

# **Report on June 1997 UN Special Session "Earth Summit +5"**

**Gauri Sreenivasan  
Canadian Council for International Cooperation  
(CCIC)**

**and**

**Anne Mitchell  
Canadian Institute for Environmental Law and Policy  
(CIELAP)**

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## BACKGROUND

The 19th UN General Assembly Special Session (UNGASS) took place in New York from Monday, June 23 to Friday, June 27 1997. Billed as the Earth Summit + 5, this meeting was the formal review of progress made to date on commitments made at the first Earth Summit, the UN Conference on Environment and Development in Rio in 1992. A historic and wide-reaching agenda, commonly referred to as Agenda 21, was set out at that time indicating agreements on areas for international collaboration to bring about sustainable development in the world for the 21st century. Earth Summit + 5 was also to provide an analysis of where and why progress on Agenda 21 has not been made, and to recommend ways to accelerate its implementation.

Gauri Sreenivasan of the Canadian Council for International Cooperation (CCIC) and Anne Mitchell of the Canadian Institute for Environmental Law and Policy (for the Canadian Environmental Network) were the development and environment NGO representatives respectively on Canada's delegation to the Special Session. (Other non governmental representatives are listed in the section on Canada's role). This report provides an NGO perspective on the outcomes and opportunities for follow up for the development and environment community. We have borrowed from each other's notes and reflections to reflect a fuller (sustainable development!) analysis, though reports to our respective networks may have different detail.

The Programme for the Further Implementation of Agenda 21 document, the text produced by the Special Session, had been under negotiation all year in the Commission on Sustainable Development, (CSD, which is the UN inter-governmental process for follow up and reporting on implementation of Agenda 21). It was 80% agreed upon by the time of the Special Session. A full copy of the text can be located at <http://www.un.org/dpcsd/earthsummit>

## OVERVIEW

*"Perhaps there is Success in Failure"*

President of the UN General Assembly, Ambassador Razali Ismail

The UN Special Session proved a frustrating meeting for governments and NGOs. Frustrating for those who were trying to push for new commitments, frustrating for governments, who despite hours of negotiations, could not bridge major divides in positions and perspectives. A political statement that was to accompany the Programme... document, could not be produced. Instead, a "statement of commitment" was added to the front of the final document that affirms the importance of Agenda 21, and pledges improved progress in implementation for the time of its next review in 2002. Faced with deadlocks across many key issues including finance, energy, and climate change, many negotiators found themselves agreeing to repeat five year old text from Agenda 21. President Razali's comments at the closing session of the conference in the early hours of the morning June 28th, are not glib however. His words indicate that the Earth Summit meeting usefully highlighted

in clear detail the fault lines that prevent an international consensus on sustainable development--a consensus that perhaps too many had slipped into assuming was either assured or easily falsified.

The conference revealed the widespread disappointment and cynicism that developing countries have felt since the Rio bargain of 1992. At Rio, developing countries were promised major transfers of technology and increased aid levels to make the transition to sustainable development, in recognition of the important principle of "common but differentiate responsibilities." But the North failed to deliver. Yet the divisions are more complex than a North-South divide over aid dollars (or yen). Indeed donor countries are themselves split on what kinds of commitments they are prepared to take on this issue. Both sides of the International Forest convention debate included Northern and Southern countries. While the UK called for serious reductions in green house gas emissions, Canada and the US feel even the target set in Rio of stabilization of emissions at 1990 levels by 2000 is unattainable, and opt for maximum flexibility for industry to adapt.

At a larger level, it is clear that the sustainable development debate, as manifested in the UN CSD and this Special session, is lopsided. While some, particularly Northern, delegations were concerned that "sustainable" seems to have dropped out of Sustainable Development, many feel that it is development that has been forgotten. At the heart of many developing nations' difficulty with the process, is the lack of concrete progress on equalizing the fundamental terms of economic power between North and South, in which aid could play only a minor role at best. The Rio UNCED meeting produced and led to a number of important, legally binding international agreements, but largely in the environmental domain: the Conventions on Climate Change and Biodiversity, and Desertification. Key issues of debt, finance, terms of trade, regulation of investment flows and technology transfer are referred to in the CSD, but are actually managed in other fora such as the International Monetary Fund, the WTO, the GATT, and in boardrooms of transnational corporations. The division of labour, the division of power, and the relationships between these fora and actors, reveal a complex and poorly coordinated terrain to bring about truly sustainable and human development in the world. A much needed debate on UN reform is now underway, though it is not clear how this may help the UN system in addressing its relationship to other centre of economic and political power in the multilateral system.

