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Backgrounder

Press Guide to the Negotiations

The problems are global—poverty, air and water pollution, deforestation, desertification, overfishing, climate change—and no country can confront these challenges alone. The search for solutions requires that a global consensus coalesce behind common actions that will improve living standards and support crucial ecosystems. The World Summit on Sustainable Development provides that opportunity by establishing a platform for all nations to come together and hammer out an agreement.

There is nothing easy, however, about some 190 countries finding common ground to determine the priorities and actions that the world will undertake to pursue sustainable development, or a political declaration that reflects an agreed vision and commitment by national leaders. Indeed, the negotiations for the World Summit on Sustainable Development have shown the difficulty of reconciling various regional and national interests into a global agreement.

But the negotiating process, which began in January, has led to a text that is about three-quarters complete and that outlines the actions and commitments that governments will make in Johannesburg to tackle numerous issues. These range from providing safe water and proper sanitation to those who lack it, to protecting ocean and forest habitats, to reducing demand on natural resources by changing production and consumption patterns. Also, elements of the political declaration to be adopted at the Summit are being discussed informally, and the negotiations on a text will take place in Johannesburg.

The implementation plan and political declaration are not legal treaties. Yet the intensity of the negotiations — and the lobbying by both international and non-governmental organizations — makes it clear that the documents carry considerable political weight. In fact, a document unanimously agreed upon by all countries — particularly at a Summit attended by many heads of State and Government — intrinsically possesses a high degree of moral authority. It can set precedents and policies that can become a kind of “soft law” and have a wide influence on many international organizations.

The Negotiations So Far

The draft implementation plan that emerged from the last preparatory meeting for the Summit in Bali, and which will serve as the basis for negotiations in Johannesburg, is 78 pages long and contains 153 paragraphs and 625 sub-paragraphs. (*For the full text, see www.johannesburgsummit.org.)* About three-quarters of the text has been agreed upon, while the remaining text is “in brackets,” that is, still under negotiation. The unresolved areas concern some of the most difficult issues, include provisions relating to trade and finance, as well as setting new timetables and targets. Many of the sticking points in the negotiations reflect the differing needs and perspectives of developing and developed countries, as well as various regional concerns.

While almost all Member States actively participate in the negotiations, the talks often revolve around only a few distinct positions, because countries usually negotiate in blocs. The developing countries are represented by the “Group of 77 and China”, a group that actually has 133 member nations. The G-77 usually presents a united position on major economic issues, but within the Group, there are regional sub-groups, particularly for Africa, for Latin America (the Rio Group), and for the countries that form the Alliance of Small Island States (AOSIS). Venezuela currently holds the rotating chairmanship of the G-77 and speaks for all the members of the Group in negotiations.

The developed countries also have formed negotiating groups. The members of the European Union usually speak with one voice, and often other countries in Central and Eastern Europe associate themselves with the EU. Denmark currently holds the Presidency of the EU and will speak for those countries at the Summit. Switzerland, still an observer State, speaks independently, as does Norway. Another, more informal, grouping is the JUSCANZ countries—Japan, the United States, Canada, Australia and New Zealand.

The Draft Implementation Plan

The draft implementation plan addresses eight broad areas where action must be taken: poverty eradication; changing unsustainable patterns of consumption and production; natural resources and ecosystems; confronting globalization; health and sustainable development; small island developing States; Africa and other regions; and the means of implementation.

Many of the provisions of the document are not new—they represent the latest thinking of the numerous processes that have fed into the Summit. For example, much of the text on water and sanitation, which has already been agreed upon, is a direct result of an important meeting on freshwater held in Bonn, Germany, last December. Elements have been drawn from not only Agenda 21 itself, but also the outcomes of the Millennium Summit and other major UN conferences of the last decade, as well as a host of multilateral environment agreements.

