change, a number of delegations expressed difficulty with references to lifestyles. Delegates agreed to consider a facilitator proposal that would recognize that urgent action on unsustainable patterns of production and consumption remains fundamental.

A scheduled evening session was abandoned after a few minutes when the G-77/China informed delegates that his group had conducted a stocktaking exercise to assess the progress of negotiations, and had concluded that there had been little

progress, particularly on means of implementation (MOI). He requested that the green economy negotiations continue once progress had been made on MOI.

IFSD: The group on IFSD, chaired by Marianne Loe (Norway), started a second reading of paragraph 69 (strengthening the IFSD). On subparagraph (g), there was a lengthy discussion on the engagement of civil society, but no agreement was reached. Some were concerned that civil society engagement at the national and international levels should be discussed separately. Others noted that this was the chapeau to the chapter and the language should be more general.

On enhancing and strengthening the implementation of sustainable development and follow-up and review progress (paragraph 69h), a group of developing countries proposed to make reference to follow-up and review progress made in the implementation of “all” sustainable development commitments (paragraph 69h *alt*) rather than monitoring and reviewing the implementation of all commitments related to SIDS and other commitments (paragraph 69h *bis*)

A developed country proposed, in the ECOSOC subsection, an introductory paragraph (pre-75) referring to: strengthening ECOSOC in keeping with its mandate to take on the principal responsibility for regular consideration of sustainable development; convening a high-level, universal forum for strategic stock-taking and review of the sustainable agenda on a periodic basis; and developing other mechanisms and tools as needed to advance sustainable development commitments. A group of developed countries also introduced text in paragraph 76, requesting *inter alia*, the establishment of a sustainable development council in the form of a special high-level session of ECOSOC.

The group reconvened after consultations on the functions of the possible high-level forum (paragraph pre-77). Consultations resulted in five key functions: agenda setting; follow-up; civil society engagement; science-policy interface; and UN system coordination.

In the evening, discussion resumed on elements for a paragraph pre-77. Delegates agreed, *ad referendum*, a subparagraph on follow-up and progress in the implementation of sustainable development commitments. Delegates considered a number of options for a subparagraph on monitoring and implementation, with some proposing to build on the CSD and its functions, while others stressed that the discussion was about a successor to the CSD. One delegation underlined that the role of governments and the UN was necessary but not sufficient, also highlighting the participation of Major Groups and philanthropists, venture capitalists and investors, and criticizing the role of the CSD in conducting negotiations. Developed countries agreed the CSD had not worked but noting that the UN rules for civil society participation must be respected. Delegates agreed, *ad referendum*, a subparagraph on high-level system-wide participation of UN agencies, funds and programmes with other relevant multilateral bodies. Delegates discussed a subparagraph on improving cooperation and coordination within the UN system on sustainable development programmes and policies. One group reserved. On subparagraphs on evidence-based decision making and strengthening the science-policy interface, delegates agreed on the need for a report for policy-makers that integrates social, economic and environmental data assessments, while some queried who would undertake

authorship. One group called for a move away from free-floating discussion on sustainable development that is detached from the scientific knowledge base. Negotiations continued into the evening.

OCEANS: The splinter group on Oceans, facilitated by Chris Schweizer, Australia, cleaned up the opening paragraph (Oceans 1), agreeing on everything except the target date proposed for restoring the health, productivity and resilience of oceans and marine ecosystems. The group agreed to further informal talks about how best to handle references to three international instruments (Oceans 2, 13, 15). The group accepted the facilitator’s suggested text on fish stocks (Oceans 12 *alt*) as the basis for further drafting work by an informal working group. The debate on the subsidies paragraph (Oceans 17) focused on the proposed voluntary commitment to refrain from introducing new subsidies. Some delegations cautioned that this could undermine the World Trade Organization (WTO) negotiating mandate on subsidies. Discussion on the paragraph on illegal, unreported and unregulated (IUU) fishing (Oceans 14) was postponed pending the outcome of the talks on Oceans 17. Participants could not agree on paragraphs concerning marine biodiversity (Oceans 5, 6).