Major structural imbalances also prevent greater equity between nations at a negotiating level. Developed countries have resources for many more negotiators and staff support, and can thus handle multiple, simultaneous discussions on a range of issues while maintaining some semblance of strategy and coordination. Developing countries with one or two people based in New York and poor communication with their capitals, let alone people, are hard pressed to participate effectively in the negotiations. (UN reform advocates might suggest mandatory parity of nations' delegations.) Many international and Northern NGOs have more policy/research capacity and resources than some Southern governments. Although all negotiating sessions provide simultaneous translation services in Arabic, Chinese, French, Spanish and English, all texts are in English, placing many countries in a position of hearing in their own language, but negotiating words and nuance in someone else's.

Non-governmental actors were a key feature of the 1992 process, and the follow up since. At this Earth summit + 5, NGOs were present in impressive numbers playing diverse roles. NGOs were lobbying delegations on issues of concern, participants on government delegations, speakers in the General Assembly,(a historic precedent), and hosting their own workshops and presentations. Expanding space for NGOs and defining rules for that participation remains a major agenda item at CSD. A body called the CSD NGO Steering committee undertook considerable efforts coordinating lobbying and disseminating information to NGOs on the negotiating sessions. For many issues there were of course a variety of NGO positions. NGOs also struck caucuses such as the Southern, youth, and women`s caucuses. The Youth caucus produced their own declaration on sustainable development and global justice. As always, there were more Northern NGOs than Southern, and more environmental organizations than development or human rights groups, though these were also present.

## **CANADA'S ROLE**

The Canadian delegation was headed by John Fraser, Ambassador to the Environment. Christine Stewart, newly appointed Minister of the Environment, was in New York for three days and the Prime Minister was in New York on the Tuesday to open an exhibition on Sustainable Technologies and make Canada's statement to the General Assembly. There were 39 members of the Canadian delegation, one of the largest. Negotiators are drawn from a variety of federal departments: Environment Canada, Department of Foreign Affairs and International Trade, Natural Resources Canada and CIDA (though only one from this last). Significant coordination and leadership is provided by DFAIT's Global and Human Issues. Parliamentary representatives were MPs Charles Caccia, Karen Kraft-Sloan and Clifford Lincoln, as well as Senators Mira Spivak and Nick Taylor. There were two provincial government representatives (BC and Qubec) and eight non governmental representatives. These included, for business, the Mining Association of Canada; Canadian Council for Ministers of the Environment; Canadian Pulp and Paper Association; Syncrude Inc. NGOs included the Canadian Council for International Cooperation, the Canadian Institute for Environmental Law and Policy for the Canadian Environmental Network, the Council of Canadians with Disabilities, and Finally, (a Youth organization in Newfoundland). The youth representative was also a member of the National Youth Roundtable for the Environment. A representative from the Assembly of Manitoba Grand Chiefs was invited but was unable to participate.

Canada`s large presence is complemented by its unique positioning. As a member not constrained by block voting (as for the EU or Group of 77) Canada has considerable flexibility. It plays an active role in an informal grouping of countries known as JUSSCANZ (Japan, US, Canada, Australia, New Zealand and others), although NGO delegates were not encouraged to participate in these meetings. Canada worked hard in this fora, for example, to produce acceptable text for the political statement, although this ultimately failed. Canada is constrained from playing a leadership role on the international stage by our mixed national record on Agenda 21, and our great reluctance concerning contributions of new resources. Nonetheless, Canada is an active player, and seen as key on issues such as forests and gender. One of Canada`s main goals at this Special Session was gathering

international support for an International Convention on Forests, which failed to get a green light and was postponed for further debate.

The Prime Minister's speech touched on a number of important domestic and international issues but on the whole lacked a sense of urgency on the issue, indicating only the need for continuing step by step efforts. He indicated Canada had failed to meet its target on CO2 reductions and was not prepared to make short term commitments, although would consider medium and long term ones for Kyoto. He did state that Canada will strengthen its legislation on toxic chemicals and pollution prevention. He also stated that Canada would soon pass legislation to safeguard threatened and endangered species and their habitats. He did not speak to our declining aid budget, or indicate the need for a reversal of this decline. Chretien stressed that our international assistance efforts are directed at the alleviation (not the eradication) of poverty, and also stressed the importance of foreign direct investment for addressing poverty. Beyond the forest convention, Canadian leadership was highlighted (with a stretch in relevance) on landmines and our interest in hosting the Secretariat for the Convention on Desertification.

