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UNCSD PREPCOM III: FRIDAY, 15 JUNE 2012

The third meeting of the UNCSD PrepCom concluded at 12:16 am on Saturday, 16 June 2012, following a full day of negotiations in multiple "splinter" groups and informal consultations. The PrepCom invited Brazil to conduct "pre-conference informal consultations led by the host country." Side events, events in the Pavilions in Athlete's Park, and numerous other events took place throughout the city of Rio de Janeiro.

SPLINTER GROUPS

SECTIONS I AND II: In two afternoon sessions, the splinter group worked through several paragraphs with no agreement on paragraphs 30 (support for Africa), 33 (rights of nature), 37 (public participation), 38 (role of civil society) and 40 (role of the private sector). Agreement was reached *ad referendum* on paragraph 36 on the role of all levels of government and legislative bodies.

With Zaheer Janjua (Pakistan) as facilitator, delegates examined two options for paragraph 41 (corporate sustainability reporting), but could not agree to launch a process to develop models of best practices. On 42 (scientific and technological community), there was no agreement to foster international research collaboration. On 47 (NGOs), there was no agreement on mentioning the contributions that NGOs "could" or "do" make to sustainable development. In 48, language on the role of IFIs remains bracketed and the placement of 49 *bis* (partnerships) remains in dispute. On 24 (employment), there was no agreement on a need for a global strategy on youth and employment, building on the work of the ILO.

As of 5:00 pm, 9 out of 13 paragraphs in Section I (Our Common Vision) and 17 out of 43 paragraphs in Section II (Renewing Political Commitment) had been agreed *ad referendum*.

GREEN ECONOMY: Facilitator Patrick Wittmann (Canada) convened sessions of this splinter group throughout the day. The group considered 19 paragraphs and subparagraphs, and agreed to seven paragraphs and five subparagraphs *ad referendum*. On the omnibus paragraph (52), delegations addressed a number of subparagraphs, including draft compromise text prepared by the facilitator. There was agreement to reference green economy policies in the chapeau. On a subparagraph on international cooperation (d *alt*), delegations exchanged views on avoiding "unwarranted" conditionalities on ODA and finance. On technology gaps (f), developing countries noted that the issue was being addressed in other parts of the negotiation. On avoiding a financial burden on developing countries (l *ter*), developing countries invited others to note their concerns about development space. Delegations were invited to work on this subparagraph and on l *quat*, on financialization of natural resources. On SCP (54 *bis alt*), discussion on a reference to "ecosystem services" was deferred until a formulation is agreed in related negotiations on biodiversity.

On the green economy and growth, delegations agreed to replace a reference to green jobs with a facilitator proposal to reference equitable economic growth and job creation. On 53, delegations agreed text on the implementation of green economy policies by countries that seek to apply them for the transition towards sustainable development as a common undertaking. Delegations agreed *ad referendum* on a paragraph on social and environmental factors/costs (56) and one on a paragraph on stakeholders and partnerships (57). On communications technologies (58), developing countries questioned the inclusion of references to fostering transparency and accountability. On the design and implementation of policies related to the green economy (59), delegations discussed developing countries' call to transfer the text to the MOI group. Discussion focused on a capacity development scheme with the UN, donors and the private sector and in which sections the text should be located. The facilitator undertook informal consultations. In a paragraph on support for developing countries (62), there was resistance to specific references to LDCs and green economy platform initiatives.

IFSD: Idunn Eidheim (Norway) facilitated the IFSD splinter group through the day and into the evening. Beginning with paragraph 82, delegates agreed to hold off on the chapeau and begin with subparagraph 82(a). Delegates agreed in principle to establish universal membership of the UNEP Governing Body/ Council, but disagreed on whether they should also mention establishing an appropriate executive body to enhance oversight between sessions. On UNEP as an authoritative advocate for the global environment (subparagraph 82(b)), an alternative paragraph was proposed based on paragraph 3 of the Nusa Dua Declaration on strengthening the role of UNEP as the leading global environmental authority.

On subparagraph 82(c) on financing for UNEP, delegates agreed on the need for secure, stable and predictable resources. While they agreed to refer to financial resources from a range of sources, there was disagreement on "additional" resources and "assessed contributions."