Under the rules of the negotiations, nothing is agreed until everything is agreed. Nevertheless, assuming that outstanding differences are resolved, some important actions on which governments have already agreed include to:

- ◆ Reaffirm their commitment to implement Agenda 21, the blueprint for sustainable development adopted at the Earth Summit.
- ◆ Reduce the huge numbers of people who lack access to safe water (1.2 billion) and proper sanitation (2.4 billion). Consensus has already been reached in the Summit negotiations on the need for governments to develop integrated water resources management and water efficiency plans by 2005, to develop efficient household sanitation systems and improve sanitation in public institutions, especially schools.
- ◆ Increase access to modern energy services, such as electricity, by the more than 2 billion people who now lack them. Also agreed is the need to improve energy efficiency and increase the share of renewables in the energy mix.
- ◆ Deliver basic health services to all, including by improving access to essential drugs, immunization services and vaccines, reducing environmental health threats and launching international capacity building initiatives. Governments also agreed to fulfil their commitments to support the Global Fund to Fight AIDS, Tuberculosis and Malaria, and to reduce respiratory diseases, including by phasing out the lead in gasoline and lead-based paint, and providing access to cleaner energy.
- ◆ Take immediate action to prevent illegal logging and trade in forest products, and to support the conservation of biodiversity, in particular through the appropriate channelling of financial resources and technology to developing countries.
- ◆ Prevent international illegal trafficking in hazardous chemicals and wastes and further develop a strategic approach to international chemicals management.
- ◆ Protect and manage marine resources through the application of an ecosystem approach to marine resources and the sustainable development of aquaculture.

Unresolved Issues

In the 25 per cent of the implementation plan that remains to be resolved, most contentious issues relate to provisions that concern globalization, trade and finance issues. But there are other areas of disagreement as well, such as whether the Summit should set new goals and targets, or whether countries should be urged to ratify the Kyoto Protocol.

What follows is a selective run-down on some of the major issues that still need resolution in Johannesburg:

Setting Targets and Timetables

At the Millennium Summit in September 2000, countries agreed on a number of goals and timetables, such as to halve by 2015 the proportion of people living in extreme poverty. A major issue for the Johannesburg Summit is whether additional targets should be established for a range of issues. Some countries feel that only when there are commitments to firm goals and targets will governments seriously undertake the necessary actions to meet those goals. There are other countries, however, that say the world has to concentrate on meeting the goals that have already been set, and should not be making new commitments that cannot be kept. Proposals for additional targets include:

- ♦ **Sanitation.** The goal of halving the proportion of people who lack access to safe drinking water by 2015 was established at the Millennium Summit. Now, there are proposals to set the same goal for providing proper sanitation for the two billion people who lack it. Those countries that do not want additional targets have argued for an alternative that simply says “dramatically reduce” the proportion of people who lack access to proper sanitation.
- ♦ **Energy subsidies.** One proposal on the table calls for reducing, eliminating or phasing out environmentally harmful and trade-distorting subsidies, with developed countries to set timetables for phasing out energy subsidies, subject to review in 2007. Some developed countries take the position that while renewable energy is desirable, it is not yet competitive with energy from other sources, and the cost of promoting it would be too high. Others counter that energy from fossil fuels is cheaper only because of extensive subsidies, and that if the playing field were leveled and the environmental consequences of each energy source were considered, renewables would be very competitive. Some oil-producing countries contend that if renewables are promoted, they should be compensated for their lost income.
- ♦ **Renewable energy.** There are proposals to increase the share of renewables in the global energy mix to at least 5 or 15 per cent by 2010; or by two per cent over 2000 by 2010. Those who are opposed argue that there can be no across the board targets for renewables, that they have to be set on a country by country basis given the different degrees of feasibility for using renewable energy sources.
- ♦ **Chemicals.** Some countries have proposed setting a target of 2020 for ensuring that chemicals do not have a significant adverse effect on human health and the environment. Other countries contend that setting such a target would involve major costs, such as for developing substitutes, which could have a profound negative effect on economic activity.
- ♦ **Biodiversity, natural resources and fisheries.** Among the broad goals under discussion are a target of 2015 for halting and reversing the current trend in the loss of natural resources and a target of 2010 to significantly reduce or reverse the current loss of biodiversity. Also, a proposed target to restore depleted fisheries to full health by 2015 has raised questions of who would have to do what, and at what expense.
- ♦ **Waste and pollution.** One proposal calls for setting a target of 2004 to effectively reduce, prevent and control waste and pollution and their health-related impacts.