## **REVIEW OF OUTCOMES ON KEY ISSUES**

### **Globalization**

The text acknowledges that although globalization presents opportunities, only a limited number of developing countries have been able to take advantage of these trends. While pointing to internal factors such as inadequate infrastructure and poverty as significant obstacles to reaping the benefits of globalization, it is recognized that the Agenda 21 areas of ODA and technology transfer remain vital and largely unmet.

### **Poverty eradication**

Identified as a major cross-cutting area requiring urgent attention. The text lists a variety of priority areas, and affirms the importance of the Social Summit programme of Action, particularly the 20/20 initiative, and the Beijing Platform.

### **Consumption and production patterns**

As in 1992, this remains highlighted as a key stumbling block, particularly in industrialized countries, to sustainable development. Actions underlined for consideration include: shifting the tax burden to unsustainable patterns, promoting measures to internalize environmental costs in prices, (while seeking to avoid negative effects for market access by the South), and promoting the role of business, media and advertising sectors in shaping more sustainable patterns of consumption.

## **Finance**

This was one of the central areas of debate at the Session. This section had expected outcomes on several sub-issues.

### ODA

The omnipresent complaint. No time lines or targets were set for increasing aid, although the text recognizes the importance of ODA for Sustainable development and calls on countries to fulfill commitments to ensure ODA levels at 0.7% of GNP as soon as possible. A late-minute effort spearheaded by Minister Pronk of the Netherlands to get donor countries to commit to reverse the decline in ODA by the year 2000 could not be agreed to by many Northern countries, including Canada.

### Process to explore alternative financial mechanisms

An innovative initiative to ensure an inter-governmental process for follow up on the content of a CSD finance experts meeting in Chile, fell off the table at the eleventh hour due to lack of consensus. The initiative, first suggested as a high level panel on Finance, had been spearheaded by NGOs and carefully nurtured during the whole year of CSD meetings. By the Special Session, the US, Norway and eventually Canada, had come to play a supportive and active role on this item. The idea had been to take the good ideas researched by the experts meeting, (on, inter alia, alternative financial mechanisms for sustainable development, debt, and the role and quality of ODA), and move it to a process that might engage governments in discussions of strategies for implementation. It was also hoped the intergovernmental process would examine the role of private investment. In the end, G-77 countries were wary of a process that might divert political priorities from ODA, indicating the need for NGOs to have worked more closely with G-77 governments on this issue. The text as it stands now only recommends further study of the issue.

### Other

This section also calls for new resources to replenish the Global Environmental Facility, and urges countries to meet commitments to the eleventh replenishment of the International Development Association of the World Bank. The text also notes the need for appropriate regulatory frameworks to ensure private investment supports sustainable development.

## **Trade**

The section on trade tries hard to balance affirmation of liberalized trade with the need for ensuring a trade framework that supports sustainable development. Cooperation and coordination between UN bodies and the WTO is encouraged on trade and environment and other issues. The contentious debate over an investment treaty in the WTO, fueled also by concern about the Multilateral

Agreement on Investment (MAI) discussion in the OECD, produced several NGO and government proposals. The final text notes that any investment treaty in the WTO would require an "explicit consensus decision" of all members--speaking to the concern of the South that such a treaty not be foisted upon them. Any future agreements on investment are also called on to "take into account" sustainable development objectives and the special needs of developing countries. A paragraph proposed by Australia calling for effective dialogue at the WTO with civil society groups including NGOs, was not agreed to, and referred for discussion at the next session of ECOSOC. Unlike Habitat II, there is no text referring to the need for corporate responsibility per se, nor accountability for environmental and social impacts

### **Biodiversity**

Most of the text had already been negotiated. All governments have agreed to continue efforts to implement the biodiversity convention and to agree on a biosafety protocol. The text also notes the need to respect and maintain the knowledge of indigenous communities and encourage equitable sharing of benefits arising from traditional knowledge.

