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UNCSD INFORMAL CONSULTATIONS: SUNDAY, 17 JUNE 2012

During Sunday's Pre-Conference Informal Consultations, negotiating groups considered oceans, IFSD, SDGs and MOI in the morning, green economy and Sections I and II in the afternoon, and SDGs and IFSD in the evening. In addition, many informal consultations, side events and other Rio+20-focused meetings took place throughout the city of Rio de Janeiro.

NEGOTIATING GROUPS

IFSD: Facilitator Amb. Luiz Alberto Figueiredo urged delegations not to restate positions. On sub-section A (Strengthening the three dimensions of sustainable development), many supported the text. One group argued that monitoring should be referenced, which was opposed by another group.

On sub-section B (Strengthening intergovernmental arrangements for sustainable development), issues raised included: the relationship of the proposed high level political forum with ECOSOC; ensuring that the functions do not duplicate ECOSOC and UNGA and are different than the CSD; the future of the CSD during the transition; the deadline for establishing the forum; referring to "participants" or "members;" and whether functions should include monitoring or agenda setting. Mexico was asked to consult on these issues. There was a request to reinsert the paragraph establishing a high commissioner for future generations.

On sub-section C (Environmental pillar in the context of sustainable development), there was concern that some of the text provisionally agreed in the splinter group during the third PrepCom was lost and the facilitator agreed to look into this. Other issues included transforming UNEP into a specialized agency, and financing.

Sub-sections D (International financial institutions and UN operational activities) and E (Regional, national, sub-national, local), did not generate much comment.

In the evening, Figueiredo thanked Amb. Luis Alfonso de Alba for his role in facilitating informal discussions, and read the proposed compromise text on Section B. On a high-level political forum (83), the text proposed a forum "building on the strengths, experiences, resources and inclusive participation modalities" of the CSD, which would be "subsequently replacing the Commission." Delegates discussed: the linkage between ECOSOC and the proposed high-level forum; reference to a high-level representative of future generations; and

reference to monitoring and a review mechanism. The Chair requested delegates to meet Monday morning at the head-of-delegation level.

MOI: Facilitated by Amb. Andre Correa do Lago, this group aired general views in the morning and then broke for the rest of the day to find agreed language. New language was recommended for the chapeau (255). On finance, a number of delegates expressed concern about highlighting ODA over other sources of finance (261) and establishing an intergovernmental process for the mobilization of resources (257, 258, 259). Another delegation stressed the need for: a sustainable development financing "mechanism/framework" instead of a "strategy" (258); stronger language on the UNGA to "take action to establish this mechanism/framework;" and removal of reference to corruption (269).

On technology, some delegations stressed the need for technology transfer to be voluntary and on mutually agreed terms and conditions (272). Other areas of contention included reference to an intellectual property system (272), patent protection (275), and a technology transfer facilitation mechanism (276). On trade, comments ranged from keeping the two paragraphs (284, 285), to deleting the entire section, to adding more language, such as reference to subsidies and environmental goods and services.

On measures of progress (286), some wanted to add language, while others wanted to delete or move this paragraph to another section. One delegation, which was opposed by another, requested moving the registry of commitments (287) to section IIC.

OCEANS: Facilitator Minister Maria Teresa Pessoa requested delegates to develop a new option on fisheries (169) and, after conferring in small groups, delegates discussed references to stock levels, sustainable yields and referring to biological characteristics, *inter alia*. On marine biodiversity beyond areas of national jurisdiction (163), delegates conferred in small groups and reported that their well-known differences remained, and they asked the facilitator to suggest an option. On UNCLOS, some delegations preferred to recognize its "contribution" rather than its "importance" and to delete a reference to "its near universal adoption by States." Others stressed that, given that this is the 30th anniversary of this "constitution" on oceans, it should be recognized for more than a "contribution."

SDGs: Facilitator Amb. Raphael Azeredo asked delegates to highlight their red lines and to provide their impressions on the whole section of the text on SDGs rather than on a paragraph-by-paragraph basis. Many delegations expressed concerns

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regarding reference to CBDR in the section. Several delegates also lamented the absence of key indicative themes on which the SDGs should focus. The facilitator noted that several countries were uncomfortable with mentioning a list of themes in the text and that this issue was “the red line for having or not having the SDGs.”

Divergence among delegates was also expressed on the process to develop the SDGs and on the definition of a steering committee constituted no later than the opening of the 67th session of the UNGA and comprising 30 experts nominated by Member States through the five UN regional groups (251). Some delegations requested clarity on the committee. A delegation qualified as a “red wall” the need for the committee to negotiate the goals, while some indicated concern about negotiating the goals with some asking for a science-based process with inputs from all sectors.