Core Sustainable Development Issues

There are a number of basic differences between the way developing and developed countries—and even smaller groupings within these blocs — approach sustainable development.

- ♦ **“Common but differentiated responsibilities”.** This term was a compromise originally agreed upon during the negotiations for the Climate Change Convention in the late 1980s, and was at the core of the agreement that led to the adoption of Agenda 21. The phrase is based on the idea that while all countries share a common goal, the countries that have significantly more resources should bear a greater proportion of the responsibility to meet that goal. Some developed countries contend, however, that the concept is being over-used and put in contexts that are inappropriate and unwarranted.
- ♦ **Precautionary principle.** This principle, enshrined in the Rio Declaration, says that where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation. Concerns have been expressed in the current negotiations over whether too literal an

interpretation of this principle restricts the use of new technologies, while some stress that untested technologies can be potentially harmful, or worse, catastrophic. The principle is also contentious because of the concerns that it could possibly be misused as a protectionist trade barrier.

- ◆ **Climate change.** One proposal calls for governments to ensure entry into force of the Kyoto Protocol and to work to reduce emissions of greenhouse gases. Countries that do not support the Kyoto Protocol do not want inclusion of wording that would call upon all States to ratify the Protocol.
- ◆ **Biodiversity benefits.** A proposal to negotiate an international regime to effectively promote and safeguard the benefits from the use of biodiversity has been advanced by developing countries to ensure that they share in the benefits of biodiversity found within their forests, fields and waters.

Trade and Finance Issues

- ◆ **Market access.** Developing countries contend that industrialized countries continue to place high tariffs on goods coming from the South, effectively reducing their ability to grow their economies. This is linked to overall debate on follow-up to the Doha WTO meeting on how to promote a multilateral trading system that benefits all countries in their pursuit of sustainable development, and also the negative impact of agricultural subsidies in developed countries on farmers in the South.
- ◆ **Aid and debt relief.** Long-standing North-South issues are once again on the table, including new and additional resources and increasing official development assistance, making ODA more effective, and promoting debt-relief efforts. A new focus is whether or how the additional aid pledged in March at the Monterrey Conference on Financing for Development will be directed toward sustainable development and the initiatives agreed or launched in Johannesburg.
- ◆ **GEF.** Under debate is whether to support the replenishment of the Global Environment Facility by \$3 billion, which is to be decided at a GEF meeting in October. If donor countries will not support an adequate replenishment, some contend that there would not be enough resources to cover all the areas that the GEF is obligated to fund, not to mention additional proposed mandates, such as providing financing for implementation of the Convention to Combat Desertification. The GEF, jointly administered by the World Bank, UNEP and UNDP, is the main channel for multilateral financing for environmental projects.
- ◆ **Eco-labeling.** Proposals to promote eco-labeling have encountered concerns that it could be used as a protectionist measure to keep goods from developing countries out of the markets of developed countries.

Human Rights and Governance Issues

- ◆ **Respect for human rights and cultural diversity.** While it is clear from Agenda 21 that the individual is at the centre of efforts to promote sustainable development, there is concern about transferring debates about human rights into discussions about implementation measures if these could be used as a precondition for assistance.
- ◆ **Core labour standards.** References to respect for core ILO labour standards is often contentious, as developing countries worry that if they are unable to enforce such standards due to limited resources, donors could impose sanctions or deny aid.
- ◆ **Good governance.** Although there is universal agreement that good governance at the national and international levels is essential for sustainable development, developing countries have concerns about provisions that would make aid, trade or debt relief contingent on unilaterally defined conditions, such as good governance.
- ◆ **Access to land, land tenure and security, and credit.** These questions often involve domestic issues, and many countries feel they are unable to agree to provisions that are difficult to enforce.