### **Forests**

The push to get agreement on a Forest Convention did not happen. The splits were interesting, with countries such as Canada, Indonesia and the European Union for a convention, and many developing countries and the US opposed. A variety of NGOs issued statements both for and against the convention, though most major NGOs are opposed. Instead the Session agreed to create an ad-hoc open-ended intergovernmental forum on Forests under the CSD to promote implementation of the Forests Panels recommendations and "consider matters left pending" including working towards consensus for "international arrangements and mechanisms".

### **Climate Change/Atmosphere**

Governments agreed to send a strong signal to the Kyoto meeting about the need for a legally binding commitment. Governments were not prepared, however, to agree on specific targets but rather that these be negotiated at the Kyoto meeting.

### **Energy**

Proposals to eliminate subsidies for fossil and nuclear energy remain contentious. A proposed tax on aviation fuel was not agreed to.

### **Toxics**

Governments have agreed that safe substitutes for toxics should be developed and those technologies transferred to poor countries. The Basel Convention should be further strengthened to define hazardous wastes covered, and a protocol negotiated on liability for damage from hazardous wastes



shipped across national borders. Governments have agreed on the need to support the clean-up of contaminated sites from nuclear activities. Governments have not agreed radioactive waste should be stored or disposed of in the country in which it is generated and as close to its source as possible, nor that Governments should clean up contaminated sites left from military activities. It is also not agreed that governments should accelerate the phasing out of leaded gasoline as soon as possible.

**Education and awareness**

The text notes the need to "re-orient education, awareness and training to increase widespread public understanding, critical analysis and support for sustainable development."

**Institutional Arrangements and Program of Work for the CSD**

The text affirms the CSD as the central forum for review of Agenda 21. It also calls for an enhanced role for the United Nations Environment Program (UNEP--whose continued existence has been under severe speculation due to an internal governance crisis), as the leading global environmental authority. The CSD is called on to improve its methods of work by: involving more ministers and high level policy makers from economic and social areas of responsibilities (beyond environment ministries), consider ways to improve methods of national reporting, encourage regional reporting and exchanges of experiences, establish closer links with other multilateral fora such as the WTO, and strengthen interactions with representatives of "major groups" of civil society. The Special Session defined the following program of work for the CSD from 1998 to 2001:

**YEAR: 1998**

Overriding issues: Poverty, Consumption and Production Patterns  
Sectoral themes: Freshwater  
Cross-sectoral theme: Technology transfer, capacity building, awareness raising, science

**YEAR: 1999**

Overriding issues: Poverty, Consumption and Production Patterns  
Sectoral issues: Oceans and Seas  
Cross-sectoral theme: Consumption and Production Patterns

**YEAR: 2000**

Overriding issues: Poverty, Consumption and Production Patterns  
Sectoral themes: Planning and Management of Land Resources  
Cross-sectoral theme: Financial resources, trade and investment, economic growth

**YEAR: 2001**

Overriding issues: Poverty, Consumption and Production Patterns

Sectoral themes: Atmosphere, Energy

Cross-sectoral theme: Information for decision-making and participation; international cooperation for an enabling environment

**FOLLOW UP OPPORTUNITIES IN CANADA**

One of the most important questions is, which Canadian NGOs are really following and using the CSD? The numbers have certainly dwindled since Rio. Many development NGOs have a stronger focus on the follow up to the Social, Human Rights and Food Summits. Although the CSD Programme of Action highlights a number of useful commitments and issues that have been "prioritized", to have meaning it will require that NGOs follow up, and create public pressure to ensure action. This is the same predictable challenge for the other major international conferences, whose networks are not well-coordinated given the limited resources and capacity in the NGO community in Canada. Certainly with respect to the CSD, there is no structure or process in Canada to review implementation publicly or coordinate assessment. The National Round table on the Environment and the Economy has not functioned this way. NGOs will have to weigh carefully their capacities and priorities for collaborative action. Opportunities to share experiences to inform action across the networks working on the agendas of diverse but linked UN and multilateral fora should be enhanced.

One of the key opportunities lies in the fact of a new Minister for the Environment, Christine Stewart. The Minister needs to strengthen and build a regular dialogue with a constituency for sustainable development. In New York, Minister Stewart indicated a strong interest in working with NGOs and other sectors. Her background in international development and human rights offers promise of a voice for a fuller understanding of sustainable development in Cabinet. >From the Prime Minister's Speech and the current context, there are also a variety of specific opportunities for NGOs in Canada over the course of the next several months:

**ODA and Finance**

Given Canada's budgetary situation, the government is in a good position to announce a commitment to reverse the decline in Canada's ODA with a timetable to return to the target ratio of 0.7% of GNP. NGOs need to send this signal with a strong message on ensuring our aid is used to reduce poverty and support sustainable human development. Building political support for new ways to finance sustainable development and exploring other issues such as regulation of investment also remains urgent. The report from the Experts meeting in Chile is still an important resource in this regard.