On the coordinating role of UNEP (subparagraph 82(d)), key elements to be reflected in the revised paragraph were identified including strengthening the coordinating role of UNEP, and leading the development of a system-wide UN environment strategy.

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Delegates reached provisional agreement on subparagraph 82(e) on UNEP's role vis-a-vis the MEAs, 82(f) on the science-policy interface, and 82(g), the role of UNEP in disseminating and sharing environmental information and raising awareness.

On strengthening of UNEP (paragraph 82), delegates considered subparagraph (h) on the Bali Strategic Plan for Technology Support and Capacity Building. They introduced text about cooperation and coordination within the UN system for implementation of the Bali Plan, and referred to "targeted" support for country-driven processes. They reached agreement on all issues related to this paragraph, except on the proposed introduction of "voluntary" with reference to transfer of technology. On subparagraph (i) regarding location and partnerships, delegates debated whether to refer to strengthening of UN "regional offices" or "regional presence." They also discussed coordination in the UN system, cost effectiveness and avoiding duplication and weakening of UNEP headquarters' functions.

Delegates did not reach agreement on civil society participation (sub-paragraph 69 (g)), promoting accountability through involvement of Major Groups and other stakeholders (paragraph pre-77 old bullet points 5 and 6), and review, monitoring and follow-up of implementation (subparagraph 69 (h)).

OCEANS: This group, facilitated by Chris Schweizer (Australia), agreed *ad referendum* on paragraphs on ocean fertilization (Oceans 11) and fisheries subsidies (Oceans 17). The opening paragraph (Oceans 1) was agreed except for a target date proposed for restoring the health, productivity and resilience of oceans and marine ecosystems. References to three international agreements were not agreed (Oceans 2, 13, 15), and agreement was not reached on marine protected areas (Oceans 11), IUU fishing (Oceans 14), and on technology transfer for building capacity of developing countries to benefit from sustainable use of the oceans and seas and their resources (Oceans 3).

SCP, WATER, CLIMATE: During the afternoon, delegates discussed text suggested by the facilitator, Jimena Leiva (Guatemala). On adopting the 10YFP on SCP (SCP 5), one delegate suggested further attention to what this Conference can ask other institutions to do and what that institution is being asked to do. The facilitator said she would streamline paragraphs SCP 1-4 into a single paragraph, and rework SCP 5.

On Water 5 (adopt measures), delegates discussed specifying that measures be adopted "according to national priorities, policies and circumstances" and adding references to water "supply and demand." Outstanding issues include text on the right to safe drinking water and sanitation and references to a target of 2030 for significantly improving water efficiency and reducing water losses. A facilitator's text on climate change was distributed for consultations.

DRR AND JOBS: The splinter group on Disaster Risk Reduction (DRR) and Jobs, co-facilitated by Nobuharu Imanishi (Japan) and Agnieszka Karpinska (Poland), could not agree on a reference in DRR 1 to a post-2015 DRR framework or on enhanced international cooperation in support of DRR in DRR 2. On jobs, the group agreed *ad referendum* on social protection (Jobs 9) after adding text noting International Labor Organization Recommendation 202 on National Floors for Social Protection. The group also agreed *ad referendum:* Jobs 1 recognizing that poverty eradication, full and productive employment, decent work for all, and social integration and protection are interrelated and mutually reinforcing; Jobs 4 on supporting national efforts to provide new job opportunities to the poor in both rural and urban areas; and Jobs 6 committing to work towards safe and decent working conditions and access to social protection and education for informal unpaid work. The group could not agree regarding references to green jobs and to economic growth in several paragraphs, to a reference on enhancing core resources of the UN funds, programmes and agencies in Jobs 3 on investing in infrastructure and productive capacities, or to use agreed language from UNGA Resolution 66/172 in Jobs 10 on migrants.

GENDER, EDUCATION, HEALTH, CITIES, TRANSPORT AND MINING: Heidi Kvalsoren (Norway) and France Jacovalla (Canada) facilitated consideration of these issues. On gender, education and health, six paragraphs were discussed and paragraphs were agreed *ad referendum* on: promoting programmes for non-formal education (Education 2 *bis*); adopting good practices in sustainability management on educational institutions' campuses (Education 4); inviting donors, international organizations and others to mainstream gender in their decision-making (Gender 7); recognizing the importance of universal health coverage (Health 2); and calling for further collaboration to strengthen health systems (Health 6).