DRR AND JOBS: The splinter group on Disaster Risk Reduction (DDR) and Jobs, co-facilitated by Nobuharu Imanishi (Japan) and Agnieszka Karpinska (Poland), agreed *ad referendum* paragraph DDR 3 on inter-linkages among DDR activities, recovery and long-term development planning, and added a reference to subregional organizations to previously agreed paragraph DDR 4 on stakeholders taking appropriate and effective measures. The group discussed, but did not agree on, whether to include reference to a post-2015 framework on DDR (DDR 1) and to “other structural and non-structural measures” in a paragraph on early warning systems (DDR 2).

On jobs, the group agreed *ad referendum* paragraph Jobs 8 on sharing experiences and best practices on ways to address high levels of unemployment and underemployment, particularly among youth. The group agreed to use language from UNGA Resolution 66/172 on rights and freedoms of migrants as the basis for paragraph Jobs 10. The group also agreed to reference International Labor Organization Recommendation 202 on National Floors for Social Protection in a paragraph on social protection (Jobs 9). The group could not agree regarding references to green jobs in several paragraphs, nor to new proposals to insert references to economic growth.

GENDER, EDUCATION, HEALTH, CITIES, TRANSPORT AND MINING: Chaired by Heidi Kvalsoren (Norway) and France Jocovella (Canada), an evening session discussed nine paragraphs for these sections. Two paragraphs were agreed *ad referendum*: on acknowledging the global burden and threat of non-communicable diseases (NCDs) as one of the major challenges for sustainable development (Health 4); and on emphasizing the importance of increasing the number of metropolitan regions, cities and towns that are implementing policies for sustainable urban planning and design (Cities 1).

On calling for further collaboration and cooperation at national and international levels to strengthen health systems (Health 6), language related to the role of the World Health Organization proved particularly contentious.

Reformulation was proposed on the paragraph on recognizing that partnerships among cities and communities play an important role in promoting sustainable development (Cities 4). Reference to the “UN-HABITAT Agenda” and “providing adequate and additional funding” were identified as points of divergence. Negotiations on these sections continued.

MOUNTAINS, BIODIVERSITY, POVERTY, FORESTRY AND FOOD: Co-facilitators Charles Barber (US) and Elfriede More (EU) led this group, which considered three paragraphs on mountains, three paragraphs on biodiversity, and three paragraphs on poverty.

Out of three paragraphs in the Mountains section, two previously unresolved paragraphs were discussed. On regional arrangements (Mountains 2), delegates discussed whether to reference regional agreements. The paragraph, agreed *ad referendum*, contains a proposal to strengthen existing arrangements and agreements and centers of excellence for sustainable mountain development, as well as to explore new arrangements as appropriate. On support for conservation of mountain systems (Mountains 3), delegates discussed a call for support for developing countries, and whether to use JPOI language. The reference remained bracketed as a cross-cutting issue, pending agreement on consistency of terminology.

On biodiversity and CITES (Biodiversity 8), differences remained on whether CITES “ensures” or “should contribute to” tangible benefits for local people. Some expressed concern that adopting CITES terms such as “non-detrimental” would not make sense to those unfamiliar with the CITES process. Delegates agreed to eliminate a reference to transnational organized crime, and to stress the importance of basing the listing of species on agreed criteria. On international cooperation (Biodiversity 6), delegates agreed to move language on ecosystem restoration to another paragraph (Biodiversity 5). Some concerns remained that the paragraph did not provide sufficient balance in referring to international support as well as partnerships.

On poverty eradication, delegates agreed two paragraphs (Poverty 1 and 2) *ad referendum*: an introductory statement, and the need for an enabling environment aimed at expanding development opportunities of developing countries.

In the afternoon, the group discussed the three Forests paragraphs. On policies for sustainable forest management (Forests 1), they replaced listed actions to tackle the drivers of deforestation with text from the Ministerial Declaration from the ninth session of the UN Forum on Forests (UNFF) in February 2011 on improving livelihoods. Brackets remained around text on REDD and a reference to illegal logging. Some delegations said REDD should be addressed under climate change. Co-facilitator More observed that the climate change section did not include details on the various UNFCCC negotiations, so as not to bring many details from the climate process into Rio. Co-facilitator Barber noted the current imbalance between oceans (20 paragraphs) and forests (three paragraphs). On forests, delegates agreed to paragraphs on urgently implementing the Non-legally Binding Instrument on All Types of Forests (NLBI), the role of the UNFF, and mainstreaming (Forests 2, 3 and 4).