## **Trade**

In November, Canada hosts the Leaders meeting of the Asia Pacific Economic Cooperation (APEC), a non-transparent and business-oriented forum, which has as a goal the creation of free and open trade in the APEC region by the year 2020. Canada needs a more integrated approach to trade that reflects a framework of sustainable human development. Canadian NGOs can ask Canada to demonstrate how discussion and decisions on liberalizing trade and investment in this fora, address our Agenda 21 goals of poverty reduction, food security, environmental protection, and citizen participation.

## **Climate Change**

Countries' positions are still quite far apart, and it will require significant effort to ensure a meaningful agreement in Kyoto. Canada itself has not reached its Rio targets, but there has not been a great effort to do so. The track record since Rio demonstrates that voluntary measures will not work. NGOs feel that firm and mandatory, not flexible, measures are required. Developed countries, including Canada, need to be encouraged to act on the fact of their majority emissions, and take responsibility to ensure a legally binding commitment at Kyoto. NGO strategies should include the Prime Minister's office and Opposition Parties. There is an opportunity to encourage the Prime Minister to agree that Canada should push for a legally binding commitment for a 20% reduction of the emissions of CO<sub>2</sub> below 1990 levels by 2005.

## **Canadian Environmental Protection Act**

The Prime Minister stated that Canada will strengthen its legislation on toxic chemicals and pollution prevention. This is an opportunity for NGOs to repeat our arguments for a strengthened CEPA and the need to go back to the recommendations in the Standing Committee's report of the fall of 1995.

## **Biodiversity**

The Prime Minister also stated that Canada would soon pass legislation to safeguard threatened and endangered species and their habitats. This is an opportunity for us to argue for new or strengthened legislation in this area. All provinces should complete a biodiversity strategy; action plans with measurable outcomes and time-lines should be developed and implemented as soon as possible. As well, Canada is negotiating a biosafety protocol and the Canadian position needs to be strengthened.

## **Forests**

If Canada is determined to push for a legally binding convention, we need to ensure that it is meaningful and not used to delay implementation of the recommendations of the Intergovernmental Panel on Forests. We need to push the debate on what we mean by sustainable forestry and come up with recommendations on defining and measuring sustainable forest use, and exploring ways to

assist countries whose economies are based on forestry, to move to more sustainable economic activities.

NGOs and the CSD: Northern NGOs have newly-selected "co-facilitators" at the CSD International NGO Steering Committee, to encourage dialogue about the CSD agenda and much needed attention to issues of NGO representation and participation. Contact: Felix Dodds of UNED, UK and Michael McCoy , Center for Citizen Advocacy, e-mail: [cca@igc.apc.org](mailto:cca@igc.apc.org) or visit [www.igc.apc.org/habitat/csd-97](http://www.igc.apc.org/habitat/csd-97) Clarification of the Canadian contact in this network would be key for those planning active follow up. For more information on the international Youth declaration and follow up, contact the CEN youth caucus at e-mail: [sustain@tao.ca](mailto:sustain@tao.ca)

## **FOR FURTHER REFERENCE**

For more information on positions advocated by Canadian NGOs for the Earth Summit, here is a selected listing:

Canadian Council of Churches, Towards Sustainable Community: Five Years Since the Earth Summit E-mail: [tccr@web.net](mailto:tccr@web.net) for a copy

Sierra Club of Canada, Five Year Compendium of Rio Report Cards E-mail: [sierra@web.net](mailto:sierra@web.net)

Canadian Institute for Environmental Law & Policy, Positions on the Earth Summit draft text E-mail: [cielap@web.net](mailto:cielap@web.net)

World Wildlife Fund International, Spotlight on Solutions: Recommendations to the 1997 Review Process E-mail: [smorgan@wwfcanada.org](mailto:smorgan@wwfcanada.org)

Also:

Third World Network, Briefing Papers for Earth Summit Plus 5 E-mail: [twm@igc.apc.org](mailto:twm@igc.apc.org)

The conference of the UN Non-governmental Liaison Service on the web system provides useful publications on UN proceedings: [ngls](http://ngls)