All delegations agreed, while one expressed reservations, on a paragraph on implementing the Programme of Action of the International Conference on Population and Development (Health 8).

On cities, transport and mining, six paragraphs were discussed. A paragraph was agreed *ad referendum* on the importance of increasing the number of metropolitan regions, cities and towns that are implementing policies for sustainable urban planning (Cities 3). On partnerships among cities and communities in promoting sustainable development (Cities 4), concerns were expressed on referencing the need for adequate and predictable financial contributions to the UN-HABITAT and Human Settlements Foundation and about singling out the UN-HABITAT Agenda amongst other initiatives.

A compromise paragraph based on paragraphs Mining 1 and Mining 2 was proposed by the facilitator. Points of divergence were expressed, *inter alia*, on reference to "improvement of accountability and transparency."

MOUNTAINS, BIODIVERSITY, POVERTY, FORESTRY AND FOOD: Charles Barber (US) and Elfriede More (EU) continued to facilitate discussions of the splinter group on mountains, biodiversity, poverty, forestry and food. On sustainable agriculture (Food 4), delegates could not agree on a reference to "positive externalities." An attempt to introduce a reference to reducing greenhouse gas emissions was not accepted. In several paragraphs, including Food 5 on sustainable livestock production systems, delegates could not agree on introducing stronger language of commitment. On agricultural extension services (Food 7), delegates included agricultural research and training to the actions, and called for strengthening of international cooperation on agricultural research for development. The term "voluntary," in relation to sharing of information, was introduced and bracketed, while the rest of the paragraph was agreed. On the work of the Committee on Food Security (CFS) (Food 8), delegates reaffirmed the "inclusive nature" of the CFS. Differences persisted on whether and how to reference the Principles for Responsible Agricultural Investment. Delegates reviewed this section again during the evening, and agreed *ad referendum* on Food 9 (root causes of excessive food price volatility).

The group also agreed *ad referendum* to Biodiversity 3 (Nagoya Protocol), 4 (Strategy for Resource Mobilization) and 6 (promote cooperation).

CHEMICALS/DESERTIFICATION: This group, co-facilitated by Damaso Luna Corona (Mexico) and Chris Cannan (Australia), agreed *ad referendum* on one paragraph regarding desertification. On chemicals, they cleaned up text in the paragraph on SAICM (Chemicals 2), but could not agree on the long-term funding aspect. Disagreements continued regarding paragraphs on using waste as a resource (Chemicals 6), the Basel Convention's COP 10 decision on the Ban

Amendment (Chemicals 8), the international negotiations on mercury (Chemicals 10), phasing-out HFCs (Chemicals 11), and follow-up to the Consultative Process on Financing Options for Chemicals and Waste (Chemicals 11 *bis*).

On desertification, the group agreed *ad referendum* on the facilitator's proposed paragraph for Desertification 1, on the importance of good land management after substituting "including by the international community" with "at all levels" in the reference to urgent action through short-, medium- and long-term measures. The group considered the facilitator's proposals for paragraphs on the UNCCD and monitoring and acting on land degradation in arid, semi-arid and dry sub-humid areas (Desertification 3) and on science-based policy, including the possibility of an intergovernmental panel (Desertification), but two delegations needed to consult with capital. The group could not resolve the impasse over the paragraph (Desertification 2) referring to achieving a land degradation neutral world.

SIDS/REGIONS: In the morning the SIDS/Regions splinter group, facilitated by Rueanna Haynes (Trinidad and Tobago), agreed *ad referendum* a paragraph on the special challenges of SIDS (SIDS 1) that acknowledges that climate change and sea level rise pose threats to SIDS' survival and viability, and another (SIDS 3) calling for the Third International Conference on SIDS to be held in 2014 and requesting the UNGA at its 67th session to decide on the modalities. The group also agreed *ad referendum* text on LLDCs (LLDCs 1) drawn from UNGA Resolution 66/214 on the Almaty Programme of Action and Declaration on its midterm review.

On Africa, the facilitator presented her compromise text for Africa 2, merging ideas from two prior paragraphs and using agreed text from various sources, including New Partnership for Africa's Development (NEPAD) resolutions. Amendments were agreed on strengthening human capacities and democratic institutions and the need to create enabling environments for inclusive growth, leaving brackets around text on technology transfer.