In the evening, delegates considered a new proposal on paragraph 251, on ensuring the involvement of the scientific community and the UN system (in addition to stakeholders and expertise from civil society) in the work of the steering committee and on requesting consideration and appropriate action of the UNGA on a report containing a proposal for SDGs submitted by the committee. A delegation presented elements of a proposal on 251 and 252 on the SDGs development process, including: replacing “experts” by “relevant representatives” nominated by their government, which would have expertise in three of the sustainable development pillars; having 47 members (rather than 30) in the committee in coherence with the Human Rights Council; circulating a report of every meeting of the committee for information; having the report reviewed by UNGA; and opening the meetings of the committee to Member States or other stakeholders. While some countries said this second proposal would be characterized by an overloaded bureaucracy, many said they would be open to working to find a compromise, as suggested by the facilitator. Discussion followed a facilitator’s proposal on further recognizing the importance and utility of a set of SDGs, which fully respect all the Rio Principles, taking into account different national circumstances, capacities and priorities.

SECTIONS I AND II: Amb. Luiz Alberto Figueiredo facilitated this group in the afternoon. On principles contained in the Rio Declaration, including CBDR, and equity (15), one delegation, supported by others, said the singling out of CBDR was a red line and it should not be included, while another delegation insisted on including it.

On commitment to implement past agreements (16), some delegates said the references to the International Conference on Population and Development and Beijing Declaration and Platform for Action did not belong and objected to referencing these documents twice, as they also appear in paragraph 30 on inclusive and people-centered sustainable development. The facilitator suggested that delegates identify one place to reference the agreements and CBDR.

On the need to make progress in implementing commitments (19), several delegates objected to a reference to “increased voice” of all countries. On insufficient progress (20), several delegates objected to a reference to honoring previous commitments “without regression,” stating that it is a new concept. On supporting developing countries (23), two speakers said it was not agreed *ad referendum* and that “vulnerable groups” should be changed to “people in vulnerable situations.”

Several delegates supported removing, while others requested retaining, a paragraph on unilateral coercive economic measures (26). On the earth and its ecosystems (37), some delegates preferred not to mention that some countries acknowledge

“rights of nature.” On the sub-section on engaging Major Groups and stakeholders, a concern was raised about language that could limit stakeholder involvement to intellectual contributions. On the private sector (44), a concern was expressed that “encouraging” the private sector to behave responsibly is insufficient.

On corporate sustainability reporting (45), a delegation requested deleting a reference to the need for developing global best practices and models. The facilitator encouraged delegations with ongoing differences to work out compromise text. A delegation requested that the same practice be applied to references to CBDR.

GREEN ECONOMY: This group met in the afternoon and was facilitated by Amb. Andre Correa do Lago. Delegates suggested, *inter alia*: making the text more aspirational; moving paragraphs on MOI (72, 73) to section VI on MOI; removing reference to evaluating progress (64(c)); and strengthening the role of governments as opposed to the private sector (69). After small group consultations, new text replacing the paragraphs on creating a capacity building mechanism (64) was introduced.

The new text invites the UN system, with relevant donors and international organizations, to coordinate and provide information upon request on: matching potential partners; toolboxes, models and methodologies for green economy and sustainable development; and “existing and emerging platforms that contribute such input.” Although several delegations supported this proposal, one delegation requested reference to the Green Growth Knowledge Platform, opposed by most others.

IN THE CORRIDORS

As negotiators scrambled to finalize text, some delegates indicated challenges with formulating their strategy for the negotiating endgame. They pointed to last Friday night’s deadline, when they were warned that anything they had not agreed on might be redrafted by the host coordinators, and the current goal to identify alternatives to unacceptable text by Monday evening, as two points that have hastened some agreements. But in an era when final, all-night sessions have become *de rigor*, many wondered which night this week might feature the “all nighter,” especially since some were already referring to “negotiation by exhaustion.” The workload’s toll has manifested itself in other ways as well, with one delegate commenting that, “We are referring to the right to food in the text but we are so busy working that we even don’t have time to eat!”

Negotiators were also struggling to grasp the art of “non-negotiation,” as facilitators instructed delegates to “work with a clean text all the time” during group discussions and outside of these sessions to “get together and propose wording to Brazil.” Many also commented on the growing number of senior-level negotiators around the tables, especially those from the climate change negotiations, wondering how they might help with the “heavy lifting” – sorting out remaining “red line” to “red wall” issues and further consolidating the text. There was speculation how negotiations would proceed, as one insider questioned whether informal groups would continue to submit proposed text to the host country and when a new consolidated text would be released.

Meanwhile, in Rio, a number of Nobel Laureates, members of the UN Secretary-General’s Global Sustainability Panel (GSP) and “The Elders” gathered Sunday to put the final touches to a Declaration that they will present in RioCentro on Monday. These leaders are expected to call for, *inter alia*, agreement on a mandate to complete work on SDGs by 2015 and a new emphasis on equity, distribution and consumption.