On Thursday evening, the group discussed three of the 10 paragraphs on Food in the draft outcome document. No paragraphs were agreed *ad referendum*. On the right to food

(Food 1), delegates adopted UNGA 66/158 resolution language on access and rights to food. Co-facilitator Barber requested delegates to resolve a “horizontal issue” on how to refer to nutrition strategies, and whether to highlight nutritional needs for children under two. On rural communities (Food 2), delegates agreed to work on streamlining the text. On markets (Food 3), delegates discussed a reference to “improving the function of markets,” to replace earlier text on “market-oriented approaches.”

SIDS/REGIONS: The splinter group on SIDS/Regions, facilitated by Ruenna Haynes (Trinidad and Tobago) considered a proposal for alternative text on convening a Third International Conference on SIDS in 2014 (SIDS 3 *alt*), requesting the UNGA at its 67th session to decide on the modalities of the conference. Proposed alternative text on landlocked developing countries (LLDCs), drawn from UNGA Resolution 66/214 on the Almaty Programme of Action and Declaration on its midterm review, was substituted for paragraph LLDC 1, but several delegations asked to first consult their experts overnight before agreeing to it. The opening paragraph on Africa (Africa 1) was agreed after accepting an amendment emphasizing that significant challenges remain in achieving sustainable development on the continent. The facilitator was asked to propose streamlined text, based on agreed texts from elsewhere, to replace Africa 2 and 3 for discussion at the next meeting. An initial discussion was held on text covering other regions (Region 7, 8, 9), with some delegations continuing to call for deletion. No agreement was reached on placement of the previously agreed paragraph on least developed countries (LDCs) (LDC 1).

MOI: Facilitated by Selwin Hart (Barbados), this group considered paragraphs on trade and streamlined MOI text. No paragraphs were agreed *ad referendum* in the morning, and Hart was tasked with streamlining text on, *inter alia*: reaffirming that international trade is an engine for inclusive and sustained growth and development (Trade 1); increasing developing versus developed country market access and the need to address protectionist tendencies (Trade 2); and trade capacity building and facilitation from paragraphs Trade 5 and Trade 7.

On progress on multilateral trade negotiations (Trade 4), delegates agreed to revert to the original Co-Chair’s text. Delegates could not agree text on the need to mobilize adequate and predictable funding for Aid for Trade (Trade 6) and on efforts to achieve an ambitious conclusion to the Doha Development Agenda (Trade 3).

Delegates were particularly polarized on including reference to the need to continue WTO negotiations on liberalization of trade in environmental goods and services (Trade 8) and on committing to take action on subsidies that are market distorting and inhibit sustainable development (Trade 9), with some recommending that these “red line” issues should be deleted from the text.

Hart introduced the streamlined MOI text in the afternoon, inviting comments from interested parties. While some delegates said the facilitator’s text needed a more balanced focus on ODA, South-South cooperation, and the effective use of finance, others asked for more time to review the document. One party in particular stressed the need to focus debate on establishing a resource mobilization framework, which was previously addressed in Finance 1 *ter* and *quat*. Some delegates had sympathy for such a framework, noting that funds already

exist for some thematic areas. However, others insisted on the deletion of Finance 1 *ter* and *quat*, saying they cannot commit to the additional money requested in the two paragraphs. Hart asked delegates to reflect and identify a resource mobilization framework without numerical targets, which prompted one delegate to point out that given the post-2015 development agenda had not been agreed, there was a need to think carefully about how to mobilize resources. The facilitator adjourned the meeting to allow delegates to review the new text. After a lengthy break, the group resumed to discuss capacity building, trade and finance into the evening.

WORKING GROUP I

In the evening, Co-Chair John Ashe called on facilitators to report on the progress of their groups. France Jacovella (Canada) said progress is being made on cities, transport and mining. Heidi Kvalsoren (Norway) reported that the group only had a short time to work on gender, health and education, but had agreed to one more paragraph *ad referendum* and is close to agreement on two others. Charles Barber (US) reported that the group on mountains, biodiversity, poverty, forestry and food had worked for nine hours. On poverty, he said there is outstanding language referring to the ILO meeting that is about to conclude. He said the mountain section is almost done, and progress was made on biodiversity. On forests, he said two issues will need to be taken to a higher level: REDD+ and illegal logging and associated trade. On agriculture, he said more progress could be made.