Regarding paragraphs on other regions (Region 7, 8, 9), compromise text offered by the facilitator of a general paragraph regarding all regional initiatives was rejected by one group of countries.

MOI: Facilitated by Selwin Hart (Barbados), this group considered the facilitator's text on MOI in the morning and the Co-Chairs' text on SDGs briefly in the evening. Given the polarized debate on trade, the facilitator proposed deleting the whole chapter, noting that a general reference to trade will appear in another section of the document.

On capacity-building, the facilitator introduced alternative text on a sub-bullet stressing the voluntary nature of natural resource assessments, which parties agreed to consider.

On enhancing financial support for sustainable development, delegates could not come to agreement, with some opposing reference to "enhancing financial support" as well as to "new... and innovative sources of financing." One party rejected the facilitator's text on a resource mobilization framework and introduced a new proposal, which detailed the need for an intergovernmental process under UNGA to define a sustainable development financing framework/mechanism, with an intergovernmental committee to finalize its form and ensure operationalization by 2014. Delegates requested time to consult on this proposal, although initial impressions included concern on launching a process without knowing its intent in advance and coherence and coordination with other ongoing UN processes.

On recognizing the importance and utility of a set of SDGs (SDG 2), some delegates expressed concern and others supported reference to CBDR. Delegates generally agreed on text recognizing that the goals should address and be focused on priority areas for the achievement of sustainable development (SDG 5), although one party inserted reference to "voluntary" and "different national realities." A facilitator's proposal on the SDG process (SDG 6) was also informally "shopped around" to a number of delegations, and reportedly received "lots of interest."

THIRD PREPCOM

Co-Chair John Ashe invited facilitators from the 14 splinter groups to present their progress reports. The Secretariat presented a compilation of statistics about the draft, indicating that 116 paragraphs have been agreed *ad referendum*, and 199 are yet to be agreed.

Ashe then called to order the first formal meeting of the third session of the PrepCom. The meeting elected two new vice-chairs, Mootaz Ahmadein Bahieeldin Khalil (Egypt) and Josefina Bunge (Argentina) to represent Africa and Latin America and the Caribbean, respectively, replacing outgoing officers. Delegates adopted the agenda (A/CONF.216/PC/10).

At the suggestion of Co-Chair Ashe, the PrepCom decided that the host country should take over the consultation process until the start of the Conference on 20 June. Brazilian Foreign Minister Antonio de Aguiar Patriota said much work remained, but that consultations with many delegations have deepened Brazil's understanding of where efforts need to be concentrated. He announced that the pre-conference informal consultations led by the host country would commence at noon on 16 June.

Co-Chair Ashe pledged the Bureau's support during the consultations. The Rules of Procedure were adopted on the understanding that eleven rules would remain bracketed, subject to further consultation. The PrepCom then adopted its report after Tania Raguz, Rapporteur, outlined its contents.

UNCSD Secretary-General Sha Zakung underscored that only two-and-a-half days remain before Heads of State and Government arrive, and urged delegates to demonstrate political courage. Co-Chair Ashe closed the third PrepCom at 12:16 am.

IN THE CORRIDORS

Speculation about what would happen when the PrepCom concluded Friday night occupied many discussions in the corridors. Participants recalled the PrepCom's three-day mandate, set out in the UNGA resolution calling for Rio+20, and some wondered what the modalities for negotiations would be after the closing gavel. The closing plenary partially answered the question, however more questions remained, including whether there would continue to be transparency in informal talks and how the delegates might respond to the host country's consolidated text. Some astute UN watchers were quick to note that the PrepCom was only officially opened Friday night, right before it was closed, and commented that they were pleased that a compromise had been reached on the Rules of Procedure, following lengthy discussions, paving the way to making the PrepCom official.

Meanwhile, as the green economy debate continued in the corridors among NGOs and delegates, some observers highlighted that the green economy concept has opened up differences among NGOs participating in Rio+20, as well as delegates. They pointed out that activists have adopted different positions on the intentions of various players behind the concept. One international NGO said she wanted to hear more from delegations on what the green economy "is not," that is, about the technologies and practices that ought to be phased out. Others are debating the risks surrounding the introduction of economic logic into the sustainability debate, and *vice versa*, with concerns about proposals to "trade in things that should not be traded, and value things beyond price."