On DRR and jobs, Nobuharu Imanishi (Japan) reported that one paragraph had been agreed *ad referendum*. The negotiations on jobs were reported to be continuing.

The facilitator for SIDS/Regions, Ruenna Haynes (Trinidad and Tobago), reported that: progress has been made on SIDS text; one delegation will come back with alternate text for a paragraph on LDCs; and new facilitator text has been tabled on Africa.

On oceans, Chris Cannan (Australia) reported that two-thirds of the paragraphs have been agreed *ad referendum* or are waiting for text from other splinter groups. Delegates were told to prepare for continued work in the splinter groups on Friday.

WORKING GROUP II

In the evening, Co-Chair Kim reported that progress was slower than on Wednesday, and asked the facilitators to report on their groups' progress. Patrick Wittmann (Canada) reported that the group on green economy had made some progress in the morning, but in the afternoon the meeting was suspended at the request of the G-77/China because they were not ready to continue until progress had been made on MOI. He noted that delegations are showing flexibility, although there are some issues of a cross-cutting nature.

Marianne Loe (Norway) reported that the group on IFSD had worked throughout the day and that progress was slow, due in part to the fact that delegates were considering some issues that had not been discussed at the last meeting.

Mohamed Khalil (Egypt) reported that the group on Sections I and II had considered outstanding paragraphs from 1-32, but had cleared only one. He said there were many cross-cutting issues that needed to be resolved in connection with other text in the document, and delegates have very little room to move on other

issues. He reported that, in paragraph 23, the G-77/China and the Holy See asked to replace "vulnerable groups" with "people in vulnerable situations."

Co-Chair Kim said there is a strong sentiment against reopening text. He also said that, after the PrepCom closes on Friday night, the Brazilian Government will take over coordination.

DIALOGUE WITH MAJOR GROUPS

During an evening "Dialogue with Major Groups," Major Groups representatives offered statements regarding their constituencies' interests and Bureau and Secretariat members offered updates on a number of elements related to the Rio+20 process. Brice Lalonde, UNCSO Executive Coordinator, highlighted the upcoming Sustainable Development Dialogues. Nikhil Seth, Director, Division for Sustainable Development, reviewed 11 points that he said demonstrate that Rio+20 is a "step change" from what has been achieved in the past, including: the document emphasizes the role of Major Groups upfront; this is the first time that governments have negotiated an agreement on "green economy"; governments are considering the creation and reform of institutions, which he noted requires hard work; the 10YFP on SCP could be a quantum leap; and the registry of commitments will record commitments to action. Elizabeth Thompson, UNCSO Executive Coordinator, quoting Maurice Strong, recalled that "ultimately, politicians are accountable to the people." She said that, with one more day to go, Major Groups should press negotiators to find a way to deliver what people want.

IN THE CORRIDORS

The Means of Implementation became the "means of escalation" as the G-77/China asserted demands for progress on finance by withdrawing from the negotiations on the green economy. Some observers wondered if negotiations had reached a watershed moment after the Group informed the facilitator of the green economy splinter group that they could not proceed until progress had been made on their "red line" issues on MOI, including demands for a resource mobilization framework to support the outcomes of Rio+20, with significant new funding.

One insider highlighted that pressure was beginning to build, as the large number of unresolved paragraphs in the face of a looming deadline had begun to force a more hands-on approach by the host country, evidenced by Brazil's reported involvement in informal consultations on some of the more contentious issues, such as governance and energy.

Meanwhile, in splinter group after splinter group, observers commented on delegates' growing reliance on previously agreed text, from General Assembly Resolutions to the outcomes of the 1994 International Conference on Population and Development and the 1995 Fourth World Conference on Women. As one delegate commented, "If all we're going to do here is regurgitate what we've said before in other fora, why are we even here?" With many saying they are still looking for vision and leadership – together with the forward-looking ideas and text – the countdown has started. Some have asked if the "Future We Want" will turn out to be the past we already had.